

The future of (multilateral) diplomacy?

***Changes in response
to COVID-19 and beyond***



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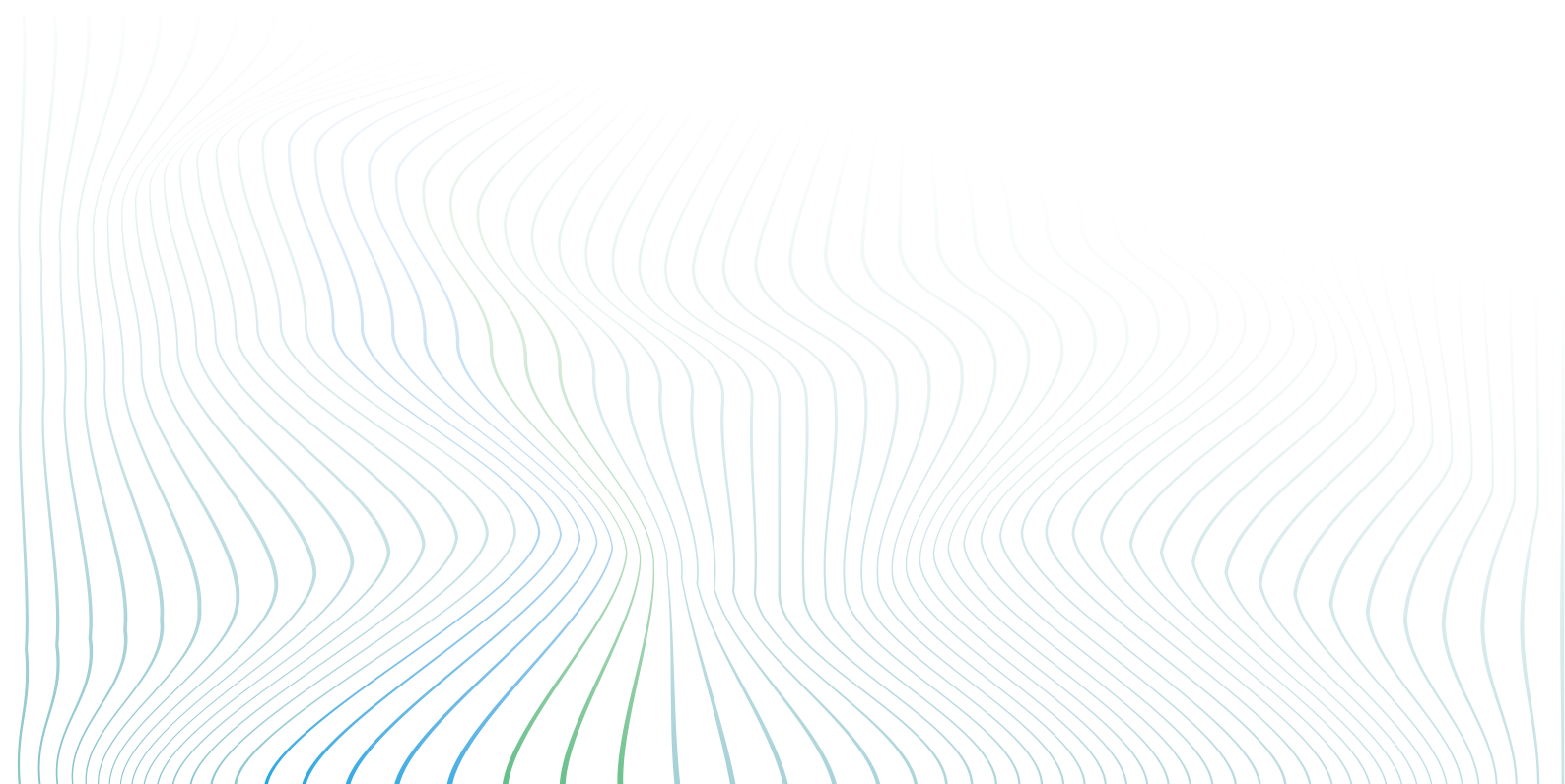
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Executive summary

This year marks the 75th anniversary of the United Nations (UN). It is also the year that the world is faced with responding to the emergence of the novel coronavirus, COVID-19, an unprecedented global challenge that has left no area of society and no individual life untouched.

The various entities within the UN system were faced with the Herculean task of responding to COVID-19. The World Health Organization (WHO) has been at the centre of pandemic response. Many governments praised the organisation's work in terms of agility, transparency, and guidelines. However, there were also some critical reflections that triggered independent review and calls for its reform. Other UN entities, like the Security Council (UNSC), have not been quick to react. What lessons can we draw from this and what does this mean for the future of the UN? More broadly, what is the future of multilateralism in a world that is exhibiting some strong unilateral tendencies?

