

Conference Diplomacy in the Era of COVID: How do international environmental fora adapt to virtual formats?

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Résumé : Les négociations environnementales internationales ont été bouleversées par la pandémie de la COVID 19. La fermeture des frontières et les mesures de distanciation étant la norme, la gouvernance internationale a dû s'adapter. De nombreux forums ont choisi de mener les négociations de manière virtuelle. Dans cet article, nous analysons les défis et les opportunités des négociations multilatérales virtuelles vis-à-vis de la gestion du processus de négociation. Nous mettons l'accent sur les négociations virtuelles au sein de la Convention sur la diversité biologique, du Protocole de Montréal et de la Convention-cadre des Nations Unies sur les changements climatiques. Les données sont collectées à partir de documents officiels, de rapports de presse spécialisés et d'entretiens semi-structurés. Les résultats montrent que l'impact des formats virtuels est particulièrement élevé sur la transparence et l'inclusivité des petits groupes et la transparence vis-à-vis l'agenda des négociations.

Mots-clés: négociations multilatérales, environnement, COVID-19, processus de négociation, négociations virtuelles, négociations en ligne

Abstract: Like nearly every aspect of life, international environmental negotiations have been turned upside down by the COVID-19 pandemic. As closed borders and distancing measures are the norm for the foreseeable future, international environmental governance has been forced to adapt. Many regimes chose to conduct negotiations virtually. In this paper, we analyse the challenges and opportunities of virtual multilateral negotiations vis-à-vis the management of the negotiation process. We place a particular emphasis on the virtual negotiations within the United Nations Convention on Biological Diversity, the Montreal

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Protocol for Substances that Deplete the Ozone Layer, and the United Nations Framework Convention on Climate Change. Data is collected from official documents, specialized press reports, and semi-structured interviews with organizers and participants of virtual formats. Findings show that the impact of virtual formats is particular high on small group transparency and inclusiveness, as well as transparency about the negotiation schedule.

Keywords: multilateral negotiations, environment, COVID-19, negotiation processes, virtual negotiations, online negotiations

1. Introduction

International negotiations have traditionally been organized around robust cycles of conference diplomacy, with massive meetings taking place at regular intervals. Hit by the COVID-19 pandemic, international regimes have been under pressure since March 2020 to find solutions to continue their work. Many major conferences were postponed. Other negotiations, in particular more technical processes, such as the preparatory processes of the United Nations Framework Convention on Climate Change (UNFCCC) and the Convention on Biological Diversity (CBD) moved their discussions to the virtual level (Allan et al., 2021). Most prominently, the Meeting of the Parties (MOP) to the Montreal Protocol on Substances that Deplete the Ozone Layer took place fully virtually in November 2021. This shift has created major challenges, but also opened new opportunities to international negotiations (Pigman, 2021). The organization of such virtual negotiations places significant burdens on chairmanships and secretariats. These organizers can broker agreement, ensure that parties perceive the process as transparent and inclusive and thereby make compromise more likely (Monheim, 2015; Tallberg, 2010). Thus, it is imperative that we understand the impact of virtual formats on the negotiation process. In this paper, we analyse how virtual negotiations have changed the negotiation management of multilateral processes, by studying virtual meetings of the UNFCCC, CBD and the Montreal Protocol. Facing different realities in terms of size, technological access and financial resources, the range of fora allows to draw conclusions that are applicable to many international environmental negotiations.

In doing so, we address two shortcomings in the literature. First, recent literature on international negotiations focuses on various challenges of virtual gatherings (Chasek, 2021; Maurer & Wright, 2020; Naylor, 2020). Yet, the literature has not explored the specific ways in which the process was disrupted, despite strong previous research on the impact of the process. Cynthia Irmer and Daniel Druckman (2009) suggest that process is more relevant than context, when trying to explain the outcome of a negotiation. Studying the disruptions caused by virtual formats can hence provide valuable academic insight into the influence of such mediums on negotiation outcomes.

Second, and relatedly, although the literature stresses the importance of the management of the negotiation process as a key element of success in environmental negotiations (Monheim, 2015; Walker & Biedenkopf, 2020), it is unclear if and how virtual formats complicate negotiation management. We therefore extend the framework used to assess the management of in-person negotiations, as proposed by Kai Monheim (2015), to the virtual realm. This framework is unique in that it provides an analytical lens to capture all elements of the management of international negotiations, making it ideal for comparative analysis. As the negotiation process has a significant impact on the outcome of such meetings, it is imperative

to understand the extent to which virtual formats affect this process, as opposed to the traditional in-person settings. In doing so, we identify key challenges and opportunities for managing these new modes of negotiation.

Analysing recent virtual negotiation settings, the paper answers the following research question: *How do virtual negotiation formats affect the management of multilateral environmental negotiation processes?* We focus on three case studies: the CBD, the Montreal Protocol, and the UNFCCC. Both CBD and the Montreal Protocol have earned reputations as inclusive and successful negotiation venues in international environmental governance which have moved almost all of their work online since the onset of the pandemic. We have chosen to include the UNFCCC's virtual work, given its high political salience. We focus on all virtual formats, including the associated preparatory bodies to the fora.

