AMCEN   **AU**   **UNEP**

African Ministerial Conference on the Environment

African Ministerial Conference on the Environment
Eighteenth session
Online, 13–16 September 2021

Africa's engagement on substantive matters in online global meetings and negotiations*

Note by the secretariat

I. Introduction

1.   During the eighth special session of the African Ministerial Conference on the Environment that was held online on 4 December 2020, ministers agreed to continue to promote and engage in multilateral cooperation at the regional, continental and global levels, with particular regard to matters relating to the environment and natural resources as part of the post Covid-19 recovery efforts. They agreed to engage in virtual global meetings as a means of exchanging information, while maintaining the principle of no virtual negotiations on substantive matters among parties in those meetings.

2.   At its meeting held on 26 and 27 May 2021, the Bureau of the Conference noted the need to continue engaging in multilateral cooperation on environmental and climate change matters at the regional, continental and global levels by engaging in virtual meetings while avoiding, in as much as possible, virtual negotiations. Consequently, the Bureau requested the Secretariat to prepare an assessment report and present the same to the Conference at its eighteenth session, on the possibility of Africa's engagement on substantive matters in online global meetings and negotiations.

3.   This note presents the key characteristics of multilateral diplomacy, the impact of Covid-19 on global meetings and negotiations, experiences and challenges of online global meetings and negotiations, conclusions and key questions for consideration by the Conference with the view to reviewing Africa's position regarding engagement on substantive matters in online global meetings and negotiations.

II. Background

4.   Covid-19 has resulted in the cancellation, postponement and delay of several global meetings and negotiations such as the fifteenth Conference of the Parties to the United Nations Convention on Biological Diversity, the fifteenth Conference of the Parties to the United Nations Convention to Combat Desertification, the twenty-sixth Conference of the Parties to the United Nations Framework Convention on Climate Change and the fifth session of the United Nations Environment Assembly of the United Nations Environment Programme, among others.

5.   The situation has been made more difficult due to the travel restrictions put in place by several airlines as well as the related restrictions put in place by different member states, including host countries. Many other multilateral conferences have been victim of the spread of Covid-19, with governments being forced to close borders and cancel conferences.

6.   Physical distancing requirements put in place as a safety measure to limit the spread of Covid-19, such as, through bans on gatherings involving multiple individuals and curfews, has meant that in-person meetings involving close-proximity interactions are not taking place or are being

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* The present document is being issued without formal editing.

restricted in terms of numbers and places. In the area of multilateral diplomacy, this has meant that in-person meetings and negotiations among delegates have greatly been affected.

7.   Covid-19 related restrictions have caused in-person meetings to be replaced with online conversations considered as dialogues and discussions rather than negotiations. These dialogues have been billed as conversations to keep the momentum of discussions and exchange of information. They are not forums in which countries take decisions on intergovernmental processes or negotiations.

8.   The United Nations and other organizations have, since the outbreak of Covid-19, moved towards alternative forms of consultations and decision-making processes, using mostly virtual meeting platforms. These new meeting modalities have posed various organizational and procedural challenges as highlighted in this note.

III.   Context of multilateral diplomacy

9.   Multilateral diplomacy is a complex process, and its success depends on interpersonal relationships that are forged during numerous formal and informal gatherings, including conferences, lunches and receptions. During difficult negotiations, the most sensitive sticking points are often ironed out informally, in corridors or lounges. All forms of interaction are usually a key aspect in multilateral diplomacy.

10.   A critical element in successful diplomacy is trust. This tend to be built through personal contact and extended conversations over several meetings, both formal and informal.

11.   International negotiations, especially those involving both developed and developing countries, are generally highly complex. The development and shaping of text that cover various positions and eventually reflect compromise agreement or consensus will generally require direct interactions among negotiators. In turn, these negotiators are bound to seek, observe and carry out the negotiating instructions of their capitals in a dynamic manner in response to the flow of the negotiations.

12.   Developing countries in various international fora have often consistently called for negotiating procedures which are transparent, inclusive, participatory and text-based, so that their negotiators can participate effectively and on an equal basis.

13.   Multilateral diplomacy has, over the years, been conducted by means of in-person interactions. These in-person negotiations among the delegates and negotiators have been critical in enabling them to speak directly with each other, work directly together on the draft texts as well as interact with facilitators. The in-person interactions lead towards directly resolving or narrowing differences in positions and perspectives, and eventually arriving at agreed compromise language.

14.   Some of the key features and characteristics of in-person multilateral diplomacy include:

(a)   Availability of simultaneous and real-time interpretation. This allows for greater interactivity and engagement by delegates. Additionally, draft texts of proposals which are to be placed for decision also get translated into official languages before the actual meeting.

(b)   During global negotiations, negotiators often receive and look for contextual cues (such as the other negotiators' gestures, posture, facial expressions and tone of voice) to understand what the other parties are stating and meaning. Studies on negotiations have highlighted that negotiations involve exchanging messages and cues, both verbal and non-verbal, among the parties involved and that successful negotiation often depends on the parties' respective abilities to read and act on these cues in a dynamic way to eventually lead to agreed outcomes.

(c)   Absence of contextual cues can create distrust, mis-interpretation, mis-communication of views expressed, increase competition, exacerbate contention, reduce accountability, and induce a fear of deception, thereby possibly leading to a breakdown of the negotiations and resulting in no outcome. This is why in-person meetings are crucial to the success of global negotiations, as they provide the broad contextual environment for such verbal and non-verbal cues to be perceived.

(d)   Ability to see, hear and understand one another as much as possible thus avoiding misunderstandings arising from mistranslated information, misunderstood statements, cultural mannerisms, behavioural and speech patterns.