COVID-19 has also impacted the work of diplomats. The need for social distancing, isolation, and lockdown has led to changes in how diplomacy is practised. How has diplomacy, a profession that strongly builds on interpersonal and face-to-face contacts, dealt with this fundamental shift? The increased use of video conferencing is certainly just one of the more visible examples. Routines have had to be adjusted and, perhaps more crucially, decision-making and other procedures, in particular those of international organisations and their organs, have had to be adapted. While the adaptations in light of COVID-19 have not fundamentally changed the practice, and while some diplomats are keen to get back to a situation more similar to pre-COVID-19 times, the changes of the past few months are likely to influence how diplomacy is practised in the future.

In short, this report covers a broad range of topics related to the future of diplomatic practice in light of COVID-19. We focus on multilateral diplomacy and in particular (a) the responses from the UN system, and (b) the shifts in diplomatic practices. The aim is to understand current shifts, to highlight associated challenges, and to point to possible adaptations in the mid- and long-term practice of (multilateral) diplomacy. To address these topics, we built on desk research, in-depth interviews with practitioners, a survey with practitioners, as well as numerous resources and events prepared by DiploFoundation in 2020.

Initial reactions from within the UN system and the contestation of multilateralism

Responses from the UN system

- The UN system (in particular the programmes, funds, and specialised agencies) responded quickly, within its mandate but with reasonable flexibility, to adjust to the unplanned circumstances. Various UN entities were able to set appropriate guidance frameworks for immediate response and recovery. Through a network of offices on the ground, the UN quickly became operational in terms of implementation.
- While the UN's overall response to the COVID-19 pandemic is laudable, lessons learned from this crisis will be important in advancing reform and allowing for even more robust responses in the future.
- The most serious challenges so far arose from lack of support from some member states and from a global context that is, even in the case of global crisis response, highly politicised.
- By calling for a global ceasefire, UN Secretary-General Antonio Guterres has made full use of the office's potential for moral leadership.

- While the UN General Assembly (UNGA) found consensus on a COVID-19 resolution in early April 2020, the UNSC was only able to find agreement on a resolution in July. The challenges on the way to agreeing a resolution that supports the call for a global ceasefire reflects the divisions within the UNSC.
- More timely and stronger back-up from UNSC member states would have lent additional weight to the Secretary-General's authority and as such was a missed opportunity.

The future of diplomatic hubs in New York, Geneva, and Vienna

- Diplomatic hubs such as New York, Geneva, and Vienna will not lose their relevance. The presence of diplomats on the ground is crucial, especially in times of lockdown and social distancing.
- While diplomatic hubs, like all practices in diplomacy, face both continuity and change, we can say that they are now more needed than ever.
 - Understanding context and nuance in multilateral diplomacy and addressing controversial issues and crisis situations requires an on-the-spot presence.
 - Capitals lack the capacity to follow the policy processes of specialised agencies.
 - Vast time differences between multilateral hubs and some capitals and potential future travel restrictions make diplomatic presence at multilateral hubs indispensable.
 - Diplomatic representation at key multilateral institutions is also of symbolic value and signals commitment to multilateralism for both functional and normative reasons.
- Having said this, budgetary constraints, combined with an increased use of digital tools that replace physical meetings, might lead to additional pressure on permanent missions at diplomatic hubs to justify their existence.

Contested multilateralism

- While there is evidence of rising nationalism and unilateral state action, multilateralism, understood as a set of principles, finds strong support in initiatives such as the Alliance for Multilateralism.
- Most heads of state and government issued a clear and passionate commitment to multilateralism in their speeches delivered – primarily via pre-recorded video – at the high-level segment of the 75th UNGA.
- Multilateralism can find new relevance grounded in practical necessities to coordinate actions on all issues that transcend national borders (health, climate, migration, digital, etc.).
- At the same time, given rising nationalism, a commitment to multilateralism that is driven purely by functional necessity and cost-benefit calculations is not enough. Normative commitments such as those made as part of the Alliance for Multilateralism will be crucial going forward.

Multilateral diplomacy by video conference: practices, procedures, protocol, and platforms

Shifts in practices

- Digital tools allowed for the continuation of diplomatic work and routines. Yet, the absence of informal spaces for meetings is regarded as a real loss in terms of relationship building and information gathering.

- Overcoming communication challenges and distances between positions is at the core of diplomatic practice. As such, mediating physical distance and video conferencing challenges is a new task in the diplomatic portfolio, one for which diplomats are already in principle equipped as ‘mediators of estrangement’.
- The greater use of digital tools in the conduct of diplomacy as a response to COVID-19 did not necessarily lead to more transparency or better access for civil society and the media. In some instances, the contrary was the case.