Findings show that virtual negotiations can serve as useful alternatives to full face-to-face participation in the medium term, as they allow to keep environmental concerns at the top of the political agenda and allow for broader participation. Yet, they present a significant series of challenges to the negotiation process and its management. The impact of virtual formats is particularly high on small group transparency and inclusiveness, as well as on transparency about negotiation schedule. Whereas our empirical findings focus on environmental negotiations in a specific time period, it is likely that most challenges can be equally observed in other international negotiations with a large membership. Our research contributes to the discussion on digital diplomacy and multilateralism, that is equally addressed in other contributions of this special issue (Dang & Meszaros, Forthcoming; Langlet et al., Forthcoming), by highlighting the challenges and limitations of virtual negotiations through extending the framework by Monheim (2015) to such settings.

The remainder of the paper is structured as follows. In Section 2, we review the existing literature on negotiation process management and on virtual negotiations. Section 3 develops the conceptual framework, and section 4 explains the data and method used. Section 5 analyses the impact of virtual formats on the negotiation process. Section 6 concludes.

2. Literature Review

2.1. Management of international negotiation processes

This paper starts from the assumption that the management of the negotiation process matters and is a determining factor for the success of international meetings (Monheim, 2015; Tallberg, 2010; Walker & Biedenkopf, 2020). Whereas process management can in no way exclusively explain success or failure of international conferences, it is a key contributing factor. With consensus-based decision making in multilateral negotiations, several aspects of the negotiation process can play important roles in facilitating an agreement, including the role of

the chair, transparency, inclusiveness, and respect (Monheim, 2015; Oberthür & Groen, 2018; Tallberg, 2010). As the guarantor of the process, the chair of the negotiations is well-placed to impact the process. The chair can initiate bilateral talks to broker agreement and reach compromise proposals (Tallberg, 2010). Sebastian Oberthür and Lisanne Groen (2018) find that the French foreign minister and President of the 21st Conference of the Parties (COP) to the UNFCCC Laurent Fabius managed to build trust with key negotiators in the lead up to the COP in 2015 and ensured a transparent and inclusive process. This was important for parties to feel ownership of the issues and take responsibility of the process (Tubiana, 2021). More generally, organizers, including the presidency and secretariat, built bridges and helped delegates to navigate the daunting terrain at the Paris COP (Walker et al., 2021). Similarly, when developing the Sustainable Development Goals (SDGs), the chairs of the open working group visited many countries in advance, in order “to bring high-level officials up to speed so they would become comfortable with the idea of the SDGs” (Kamau et al., 2018, p. 263). Hence, trust in chairs is needed in order for them to act as successful mediators and the chairs performance is a key determining factor for reaching an agreement (Monheim, 2015; Odell, 2009; Walker & Biedenkopf, 2020).

Scholars suggest that making negotiations transparent and inclusive can contribute to better outcomes, in particular in multilateral diplomacy (Kamau et al., 2018; Monheim, 2015). Transparency and inclusiveness increase the knowledge about process and content, as well as the ability to contribute actively to the negotiation. Monheim (2015) also argues that if the process is transparent and inclusive, delegates will feel they are treated in a respectful manner, which can facilitate fruitful engagement and participation.

The importance of process is even more striking when considering the COVID-19 pandemic, which has upended the traditional working methods and negotiation processes of a variety of international negotiation fora. This is largely evidenced by the postponement of several negotiation processes and a focus on informal discussions and more technical decisions (Allan et al., 2021). Most meetings were heavily adapted to the virtual format, and usually “presentation based, with a question-and-answer session” (Allan et al., 2021, p. 4). Although such modifications were inevitable, these new formats lacked the socio-physical environment that facilitates interaction and potential agreement.

Researchers have long been advocating for the importance of face-to-face interactions in order to successfully solve disagreements between countries through multilateral negotiations (Holmes, 2018; Holmes & Wheeler, 2020). When negotiators meet in international conferences, they step out of their routine, can share coffee breaks or walk-and-talks with other participants. Thus, conferences create “moments in which leaders can advance towards their foreign policy objectives in ways that would otherwise not be possible” (Naylor, 2020, p. 585).

Yet, since the start of the COVID-19 pandemic, the potential for such interactions has been greatly affected. With face-to-face contact significantly limited, negotiators have had to rely on virtual formats to advance their discussions. Hence, the COVID-19 pandemic has heavily impacted the negotiation process. However, the extent of this impact and its implications remain unclear.

2.2. Virtual negotiation mode

Although a relatively recent phenomenon, a substantial amount of scholarship has emerged – both “pre” and “post” lockdown – to assess the impact of a virtual format on not only multilateral negotiations but even diplomacy more broadly. For instance, Elsa Hedling and Niklas Bremberg (2021) call for a new research agenda on digital diplomacy in combination with practice approaches in international relations. Thereby, digital diplomacy “consist of transformed traditional practices [...] and new practices that are emerging as a result of new opportunities and improvisation on the ground” (Hedling & Bremberg, 2021, p. 1601). Virtual meetings and negotiations face major challenges, including the disruption of interactions, questions of confidentiality and the missing personal connections (Bramsen & Hagemann, 2021; Galin et al., 2007; Low & Wolfe, 2020). Yet, Pamela Chasek (2021, p. 26) argues that “virtual multilateral diplomacy is possible, especially in the form of information sessions, panel discussions” and similar venues. In her study, she analyses 18 UN meetings and finds that trust in communication and in the process was rather high. However, major challenges occurred due to different time zones, technical problems and a reduced possibility for non-state actors to have access to government delegations (Chasek, 2021).