IV. Engagement on substantive matters in online global meetings and negotiations
As long as Covid-19 restrictions remain, it is likely that online communication and engagement will continue to be the main channel for participation in global meetings and negotiations.

16.   Though online meetings represent a way for continued engagement in global discussions, and have some positive experiences, they also face many challenges which should be considered to ensure transparency, full, inclusive and effective participation. These challenges are summarized below taking into account the experiences and observations of the African negotiators and delegates who have recently been involved in online global meetings and negotiations.

A. Positive experiences of online global meetings and negotiations

17.   Online meetings have played a key role in maintaining momentum of work under a multilateral system and are useful in engaging stakeholders of thematic groups and smaller technical sessions by way of online forums, webinars, among others, whereby such engagements are not leading to commitments but serve as forums for awareness raising and exchange of information and experiences.

18.   Online meetings have ensured continuation of discussions with minimum cost as delegates do not have to pay for travel, conference services and other logistics. This is especially relevant for developing countries, including African countries, because insufficient funds has often been cited as a barrier to delegates attending global meetings. Another advantage of travelling less is the reduction of carbon emissions.

19.   For example, to facilitate participation, the UNFCCC Secretariat, offered to redirect the travel budget of participants to cover the costs of booking hotel rooms for delegates with internet connection issues. Further, the African hub was set up in Egypt that allowed African negotiators on climate change to meet and be physically together for the duration of the meetings of the subsidiary bodies of UNFCCC.

20.   Online meetings offer wider information dissemination allowing developing countries to participate more easily and with larger delegations. Online meetings have been praised for their potential to increase the ability to bring in voices from civil society, as there is greater flexibility in using various means of communication.

21.   Such meetings have allowed for more productivity to some extent as delegates do not have to spend a lot of time travelling. In addition, online meetings encourage prioritization of agenda items, thus being more focused.

22.   Online negotiations have focused on formal meetings with the whole group, thereby increasing the chance of smaller delegations to be involved. Informal meetings, which are happening regularly during physical meetings, often disadvantage countries with smaller delegations.

23.   Without travel as a factor, negotiators can schedule several shorter sessions in a short timeframe as it is a lot easier to get an hour on a delegate's schedule even if it has to be done two or three times, than to get a half-day.

B. Challenges of online global meetings and negotiations

24.   Technical difficulties have been experienced by African negotiators with online meetings in terms of internet and telephone connectivity due to the well-known digital divide between the developing and developed countries, including weak and unclear audio and video signals, sudden loss of connectivity while in the midst of meetings, signal transmission time lags and poor technical support. Most African countries have been disadvantaged with the reality of the digital divide being evident.

25.   Online global meetings and negotiations have often involved participants connecting from multiple time zones. This has meant that some participants either have to stay up very late in the night or wake up very early in the morning, with consequent impacts on their ability to meaningfully concentrate and effectively participate.

26.   Online global meetings and negotiations have difficulties with respect to simultaneous interpretation and document translation into multiple languages. While the state of technological development of software and technical specifications for real-time simultaneous interpretation and machine-based translation of documents has improved, there remains a huge gap in quality, accuracy and adaptability.

27.   While many online meeting applications and services highlight their security features, data that is transmitted over the internet, satellite or telephone lines may be intercepted and listened to or accessed by those countries or persons that are technologically equipped to do so. Additionally, the ease of recording virtual meeting conversations using current software can easily result in leaks of sensitive information during the negotiations.

28.   Online meetings have restricted the ability of participants to fully engage and interact with other participants. Not being able to assess the mood of the room, observe body language and spontaneity in discussions has affected the effectiveness of engagements.

29.   Experience has shown that time allocated for online sessions at plenary or contact group meetings where collective agreement is to be made has been insufficient. Full and effective participation of country Parties, as well as of observers, particularly representatives of local communities, smallholder farmers, women and youth has been difficult in online meetings with limited time allocations.

V.   Conclusion

30.   Multiple crises have affected African countries due to the Covid-19 pandemic including inequitable access to vaccines, thereby hampering mobility, interaction and creating fear and stigma. With the continued surge of Covid-19 cases and with insufficient availability of vaccines, especially in African countries, it is clear that restrictions will be inevitable in the coming several months. The pressure of formal online sessions has exacerbated the already existing inequalities in multilateral negotiations.

31.   While the practical difficulties caused by the physical distancing requirements of the pandemic response measures are clearly evident in relation to the holding of in-person global meetings and negotiations, the need to ensure that online negotiations which result in outcomes that have long-term environmental, economic, political, social, policy and legal implications, among others, are undertaken in a transparent, inclusive and fully participatory manner remains paramount.

32.   African member states need to find solutions on the technical and organisational challenges faced in engaging in online global meetings and negotiations. In the interim, there is a need to engage secretariats of various multilateral environmental agreements and institutions to identify the best options that would facilitate Africa's participation.

33.   In global meetings and negotiations in which meaningful and effective universal participation is important, the ability of all member states, including African countries, to access and participate in the negotiations must be enabled and ensured, otherwise the legitimacy of the outcome will be in doubt.

34.   There are five possible scenarios for Africa's continued engagement in global meetings and negotiations: (a) continuing to engage in online meetings for information sharing, (b) engaging in substantive matters in online negotiations, (c) not engaging in substantive matters in online negotiations, (d) pursuing a hybrid approach (which combines in-person and online participation), and (e) resuming full in-person engagements, when it is safe and possible to do so.

VI.   Key questions

(a)   Should the African region continue to engage in substantive matters in online meetings and negotiations?

(b)   How will the African region ensure that the principles of equitable access, transparency, full, inclusive, universal and effective participation in online meetings and negotiations are assured?

(c)   How will African countries ensure that they are not excluded from global online meetings and negotiations?