New procedures and decision-making

- Methods of consensus decision-making have gained greater importance as a response to shifts in diplomatic practice due to COVID-19. The UNGA is, for example, relying more on the silence procedure. However, there are concerns about the limits of consensus methods for decision-making.
- The UNSC relies on written voting procedures. While voting could in principle be done via digital applications, there is substantial resistance to such methods, given security and confidentiality concerns. A number of entities within the UN system utilise digital tools for their meetings but voting procedures have either been postponed, done in person, or in writing.
- The lack of procedural provisions for online meetings in many international organisations creates an ambiguous situation and leads, in some cases, to meetings not taking place or being postponed.
- Negotiating the modalities of in-person, hybrid, and online meetings has become an additional challenge that chairs and presidents of multilateral institutions and meetings have to navigate. Committed leadership and ongoing dialogue with member states to build trust are key ingredients in navigating the changed circumstances successfully, as the case of the Human Rights Council (HRC) illustrates.

Protocol: adapting practices and adapting platforms

- Diplomatic protocol has had to adapt in light of social distancing measures, such as adjusting the organisation and framing of photo opportunities at high-level meetings. While this adds complexity to the organisation of meetings, it does not challenge established protocol rules.
- However, some protocol requirements do not translate well into online meetings and video conferencing. In face-to-face meetings, ranking and status of participants is highlighted through arranged seating. However, this type of hierarchy signalling cannot not be established as clearly during video conferencing on standard platforms. This calls for adapting platform functionality or building dedicated platforms for these types of exchanges.

Platforms: diplomacy by video conference

- As some diplomatic practice has shifted towards video conferencing, key challenges include solving security issues, adapting to changes in communication and negotiation dynamics, offering translation services, and ensuring a stable Internet connection. There are concerns about creating an unequal playing field and the danger of exclusion due to bandwidth requirements and security restrictions. This is a particular challenge faced by small and developing countries.
- Diplomatic practitioners highlighted that video conferencing can work well when dealing with existing contacts and in the context of well-established relationships. They, however, cautioned that face-to-face meetings are crucial for getting to know their counterparts, establishing trust, and building relationships.

- At the same time, the use of video conferencing has been praised for its potential to increase the ability to bring in voices from civil society and to hear witness statements.
- In addition, some questions around choosing video conferencing platforms have become politicised rather than pragmatic, leading to meetings being postponed or decisions not being taken.
- While there might be a tendency to go back to business as usual as soon as the opportunity arises, some practices related to video conferencing and virtual meetings are likely to become a more established part of the repertoire of multilateral diplomacy.

Next steps

- Hybrid diplomatic meetings will likely become a permanent feature of diplomatic practice. This raises questions about the equality between those attending in person and those joining remotely, procedures for dealing with connectivity issues, and the rights of those joining remotely vis-à-vis those physically present.
- Serious consideration should be given to building a 'digital home' for the UN, understood as a dedicated, purpose-built, open-source platform for online meetings and negotiations. Such a platform should include provisions for voting digitally.
- Training and capacity building need to adjust to the new realities. This includes knowledge on cybersecurity, data security, and online etiquette. It also includes practical skills related to video conferencing platforms and digital collaboration tools.

Initial reactions from within the UN system and the contestation of multilateralism

As if anyone needed a reminder of the importance of international cooperation in today's hyperconnected world, the coronavirus pandemic has made abundantly clear just how crucial multilateralism is for humanity.¹

COVID-19 is the greatest test that we have faced together since the formation of the United Nations.²

How you did in this pandemic, as a country, a village, a business, a group, or an individual, whether emotionally, economically, or morally, is an indication of how robust you are and how fit you will be for the next decades.³

The substantial impact that COVID-19 has had and continues to have on the conduct of multilateral diplomacy was exemplified at this year's high-level segment of the UNGA, one of the most high-level events on the UN and multilateral calendar. Usually marked by the attendance of many heads of states and government, the hall was sparsely populated. Pre-recorded speeches were shown.⁴ In many ways, this image exemplifies both the challenges and opportunities to the conduct of multilateral diplomacy. On the one hand, social distancing meant that many opportunities for informal meetings were lost. On the other hand, technology provided a sense of continuity and the ability to carry on with some of the most important tasks.

The multilateral system has been under pressure for some time now. There is a sense that it is no longer fit for purpose, i.e., too slow to react and too difficult to reform. We also see rising nationalism, populism, and a preference for unilateral action around the world. Multilateralism as an idea, after a short heyday in the 1990s, seems to have lost its appeal and ability to mobilise the imagination. The challenges faced by the UN and the wider multilateral system are formidable. COVID-19 has made some of these issues and concerns more pronounced and has certainly exacerbated the pressure on the system. At the same time, 2020 also marks the 75th anniversary of the UN. Anniversaries of this magnitude are always an occasion to look back, reflect, and look ahead. In this case, the lens has just gotten sharper and the need to look closely has become more urgent.

In this chapter, we explore, as a first step, the initial reactions from within the UN system in terms of responses, policies, and other actions. This includes WHO, the UN Development Programme (UNDP), and the UN Office for the Coordination of Humanitarian Affairs (OCHA), the three agencies leading the efforts of the organisation. We also take a look at two of the main organs of the UN: the UNGA, being the entity that embodies the universal membership of the organisation, and the UNSC, as the body focusing on peace and security and being in a position to take decisions that are binding on member states. Finally, we explore the role played by the UN Secretary-General and the moral weight of the office.