Studying European Union (EU) Council negotiations, Heidi Maurer and Nicolas Wright (2020) argue that many EU diplomats felt that online meetings cannot replace in-person discussions. Virtual negotiations are a particular challenge when creating trust, transparency and legitimacy. While acknowledging the importance of in-person diplomatic activity, Kristin Anabel Eggeling and Rebecca Adler-Nissen (2021) see the digital medium as a mean of continuing outreach and diplomatic exchange.

Analysing the negotiations for a new instrument on marine biological diversity of areas beyond national jurisdiction (BBNJ) under the UN Convention on the Law of the Sea (UNCLOS), Alice Vadrot et al. (2021, p. 7) highlight both opportunities and challenges of virtual negotiations, finding that online communication is useful but “cannot fully replace face-to-face meetings”. However, non-state actors were notably quite satisfied with the inclusiveness of virtual meetings, arguing these meetings can even increase participation given that they are cheaper and less time consuming. Yet, given technical issues, inclusiveness could equally be diminished, especially for developing countries or due to time zone differences (Vadrot et al.,

2021). In a related study, Vadrot and Silvia Ruiz-Rodríguez (2022) argue that virtual meetings are less inclusive, as usually only a limited number of states actively engages in the discussion. In addition, in the BBNJ intersessional work, English was used as “the *de facto* language of online discussions”, making participation for some delegates more challenging (Vadrot & Ruiz-Rodríguez, 2022, p. 8). Moreover, in this special issue, Langlet et al. (Forthcoming) analyse the impact of the digital turn on the BBNJ process and find that building trust is particularly challenging online.

In a recent report, Richard Klein et al. (2021) study diplomacy in UNFCCC meetings. They identify positive and negative implications of virtual meetings, with stakeholders being generally supportive of holding some meetings online, even after the pandemic. Klein et al. (2021, p. 6) argue “that an online meeting could be effective with a full agenda, but only a limited number of participants. Conversely, it could follow a full agenda and engage all participants, but it might not be very effective”. Moreover, in particular non-governmental organizations raise concerns with regard to transparency and inclusiveness of online meetings. Key challenges identified include “the reduced mental capacity to work for long periods online, the instability of internet connections [...] and the need for a rolling schedule” (Klein et al., 2021, p. 9). Nevertheless, the survey results showed that 75% of participants had a neutral or good experience with the online negotiations (Klein et al., 2021).

Studying how diplomats perceive the efficacy, the tactics used and the legitimacy of virtual negotiation venues, Corneliu Bjola and Michaela Coplen (2022) show that procedural constraints do influence the process. Nevertheless, negotiations are more easily accessible when conducted virtually, and when agreement was reached, it was perceived to be “just as legitimate as in-person agreements” (Bjola & Coplen, 2022, p. 21). A number of challenges due to the virtual venues were raised by diplomats, including ‘Zoom fatigue’, reduced social pressure and technical issues, which made it easier to use stalling tactics. In addition, diplomats had low faith in the security and confidentiality of the online platforms, in particular fearing that they could be secretly recorded by other parties.

Focusing on the impact of the COVID-19 pandemic on ministries of foreign affairs, Bjola and Ilian Manor (2022) argue for the rise of hybrid diplomacy. Whereas virtual meetings were a good solution during the pandemic, their combination with face-to-face meetings seems a more viable solution for the future. In particular, building trusting relationships between diplomats has been identified as a challenge in the virtual format (Bjola & Manor, 2022).

Through a detailed examination of various issue areas and negotiating fora, the literature underscores the importance of in-person meetings in international diplomacy. Moreover, the literature examining diplomacy since the start of the COVID-19 pandemic has reinforced this

argument. Virtual meetings hence have appeared more as a stop-gap measure than as a meaningful substitute for in-person negotiations. However, they allow for some semblance of diplomatic normalcy and can facilitate trust building among attendees (Eggeling & Adler-Nissen, 2021). Indeed, the impact of a virtual format on different aspects of the negotiation process has been acknowledged, notably with respect to participant fatigue, inclusiveness, and trust, albeit in a relatively piecemeal manner. However, despite these important contributions, we lack (1) a systematic analysis of the impact of the virtual format on the negotiation process and therefore (2) an understanding of potential ways of addressing said impacts. In other words, the limitations of a virtual format for multilateral diplomacy need to be identified, so that potential solutions to overcome these limitations can be envisioned. It is imperative that scholars and practitioners alike understand its overall impact on the process and ways to address the associated challenges and opportunities for managing the negotiation process.