As a second step, we take a closer look at the present and future role of some of the key hubs of multilateral diplomacy, such as New York, Geneva, and Vienna. We raise questions about the future of these hubs in light of COVID-19 social distancing measures, travel restrictions, and budgetary pressures.

A third and final step leads us to broader reflections on multilateralism. Here, we look beyond the practical and policy responses that emerged from within the UN system and raise questions about the very idea of multilateralism. In fact, as states and international organisations

respond to the COVID-19 crisis, we see a number of versions of multilateralism being practised, contested, and negotiated. Beyond simple slogans such as 'multilateralism is dead', it is worth gaining clarity about what is being contested and negotiated. Further, the crisis of multilateralism is a concern echoed among many observers and the driving force between networks such as the Alliance for Multilateralism.⁵ Hence, the final part of this chapter focuses on old and new challenges regarding multilateralism in light of COVID-19 and beyond.

The UN system responds

It is useful to keep in mind that the UN is not one organisation but a complex system. On the one hand, this leads to the well-known and often debated challenge of coordination among UN entities and the need to avoid doubling efforts while creating synergies. On the other hand, when the various parts of this complex system start working together, as in the response to COVID-19, a network of agencies and coordinators on the ground can spring into action while issues can be addressed from a variety of angles. For example, the 131 UN country teams were particularly important in coordinating the COVID-19 response on the ground.⁶ In parallel, various UN entities were able to harness their specialised institutional knowledge to contribute to a multitude of perspectives on the COVID-19 response.

Having said this, it is worth keeping in mind that the organisation is also a forum for member states to come together and debate key issues with the aim of setting and shaping the priorities on the global agenda. The UNGA and the UNSC are the two most important UN organs in this regard. Yet, this also serves as a useful reminder that in many instances, the organisation can only be as strong and as effective as the willingness of member states to lend their political will and contribute with resources.

WHO, UNDP, OCHA, and others

On 11 March 2020, WHO declared COVID-19 a global pandemic. In terms of public visibility of the UN system, WHO was clearly at the forefront.

WHO's health response can be clustered into six areas⁷:

- Response: the WHO mission to Wuhan, China in January.
- Information: WHO-China Joint Mission on COVID-19 press conference on key findings in February.
- Science: launching the Solidarity Trial consisting of international clinical trials to find effective COVID-19 treatments in March.
- Advice: issuing consolidated guidance on preparedness, readiness, and response actions under four possible transmission scenarios in March.
- Resources: launching the Global Humanitarian Response Plan, which originally estimated that \$2.1 billion was required for the COVID-19 response, together with other agencies in March.⁸
- Leadership: holding the World Health Assembly, a meeting of WHO's decision-making body, in May.

Some observers argue that WHO was not only crucial in the responses to COVID-19, but that the organisation's approach also highlighted the lessons learned from previous pandemics. For example, the organisation was praised for its medical and public health expertise, for issuing warnings regarding the particular plight of low- and middle-income countries, and for sharing information and counter misinformation.⁹

Many governments praised the work of WHO in terms of agility, transparency, and guidelines. There were, however, critical reflections that triggered the call for an independent review and reform of the organisation at this year's World Health Assembly.¹⁰ More critical voices suggested that WHO 'failed to act decisively' by not exercising its authority vis-à-vis states.¹¹

To understand the UN's response, it is useful to take the system as a whole into consideration. There are three key pillars to the UN system's response to COVID-19:

- the health response, led by WHO;
- the socio-economic response, led by the UNDP; and
- and the Global Humanitarian Response Plan, guided by OCHA.

Under the guidance of the UNDP, the *UN framework for the immediate socio-economic response to COVID-19* was published in April. It lays out five key work streams:

1. Ensuring that essential health services are still available and protecting health systems.
2. Helping people cope with adversity, through social protection and basic services.
3. Protecting jobs, and supporting small and medium-sized enterprises and informal sector workers through economic response and recovery programmes.
4. Guiding the necessary surge in fiscal and financial stimulus to make macroeconomic policies work for the most vulnerable and strengthening multilateral and regional responses; and.
5. Promoting social cohesion and investing in community-led resilience and response systems.¹²

In an update report from June, the UNDP compares the outcomes of socio-economic impact assessments of the most affected sectors and populations groups in 63 countries. The assessments were prepared in collaboration with governments and other UN agencies in addition to contributing to a more accurate snapshot of the impact of COVID-19 and forecasting, the idea is that these assessments 'position the UN in the policy dialogue with the governments and to eventually inform the development of National Response/Recovery Plans'.¹³

Another UNDP report analyses COVID-19 as a human development crisis. It suggests that all elements of human development – such as income, health, and education – are impacted and that the crisis has created conditions 'equivalent to levels of deprivation last seen in the mid-1980s'.¹⁴

In terms of implementation, the UNDP emphasises the presence of 131 UN country teams that work in 162 countries and territories and the coordination between UN resident coordinators, working with specialised agencies, UN Regional Economic Commissions, and international financial institutions.¹⁵

OCHA works to support aid groups and governments in their humanitarian response to COVID-19.¹⁶ Leading the UN humanitarian response, it was crucially involved in developing the Global Humanitarian Response Plan which was launched in March and updated twice since then. The plan now includes a \$10.3 billion appeal to respond to COVID-19 and provide humanitarian relief and support to 63 countries.¹⁷ As of July, for example, it had delivered essential healthcare services to 18 million people; supported around 93.6 million children and youth in terms of distance/home-based learning; and provided COVID-19 assistance to over 23 million refugees, internally displaced persons, and migrants.¹⁸

While we highlight these three organisations, it is worth keeping in mind that in fact a complex network of UN organisations are involved. For the response plan for example, OCHA lists FAO, IOM, UNDP, UNFPA, UN-Habitat, UNHCR, UNICEF, UNRWA, WFP, and WHO. In addition, non-UN organisations, such as the Red Cross and Red Crescent Movement, are involved. Last but not least, a network of non-governmental organisations (NGOs) on the ground is also integrated into this response. For example, the July update of the response plan included a request for direct funding for NGOs. One observer from the NGO world remarked that ‘the level of collaboration between UN agencies and NGOs, as well as the genuine desire of many to make improvements in the system, has been exceptional.’¹⁹ While there is a network of various UN and non-UN entities that can lead or support implementation, this network is only as good as the funding it receives.

Serious funding issues for both the Global Humanitarian Response Plan and WHO remain. Of the \$10.3 billion requested as part of the response plan, almost 80% had remained unmet by August 2020.²⁰ The USA, WHO’s largest donor country with an annual contribution of \$450 million, announced in May that it would withdraw its funding from the organisation.²¹ The conditions of this withdrawal, however, are not clear and there is no commonly shared understanding of whether funding ceased immediately or not. While the USA has announced its withdrawal, others have stepped up funding. To generate additional and more flexible funding, the WHO Foundation was set up at the end of May.²²

The challenges regarding WHO funding are not only an issue of states committing or not committing financial resources. The argument over WHO funding has to be understood against the background of a highly politicised situation. Observers have argued that COVID-19 comes on top of a context that is hyper politicised, especially in the US-China context.²³ WHO was criticised for being too deferential or not confrontational enough with China, especially given the right it has based on the International Health Regulations to intervene in issues regarded as being within a state’s sovereignty.

This brief description of the responses from WHO, the UNDP, OCHA, and other relevant organisations and the context in which they operate, allows us to highlight three points:

- The UN system (here, in particular the programmes and funds and the specialised agency) responded quickly and within its mandate. Various UN entities were able to set appropriate guidance frameworks for immediate response and recovery. Through a network of offices on the ground, the UN quickly became operational in terms of implementation.
- While the UN’s overall response to the COVID-19 pandemic is laudable, lessons learned from this crisis will be important in advancing reform and allowing for even more robust responses in the future.
- The most serious challenges so far have arisen from a lack of support from some member states and from a global context that is, even in the case of global crisis response, highly politicised.

The moral authority of the UN Secretary-General

‘It’s a delicate dance when you’re the secretary general.’²⁴

Early on in the global pandemic, the UN Secretary-General Antonio Guterres called for global solidarity, encapsulated in the report *Shared Responsibility, Global Solidarity*. On 23 March 2020, using passionate words, he called for a global ceasefire during the global pandemic. ‘The fury of the virus illustrates the folly of war’,²⁵ he argued. In part, this call was driven by the concern

that conflict regions would be most vulnerable to the impact of COVID-19. A week later, on 3 April, the UN Secretary-General released 'an update on the impact of the global ceasefire appeal'.²⁶ The update contained information about the countries (70 at the time), regional organisations, and non-state actors – such as civil society and religious organisations – that accepted the call. It also named parties to conflicts that accepted the call. But the update also contained the conclusion that in some of the most critical conflicts, the fighting had not lessened. He highlighted the additional diplomatic efforts undertaken by UN envoys in Yemen, Syria, Libya, and Afghanistan.

The call for a global ceasefire faces serious challenges. For example, the commitment cannot be made by any party in conflict unilaterally and depends on the willingness of other conflict parties to make the same commitment in a credible way. Similarly, if a ceasefire architecture is not in place, the commitment, even if made in good faith, becomes hard to keep.²⁷ Beyond challenges of implementation, however, this call for a ceasefire allows for useful reflections on the role and authority of the UN Secretary-General.

The call for a global ceasefire is more than a mere rhetorical move because it highlights the moral authority of the office of the UN Secretary-General and the freedom of manoeuvre in relation to the other principal bodies of the organisation, in particular the UNSC.