3. Conceptual Framework

To analyse how virtual formats affect negotiation management, we apply the framework of negotiation management proposed by Monheim (2015) to virtual settings. To our knowledge, this is the only framework allowing to assess the overall negotiation management from the perspective of the organizers (the host country, the assisting secretariat, and the chairmanship). While this framework was originally intended for in-person regime-based multilateral negotiations, we extend it to virtual formats and focus on those elements that are most likely affected by the change of medium.

As our literature review shows, the management of the negotiation process can be a key determining factor in shaping its ultimate outcome. While each negotiation format differs, negotiation management in a multilateral context typically falls to the presidents or chairs, the relevant international secretariat, and / or the host of the meeting. Three elements of negotiation management, as conceptualised by Monheim (2015) are likely to be affected by virtual formats: (1) transparency and inclusiveness, (2) the capability of organizers, and (3) the authority of the lead organizer. These elements entail substantive communication and interaction amongst the parties and the organizers – in other words, they could potentially be impacted by at least some degree of digital, synthetic exchange in a virtual format underscored in the literature review. The three aspects, which Monheim breaks down into sub-elements, are briefly discussed here.

First, *transparency and inclusiveness* broadly encompass the ways in which organizers inform and engage with delegates at a variety of levels to ensure that they are kept abreast of developments and that their views are taken into account in the negotiations. This can be

particularly complex, as intense, informal negotiations often take place amongst smaller groups of delegates. Small group transparency and inclusiveness refers to the openness of the organizers with respect to the use of small group meetings in a negotiation and how they inform and update those parties not attending (Monheim, 2015). While small group negotiations are a characteristic of many multilateral negotiations, in order for such formats to function, organizers must be open with all parties about the role of these meetings and offer the possibility of participation. Transparency about negotiation schedule entails the extent to which organizers communicate with the parties about the evolution of the negotiations, including specific details on timing and location of sessions. Inclusiveness of negotiation levels refers to how organizers include different levels of the delegations (e.g., leaders, negotiators, and advisors) within the process. The inclusiveness of organizers' deliberation looks at the extent the organizers reach out to different parties and incorporate their perspectives when building a compromise (Monheim, 2015).

Second, the *capability of the organizers* refers to the expertise of organizers on the negotiation process, as well as their alignment. Process expertise entails the familiarity and experience of the organizing team with the specific multilateral negotiation process in question. The organizers' alignment refers to the degree of conflict, tension or miscommunication in the relationship between the different elements of the organizing team (i.e., host country and Secretariat of the regime in question) (Monheim, 2015).

Third, the *authority of the lead organizer* entails whether or not a large majority of those delegates attending the negotiation accept and trust the lead organizer. It questions whether parties believe the lead organizer (i.e., chair) will act as a reliable broker and compromise seeker. The level of trust thereby affects the parties' willingness to engage with the lead organizer in working towards an eventual agreement. (Walker & Biedenkopf, 2020).

[Table 1 here]

Table 1 gives an overview of these elements. While this framework has been traditionally applied to in-person conference diplomacy, we contend it remains applicable to virtual meetings as well. The framework on negotiation management offers an empirically-tested, encompassing roadmap for analysing the potential impacts of such a format on negotiation management. Importantly, by applying the framework to virtual negotiations, we focus on which additional challenges or advantages are created by the virtual format for the different elements. This does not imply that face-to-face meetings are all transparent and inclusive or that organizers would be perfectly capable of managing them. Previous research has well pointed out that they are not (for example Dimitrov, 2016). Rather, our analysis points out the additional

considerations organizers have to make when managing the international negotiations in a virtual format.

4. Data and method

In order to conduct our analysis, we triangulate data from a variety of sources. We analysed five conference reports from the respective fora (253 pages), and nine Earth Negotiation Bulletin (ENB) reports (112 pages). We first identified all relevant text passages, i.e. passages that referred to the virtual format. We then coded these passages, using the sub-elements of the framework as codes. To complement the analysis of the reports, we conducted six semi-structured interviews with negotiators and secretariat officials from the three case studies. The interviews were structured along the lines of the negotiation framework and allowed to gather further information and nuance vis-à-vis the data in the reports. The diverse roles of those interviewed provided a variety of perspectives. We recorded the interviews, or if this was not allowed, took thorough notes and then coded these documents equally by using the sub-elements of the framework. Through triangulation, we reached a point of saturation with a rather low number of interviews. We analysed the negotiations in the preparatory bodies to the CBD and the UNFCCC, as well as in the MOP and preparatory bodies of the Montreal Protocol.

We assess how a negotiation format in which all parties are dependent on a digital medium (i.e., screen) to communicate with the other parties affects the sub-element in question. In our analysis, we attribute an impact on a scale of *Low*, *Medium*, or *High*. Here, the impact refers to the extent to which the digital format disrupts the work of the organizer in a given sub-element, as opposed to a traditional in-person process (i.e., pre-COVID negotiations). This scale is a heuristic device rooted in our data analysis that allow us to rank the impact (Mayring, 2014). *Low* entails disruption prompting the organizer to make slight modifications to their management of the sub-element. In other words, while slightly impacted, their management carries on more or less as ‘business as usual’ with minor adjustments. *Medium* refers to the organizer having to make substantial modifications to the management of the sub-element. Organizers’ management bears a resemblance to the traditional in-person process, but with substantial changes to accommodate the virtual element. Finally, *high* implies a total disruption of the organizers’ management of the process with respect to that sub-element. They must rethink their approach to their work therein.