While the UN Charter defines the role of the UN Secretary-General as being the 'chief administrative officer of the Organization' (article 97), more importantly for understanding the office is the skillful interpretation of article 99 by past and present office holders. It states that 'the Secretary-General may bring to the attention of the Security Council any matter which in his opinion may threaten the maintenance of international peace and security.'²⁸ Past Secretaries-General, first and foremost among them Dag Hammarskjöld, shaped the office and its role through creative interpretation of this article.

When Secretary-General Guterres called for a global ceasefire, this action was very much in line with an interpretation of Charter article 99. His call should be seen as a way of bringing an issue with relevance for global peace and security to the attention of the UNSC. While it would be up to the council to decide on its position towards this call for a global ceasefire, the moral authority of the Secretary-General's office allowed this very idea to be put prominently on the global agenda. In fact, observers argue that the UNSC took too long to respond, thus creating a situation in which the call for a global ceasefire lacked backing. Early adoption by the UNSC would have given (greater) weight to the UN Secretary-General's call.²⁹ It is, however, noteworthy that Guterres was praised for his ceasefire call and other actions during the high-level segment of this year's UNGA.

Responses from the UN Security Council and the General Assembly

On 2 April, the UNGA adopted resolution 74/270 on 'Global solidarity to fight the coronavirus disease 2019 (COVID-19)', which was put before the assembly on the initiative of Ghana, Indonesia, Liechtenstein, Norway, Singapore, and Switzerland and adopted by silence procedure. This resolution is a timely response from one of the main UN organs and represents the consensus of all UN member countries.

High-level segment at the 75th UNGA: solidarity and multilateralism

Unsurprisingly, during this year's high-level segment of the UNGA, many heads of state and government focused on the COVID-19 pandemic. While the speeches approached the topic from a variety of angles, the vast majority of countries made a clear commitment to multilateralism in their statements. On the flip-side, countries raised concerns over rising nationalism and in particular vaccine nationalism. A number of heads of state and government argued that COVID-19 medication and vaccines should be available to all and should be considered a global public good. Potential recipient countries called for a vaccine to be shared and potential provider countries expressed their commitment to do so. It is also notable that Cuba was mentioned several times and praised for its medical support to over 60 countries during the pandemic.

COVID-19 was also discussed in relation to digital policy.³⁰ Some countries noted that use of and access to information and communication technology (ICT) had improved. Others warned against the effects of online misinformation and hate speech. Concerns were also raised that the present situation is exacerbating the digital divide between developed and developing countries.

Other concerns included undoing progress towards the sustainable development goals (SDGs), economic recovery and the need for debt relief, and the impact of COVID-19 on ongoing conflicts.³¹

In contrast, some observers argued that the UNSC had been 'entirely missing in action'³² in March and April.³³ Based on its Charter mandate, the council focuses on matters of peace and security. Although health is a non-traditional security issue, a resolution from the council was regarded as crucial, especially in light of the UN Secretary-General's call for a global ceasefire. With regard to the peace and security implications of COVID-19, the first council decision came in July, when the body was able to adopt resolution 2532, which lends support and weight to the UN Secretary-General's call for a global ceasefire, issued three months earlier.

The first two operational paragraphs of this resolution are worth repeating here. The UNSC

1. 'Demands a general and immediate cessation of hostilities in all situations on its agenda and supports the efforts undertaken by the Secretary-General and his Special Representatives and Special Envoys in that respect.'³⁴
2. 'Calls upon all parties to armed conflicts to engage immediately in a durable humanitarian pause for at least 90 consecutive days, in order to enable the safe, unhindered and sustained delivery of humanitarian assistance.'³⁵

Observers report that the council had to navigate two related challenges in particular: tensions between the USA and China on the one hand and the US withdrawal from WHO on the other.³⁶ It is reported that the USA refused to have a direct reference to WHO included while China insisted on mentioning the global health organisation. A compromise was found in making a reference to UNGA resolution 74/270.³⁷

While these resolutions from the UNGA and the UNSC have no direct impact on the UN's COVID-19 response, they are crucial in that they reflect the collective opinion of member states. In the case of the UNGA, the resolution is formally supported by all member states,

which in turn symbolises universalism. In the case of the UNSC, the resolution reflects the compromise that was possible between the five permanent council members.

Like all organisations within the UN system, both the UNGA and the UNSC had to address two challenges in parallel: finding appropriate responses to the global pandemic and agreeing on procedures that would allow both bodies to meet and to take decisions during lockdown and social distancing. While the UNGA settled on the silence procedure for taking decisions relatively quickly, many observers point out that the council was slow to agree on appropriate meeting arrangements. We will explore the challenges faced by the UNSC and UNGA to adapt practices and procedures in order to be able to meet under dramatically changed circumstances in the next chapter.

Diplomatic hubs being challenged

Several times in the history of diplomacy, its end was declared in the face of new technological developments. The most prominent and often re-told story is perhaps when the British Prime Minister Lord Palmerston received a telegram in the 1850s and proclaimed that this marked the end of diplomacy.³⁸ The main argument behind this line of thinking is that the diplomat ‘in the field’ was no longer needed as the business of diplomacy could be handled from capitals. The pandemic triggered what can be called the Palmerstonian reflex once more. Following its logic, the combination of online meetings and a ban of physical gatherings equals the end of traditional diplomacy. In contrast, we argue that, like all social practices, diplomacy develops from the interplay of continuity and change.

We can find continuity in diplomacy’s core function: managing an increasingly interdependent world through negotiations and compromise. There is a continued need for sharing the same physical spaces, personal contact, and specific diplomatic expertise and practices, which are embodied in diplomatic culture, language, and procedures. Change comes in the form of a growing use of online meeting and negotiation tools, including video conferencing. In some cases, the response to the pandemic has accelerated ongoing digitalisation efforts in ministries of foreign affairs (MFAs). In other cases, missed opportunities regarding digitalisation are creating additional pressures on MFAs. With these observations in mind, it is worth taking a closer look at diplomatic hubs.

In April, when diplomatic hubs in New York, Geneva, and Vienna were under lockdown, one could have easily wondered about the purpose of having diplomats posted in these locations. While lockdown restrictions have eased in these locations, elements of social distancing and keeping meetings to a minimum continue to dominate the daily life of diplomats posted to these diplomatic hubs. What kind of consequences could this have for the future of these hubs and the number of postings?

From a budgetary perspective, one can argue that the current situation could lead to a decrease in postings and missions at diplomatic hubs. Foreign ministries in both developed and developing countries are faced with increasing budget pressures, including increased scrutiny from domestic audiences. This ongoing trend, combined with less need or fewer possibilities for face-to-face diplomacy and the increasing use of digital tools, might lead to a re-thinking of the size or even the *raison d’être* of postings in diplomatic hubs. This also seems to be the contention of diplomats representing their countries in these hubs who suggest that there is a likelihood that we will ‘bear witness to reductions in financial and human resource allocations for diplomatic hubs’.³⁹

Others identify a 'long-term trend of increasing executive power over foreign policy decision-making and administration'.⁴⁰ In turn, this might mean less power or less freedom of manoeuvre for embassies and permanent missions. Hence, we need to wonder about the likelihood of a post-COVID-19 situation in which power has shifted away from diplomatic hubs and towards foreign ministries.

Yet, the case in favour of diplomatic hubs remains a strong one.⁴¹

- Context is very important in multilateral diplomacy. Diplomats on the ground are much better placed to pick on and interpret nuances and signals.
- Controversial issues are best discussed in person, even if this means wearing masks and keeping social distance.
- Crisis situations are better addressed on the spot. Given that it is hard to predict the occurrence of a crisis, which requires coordination among countries, it is better to have diplomats already in place and within a developed and well-minted system of (personal) relationships.
- Capitals lack the capacity to follow the policy processes of specialised agencies. Despite the prevalence of online meetings, which, in principle, could be attended from anywhere, observing and dealing with specific policies has not shifted back to capitals so far.
- Vast time differences between diplomatic hubs and capitals might simply be a practical reason for why having a physical presence at diplomatic hubs is a more reasonable solution.
- Current and potential future travel restrictions are also a practical reason for why having diplomats posted to diplomatic hubs remains without feasible alternatives.

Going back to the idea that the ability to use technology to communicate across distances would mark the end of diplomacy, there is another crucial perspective to be kept in mind. The telegram, that supposedly led to the fear of the end of diplomacy, was also a source of misunderstanding between countries with far-reaching consequences in the nineteenth and early twentieth centuries. In other words, crisis management requires some form of 'direct contact in order to avoid any possible miscommunication, as was the case at the beginning of World War I'.⁴² This fits well with the practitioners' observations that video conferencing can be a useful tool if the exchange builds on relationships that have been previously established. Face-to-face encounters, however, remain crucial for establishing a working relationship in the first place.

While the case for maintaining postings in diplomatic hubs is a strong one, providing justification for these postings in the face of budgetary restrictions and public scrutiny will likely become an important issue for many countries in the near- to mid-term future.

Contested multilateralism

*Global solidarity and a unified response is our best armour against the pandemic and the socio-economic impacts our people are facing.*⁴³

*In truth, the most notorious pandemics of the past furthered isolationism in its ugliest forms.*⁴⁴

Rising nationalism, growing critique of the UN, and an increased tendency towards unilateral action have been a cause for concern, in particular for proponents of multilateralism. If we look at the past few months and at the global, regional, and national responses to COVID-19, it is not hard to find evidence for both rising nationalism on the one hand and multilateralism and solidarity, on the other. This tension is worth unpacking.

In a first step, it is useful to establish an understanding of what we mean by multilateralism. If we follow a so-called nominal definition of multilateralism, we can simply say that it is 'the practice of coordinating national policies in groups of three or more states'.⁴⁵ However, from another angle, multilateralism can also be described in qualitative terms and here shared norms and principles of conduct become important. Multilateralism understood in this way is about a sense of shared social purpose within the international order. For example, the concept of the rules-based international order, which has gained some traction lately falls under the idea of multiculturalism in this second sense.