5. Analysis

5.1. Small group transparency and inclusiveness

The impact on small group transparency and inclusiveness is assessed as high, because organizers in the three cases needed to drastically adapt their work. Organizers took measures to allow delegations from all countries to actively participate in the negotiations. This was in

particular difficult in small group meetings, given that sometimes different platforms were used for plenary and small group settings. Examples show that this could not always be achieved, which is why the impact of the virtual format on transparency and inclusiveness is high. We identify three challenges to the organization of small groups, as well as two solution that have been employed by the organizers in the different cases.

First, internet connectivity and other technical challenges are a key concern when ensuring small group transparency and inclusiveness. The CBD's Open-ended Working Group (OEWG) "soldiered through challenges of internet connectivity, poor audio quality, and overall awkwardness" (Nyingi et al., 2021, p. 16). In particular representatives from the African Group stressed that countries are facing many challenges with regard to internet access and that these difficulties are unequal across the world (Tsioumani & Tsioumanis, 2021). During the Third Meeting of the Subsidiary Body on Implementation (SBI) of the CBD, technical issues prevented a full participation from the African Group, which ultimately led it to reserve its position on key items, as its full and effective participation was prevented by technical issues (Tsioumani & Tsioumanis, 2021). A CBD party official pointed out that many delegations from the African Group were unable to attend Subsidiary Body on Scientific, Technical and Technological Advice (SBSTTA) meetings due to connectivity issues, which lowered the transparency and inclusiveness of the meetings (Interview 6). Even in countries with good internet connections, interventions were sometimes difficult to make (Bansard et al., 2021) (interviews 1, 2). Yet, one interviewee argued that this is not an issue of inclusiveness, given that more people participated (Interview 2).

Second, inclusiveness was challenging to ensure, however for different reasons than in face-to-face meetings. Some argued that more delegates could participate, hence the meeting was more inclusive. Yet, others pointed out that whereas the total number of participants increased, this did not necessarily equal effective participation within the meetings. The CBD SBI meetings were "open to representatives of all Parties, other Governments and observers", as is usually the case in the SBI (Convention on Biological Diversity, 2021a, p. 8). Delegations with budgetary constraints were able to send larger delegations to the meetings (Schabus & Schröder, 2021). In the UNFCCC meetings in 2021, significantly more delegates than usual participated due to the virtual format (Bansard et al., 2021). Similarly, participation in the Montreal Protocol meetings was generally higher than during in-person negotiations (Helfenstein & Ripley, 2020b). Yet, in some meetings, observers were not given adequate speaking time due to time limitations (Interview 6). Hence, "greater access, in the sheer number of registered participants, does not equate more effective participation" (Schabus & Schröder, 2021, p. 17).

A third challenge was to ensure that all participants gather at the right time and connected to the right platform. In the Montreal Protocol MOP, the platform used for plenary meetings did not allow for breakout rooms, requiring delegates to switch to another platform for small group meetings (Interview 5). This often meant quite lengthy breaks, waiting for everyone to connect. In addition, delegates “felt the lack of opportunity to resolve issues quickly and quietly without stalling the overall negotiation process” (Helfenstein & Ripley, 2020a, p. 10).

One solution to these challenges, proposed by the Subsidiary Bodies (SBs) of the UNFCCC, was to create a hub with a reliable internet and power structure to ensure that parties could better participate in the meetings (Interview 1). With the support of the United Nations Development Programme, the “African Group gathered in Egypt” (Bansard et al., 2021, p. 19).

Another solution to ensure transparency and inclusiveness of small group discussions, was to organize an online forum. The Montreal Protocol MOP organized such a forum prior to the meeting (Interview 5). This allowed delegates to ask questions and receive responses, for example on some reports. In addition, the forum remained opened for several weeks after the closure of the meeting. Having written records of many questions and answers, the interviewee felt that the transparency was actually increased compared to in-person MOPs (Interview 5). Organizing virtual negotiations thus appears to require additional attention to the transparency and inclusiveness of small group meetings.

5.2. Transparency about negotiation schedule

The impact on the transparency about negotiation schedule is assessed as high. In all cases, the negotiation schedule was significantly changed compared to in-person meetings. Negotiators met less hours per day, but often over more days than in the traditional format. Organizers had thus to completely rethink their approach in terms of scheduling, including ensuring a fair time zone and also regularly adapt the agenda to fit the new format.

First, organizers needed to find the right amount of time to meet per day. Three hours stand out as the maximum amount of time parties could constructively meet virtually for one session (Interview 3, 6). During the CBD SBI, the chair “stressed that the meeting’s timing and modalities respond to the current extraordinary circumstances and do not set a precedent for future meetings” (Tsioumani & Tsioumanis, 2021, p. 3). The UNFCCC secretariat decided to equally hold rather short sessions per day and therefore scheduled the meeting of the SBI and the Subsidiary Body for Scientific and Technological Advice (SBSTA) for three instead of two weeks (Bansard et al., 2021).

Second, they needed to identify a time zone that seemed fair to everyone. Trying to find the ideal way of scheduling the different meetings, the CBD SBSTTA initially met in time zones, which especially disadvantaged delegates from the Asia-Pacific region, who were forced to

attend meetings after midnight, even the crucial meetings, such as contact or friends-of-the-chair groups (Schabus & Schröder, 2021). The late meeting times also meant that many negotiators were not at their best capacity and had difficulties following the proceedings (Interview 6). However, when the time of some meetings was changed to better accommodate this region, participation almost halved (Schabus & Schröder, 2021). The UNFCCC SBs “convened in a different time zone each week, so the same delegates did not have to be always up in the middle of the night” (Bansard et al., 2021). Similarly, in the Montreal Protocol MOP, time zones were a major issue (Interview 5). The secretariat tried to accommodate these issues by holding the same meeting over three days, but each in a different time zone. This could for example be done for some reports. In that case, the presentation of the report was pre-recorded and different members of the teams answered the questions in the three meetings.

Third, organizers adapted their agenda to the virtual format. The agenda for the MOP was more limited than in previous meetings, focusing on essential issues only (Helfenstein & Ripley, 2020a). The Montreal Protocol initially faced challenges to adapt to the virtual format, as delegates were “reluctant to waive rules of procedure and customary practice to allow virtual negotiations to take place” (Helfenstein & Ripley, 2020b, p. 5). To accommodate concern, “the proposed organization of work had been circulated in advance of the” MOP 2021 (United Nations Environment Programme, 2021). In the UNFCCC, the negotiation agenda was more narrow than usual and consultations were of informal nature only (Bansard et al., 2021, p. 19). The items selected for negotiation were mainly technical, because technical work could proceed more easily in the virtual format (Interview 2). Besides limiting agendas, the virtual format also required meetings to end on time. Whereas in an in-person format parties can agree to continue their discussion beyond the agreed time, sometimes even without interpreters in the room, this was not possible in the virtual format (Interview 6). The organizers thus lost much needed flexibility.

5.3. Inclusiveness of negotiation levels

The impact on the inclusiveness of negotiation levels is low. With the negotiations held virtually, it was plausible that all levels, from technical to political, could connect and therefore participate. However, some delegations experienced connectivity issues which could ultimately affect their ability to meaningfully participate.

In the Montreal Protocol MOP, it was the same people who attended the conference as before (Interview 5). Therefore, no difference with regard to the inclusiveness of the negotiation levels was observed. During the CBD SBSTTA, only two speakers were allowed to connect via the conference system, but “the remaining members of delegations could observe the discussion

and speakers could be exchanged at any time” (Convention on Biological Diversity, 2021b, pp. 9-10). Overall, even the decision to only allow a limited number of speakers per delegation to connect did not significantly lower the inclusiveness of negotiation levels.

The most problematic issue of inclusiveness was the creation of the above-mentioned hubs for the African Group inside the UNFCCC. Participation was limited to lead negotiators and around 90 people could attend (Interview 1, 3). The rest of the delegation remained located in their home countries, meaning that a stable internet connection was more difficult to secure.

5.4. Inclusiveness of organizers’ deliberation

The effect on the inclusiveness of organizers’ deliberation is assessed as low. Organizers could seemingly reach out to a variety of stakeholders via virtual small group and bilateral meetings. In that sense, the work remained ‘business as usual’ to an in-person setting in the UNFCCC preparatory meetings (Interview 2). In the CBD, communication outside the meeting rooms was dependent on messages and email, leading to a sentiment among observers that this complicated delegates’ efforts to gain supports for proposals (Schabus & Schröder, 2021).

5.5. Process expertise

In a virtual format, the process expertise is observed as being affected to a medium extent. The expectations of participants towards organizers to ensure a stable connection were high. As virtual meetings were at the time still a new phenomenon, organizers generally lacked experience in the organization of these meetings.

Virtual negotiations were found to be very labour intensive and require new expertise by the organizers (Interview 1, 6). Analysing the extraordinary meeting of the COP to the CBD, Kaspar Sollberger (2020, p. 4) concludes “that it is possible to negotiate and agree on sensitive matters in a virtual setting, [...] with the support of all actors including the COP Presidency, Bureau, Secretariat, and an experienced Chair”. He in particular emphasises the necessary experience of a chair in these unusual settings. Other meeting reports also highlight that many questions still remain unsolved and that everyone, including organizers’ are lacking the necessary expertise to solve those issues. For example, Elsa Tsioumani and Asterios Tsioumanis (2021, p. 13) point out that it still remains unclear how parties can “negotiate in a virtual setting in a digitally unequal world with multiple time zones”. Even though the CBD secretariat did a good job in ensuring that the links and time of the meetings were communicated, it remained difficult to ensure that all delegations were connected to the different meetings (Interview 6).

5.6. Organizers’ alignment

The organizers’ alignment appeared more challenging in a virtual format, though the impact seemed low. Prior to the meeting, more preparation time was necessary to ensure good

alignment (Interview 6). A UNFCCC official outlined the challenge of communicating during the meetings (Interview 2). Usually, the secretariat and the chair sit next to each other and can constantly engage if necessary. This is not possible in the virtual format. However, the UNFCCC used a device, which allowed easy communication and the chair and secretariat support person could speak to each other while remaining in the normal meeting and somewhat help overcome the fact they were not in the same room (Interview 2). Hence, technical devices helped ensure a good alignment between the organizers, but cannot fully replace the in-person connections. The CBD secretariat primarily relied on WhatsApp groups and other text channels in order to ensure good communication between the secretariat and the chairs of the meetings (Interview 6). This also allowed to quickly share documents if needed. Having two co-chairs assigned for each meeting also allowed to have a backup, in case technical issues did prevent the chair from fulfilling its role (Interview 6).

5.7. Trust in role of lead organizers

The final element of negotiation management affected by virtual formats is the trust in the role of organizers. Here, we identify a medium effect. Trust appeared more difficult to establish with fewer personal interactions.

During the CBD SBI meeting, the African Group, which faced many issues of connectivity, did not trust the process enough to lift all brackets around some conference room papers. Having not been able to fully participate, it feared that it would not have the opportunity to re-open the discussion on clean texts in the next in-person meetings (Tsioumani & Tsioumanis, 2021). Yet, only in an in-person format, the African Group would be able to participate in full capacity within the negotiations (Tsioumani & Tsioumanis, 2021).

In the negotiations at the Montreal Protocol MOP, trust in the organizers, particular in the secretariat was high. The secretariat provided technical support for connectivity issues and was generally perceived as doing a good job (interview 5). The secretariat could afford “parties the transparency that is inherently required for them to move forward confidently and courageously with negotiations in new, unusual settings and paradigms” (Helfenstein & Ripley, 2020b, p. 6). Trust was rather easily ensured, given that the Montreal Protocol negotiations are often characterised as an ‘Ozone family’, with delegates being very supportive and consensus seeking (Interview 5). Conflicts on personal level are rare. Nevertheless, in the MOP 2020, “the US reiterated that the final budget decision was too important, too in-depth, and too intricate to be adopted without face-to-face negotiations” (Helfenstein & Ripley, 2020a, p. 9). This proposal was supported by many other delegations, underscoring a strong desire to handle these important issues in-person (interview 5).

In the UNFCCC meetings, trust in the organizers appeared facilitated by constant communication and very clear expectation setting. Nevertheless, in particular the question of the confidentiality of the meetings was an important issue raised and delegates saw the responsibility with the organizers (Interview 1). In addition, the chairs did a lot of outreach prior to the meeting in order to convince delegations of the necessity of organizing virtual meetings and engaging constructively in them (Interview 2).

5.8. Implications of findings

Analysing the different elements of the negotiation framework point to a number of challenges created by virtual formats for international environmental negotiations. In summary, seven sub-elements of the negotiation management process are seemingly affected by a virtual format. We find a low impact in the following sub-elements: inclusiveness of negotiation levels, inclusiveness of organizers' deliberations, and organizers' alignment. We identify a medium impact in the following sub-elements: process expertise, and trust in their role as lead organizer. We find a high impact for small group transparency and inclusiveness, as well as transparency about negotiation schedule.

Overall, the obstacles of virtual formats often pose additional challenges to already complicated international negotiations. At the same time, face-to-face meetings are not perfect solutions, as they equally can be questioned with regard to inclusiveness, transparency and other elements of the framework. This has been previously shown by many scholars, such as Radoslav Dimitrov (2016) who studies the use of secrecy during the negotiations of the Paris Agreement on climate change. Secrecy undermines inclusiveness and transparency of the negotiations, independently of the format in which they are conducted. Yet, the different elements to the management of international negotiations are even more difficult to achieve in virtual formats and organizers need to come up with creative solutions to ensure transparency, connectivity and accessibility to these venues. In that sense, it produces a unique set of challenges beyond those of an in-person setting.

Along those lines, our results suggest that the biggest challenges for organizers of virtual formats is to ensure small-group transparency and inclusiveness. Connectivity issues and time zone differences are difficult to overcome and can both be a legitimate reason for concern for parties feeling excluded from key meetings or a stalling tactic used by parties who do not wish to advance on a particular issue. These issues have also been highlighted by other contributions to this special issue (Dang & Meszaros, Forthcoming; Langlet et al., Forthcoming). It would therefore appear that organizers need to ensure transparency and inclusiveness even more carefully when negotiations take place online. To ensure transparency and inclusiveness, organizers need to inform and engage with delegates on a

number of additional points in virtual negotiations. This includes the time and duration of meetings, the choice for a time zone and the adaptation of the negotiation agenda. Not addressing these challenges could prove consequential for the potential of agreement.

A virtual format also appears to present additional challenges for process expertise and building trust. As in face-to-face meetings, organizers need to ensure a strong expertise with the functioning of the negotiations. In virtual meetings, they are additionally required to know the platform for communication well and provide support for delegates. Organizers, in particular the chair, might face more difficulties in establishing a trusting relationship with parties in virtual negotiations compared to face-to-face meetings (see also Langlet et al., Forthcoming). Technical difficulties and new participation formats can lead parties to distrust the organizers and feel they are not being afforded the same rights as in an in-person format. Particularly in the cases of the Montreal Protocol and the UNFCCC, maintaining existing relationships appeared essential. Constant communication and connecting with delegates in other, offline, venues prior to the virtual meeting, seem to be the best choices to (re-)establish trust. Thus, as the three cases demonstrate, these challenges are not insurmountable. In that sense, they are less disruptive than those above.

Finally, a virtual format appears to have a lower impact on the inclusiveness of negotiation levels, inclusiveness of organizers' deliberations, and organizers' alignment. With everyone behind screens, the different negotiating levels could connect. Organizers appeared aware of the inherent challenges to inclusiveness in their deliberations and reached out accordingly. Additionally, they appeared to rise to the challenge of coordinating and aligning. In that sense, these elements appeared minimally disruptive. Again, early and constant communication with parties and fellow organizers alike appears essential.

With respect to the academic literature, our findings have implications for multilateral negotiations more widely and contribute to the recent discussion about digital multilateralism (Vadrot & Ruiz-Rodríguez, 2022). Our focus on negotiation process and structure complements the recent ethnographically-driven scholarship. Negotiators have previously been used to virtual communication, for example by working on documents online, but virtual negotiations are a new phenomenon which require further adaption. By assessing the impact of virtual venues on the management of international negotiations, we provide new empirical insights into the study of digital multilateralism. Additionally, we provide evidence of successes and difficulties encountered by negotiation organizers.

Our empirical research focuses on environmental negotiations, yet our findings identify challenges that are largely independent of the issue under negotiation. For example, trying to accommodate all different time zones is an issue observed in any sort of multilateral

negotiation, if membership spreads across the world. However, environmental negotiations face a particular high interest from observers, including businesses and non-governmental organization. Ensuring inclusiveness of the negotiations thus seems more relevant here than in a non-environmental context.

6. Conclusion

Since the start of the COVID-19 pandemic in 2020, the organization of multilateral negotiations has significantly changed. Our analysis highlights how virtual meetings have altered organizers management of these meetings. Previously, scholars have already shown how digital meetings change diplomacy and that they cannot replace face-to-face meetings (Vadrot et al., 2021). Yet, this special issue shows that online negotiations can create a shared experience and a sense of commonality (Langlet et al., Forthcoming). We add further context to this literature, showing the effect of virtual negotiations on the management of the process. Despite the limited empirical data, we uncover two critical findings.

First, while we mostly see additional challenges to the process management, it would appear that these are not insurmountable. If organizers plan accordingly and adapt to the extent possible, virtual negotiations can create advantages and can have a future even after the COVID-19 pandemic, especially when considering the environmental impact of travel. If organizers are able to ensure that technical issues are solved in advance and communicate clearly about when and how meetings are organized, virtual negotiations can be successful.

Second, virtual meetings seem useful when no formal negotiations take place. Workshops or expert meetings can well be organized online, as has also been pointed out by previous research (Chasek, 2021; Klein et al., 2021). If meetings do not require adopting decisions, as is the case for example with COP negotiations, it seems more likely that delegates will accept them being held virtually. Nonetheless, virtual meetings have proven themselves as effective stand-ins should face-to-face meetings prove impossible. However, organizers should place special attention to transparency and inclusiveness.

Our research is based on a small sample of international environmental negotiations and limited to the years 2020 and 2021. Negotiations needed to move online rather quickly and experience with the new format was still missing. These past years have demonstrated that virtual negotiations are possible, but require additional reflections with regard to their organization. As such, our paper can provide a useful guide for organizers of these negotiations, pinpointing the issues they should in particular draw attention to when managing future virtual negotiations. It also serves as an important starting point for future academic analysis. We encourage scholars assessing the impact or feasibility of “digital diplomacy” to

also comprehensively examine the negotiation process. Our adaptation of Monheim's (2015) framework shows that it also holds important implications for virtual formats.

Future research could focus on analysing smaller negotiating formats and those in different issue areas more closely. Moreover, some interviewees pointed to the organization of workshop and other meetings throughout the year, which seem to be more likely to be kept in virtual formats after the end of the pandemic. Studying how organizers make these formats suitable for virtual meetings could be another avenue for further research.

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Interviews

1. UNFCCC Official, 29/06/2021, MS Teams
2. UNFCCC Official, 07/07/2021, MS Teams
3. UNFCCC Negotiating Group Official, 27/07/2021, MS Teams
4. CBD Official, 20/08/2021, MS Teams
5. Observer Montreal Protocol, 03/03/2022, MS Teams
6. CBD Party Official, 26/04/2022, MS Teams

Table 1 Elements of negotiation management that are likely impacted by virtual formats

Elements of negotiation management	Sub-elements
Transparency and Inclusiveness	Small group transparency and inclusiveness
	Transparency about negotiation schedule
	Inclusiveness of negotiation levels
	Inclusiveness of organizers' deliberation
Capability of organizers	Process expertise
	Organizers' alignment
Authority of lead organizer	Trust in their role as lead organizer