Even before 1945, but particularly since the end of the Second World War, the USA has always been accorded a special role within the international order. It was regarded as crucial in upholding this order. Conversely, questions around a US decline in power and 'whether it is taking the international order along with it'⁴⁶ have been debated since at least the 1970s. In addition, concerns about a decline of US interest in the international order weigh perhaps even heavier. The recent US trend to withdraw from a number of global organisations and regimes – formal processes for withdrawal from both the UN Educational, Scientific and Cultural Organization (UNESCO) and the Paris Climate Agreement began last year – is indeed worrying.

With regard to the US withdrawal from WHO, it is interesting to note that the USA strongly supported establishing the organisation in the first place to 'assist countries in rebuilding national health systems after the Second World War'.⁴⁷ The USA was one of the biggest contributors and an important driver of WHO reform taking place in the early 2000s.⁴⁸ If COVID-19 has indeed highlighted some shortcomings of the organisation and if further WHO reform is needed, this is usually better accomplished from within the organisation. For example, in June, the World Health Assembly, WHO's governing body, decided to initiate an independent evaluation. It is likely that lessons learned from this global outbreak will necessitate further reform, perhaps even a strengthening of the organisation vis-à-vis its member states.

While there are no specific rules for a case of withdrawal, in September 2020, the US government announced that it would reprogramme assessed contributions owed to WHO, scale down its engagement with the organisation, and leave by June 2021. In parallel to the US threat of withdrawal, we have also seen how others, such as China, European countries, and the Gates Foundation, reacted by stepping up their funding to the organisation.

In contrast, a network launched last year stands out for its emphasis on multilateralism and its vision to support the rules-based international order. The Alliance for Multilateralism was founded in 2019, following a German-French initiative. It is described as a 'flexible, cross-re-

gional and multi-stakeholder composition'.⁴⁹ Member countries of the informal network explicitly emphasise the importance of the rules-based international order and multilateral cooperation that builds on the purposes and principles of the UN Charter. It has three self-proclaimed aims:

1. 'Compensating for the insufficient involvement of States and defending fundamental standards.
2. Reforming and modernizing the international institutions compared with the status.
3. Driving strong initiatives, particularly where governance is absent or insufficient'.⁵⁰

COVID-19 posed functional as well as normative challenges to the multilateral system and thereby also challenged the aims of the alliance.

As early as April 2020, the alliance issued a joint declaration. The declaration addresses the health, financial, information, prevention, and economic challenges. Under each of the five challenges, commitments with concrete implications – albeit in voluntary form and up to the interpretation of each country of the alliance – are made. First, as part of the health challenge, the alliance seeks 'sufficient financing to address the pandemic, including strengthening of health systems globally'.⁵¹ Second, as part of the financial challenge, alliance members commit themselves, 'on a voluntary basis, to provide resources in support of the WHO's COVID-19 Strategic Preparedness and Response Plan, as well as the health organisations involved in identifying and scaling up the tools needed to fight the pandemic'.⁵² Third, in order to 'push back disinformation and propaganda',⁵³ alliance members will 'work with public health authorities to ensure access to timely and accurate information'.⁵⁴ Fourth, as part of the prevention challenge, member states 'will lend [their] support to strengthening health systems globally, including through supporting the WHO, other UN agencies as well as other international health organizations'.⁵⁵ Lastly, as part of the economic challenge, member states will 'work to minimize disruptions to cross border trade and global supply chains, and taking only targeted, proportionate, transparent, and temporary emergency measures and only those consistent with our WTO obligations'.⁵⁶

On a normative level, the Alliance's joint declaration re-affirms core principles and explicitly puts weight behind the UN system by supporting the UN Secretary-General's appeal for a global ceasefire, the UN COVID-19 response plan, and the UN recovery fund for low- and middle-income countries. Shared responsibility and solidarity are key phrases in the declaration and universal treatment provision and 'immunization against COVID-19 as a global public good'⁵⁷ are additional specific normative commitments.

Even before the beginning of the COVID-19 crisis, concerns had been raised over the meaning and value of such an alliance in the face of rising nationalism. In a commentary from a leading German policy think-tank, the author Hanns Maull argues that core principles of the alliance, such as multilateralism and the rules-based international are too vague and might be perceived as elitist and technocratic.⁵⁸ According to Maull, proclamations of multilateralism are 'emotionally no match' for nationalist tendencies such as 'America first'. Yet, he argues that multilateralism remains an indispensable concept for managing global affairs, one which requires constant attention and commitment from like-minded states. Also building on the idea that multilateralism requires commitment, the Director of Policy Planning at the French Foreign Ministry, pointed out that a commitment to multilateralism can have structural effects by raising and fulfilling expectations that cooperation, not unilateralism, is in fact the norm guiding global politics.⁵⁹

The Alliance for Multilateralism does not necessarily have universalist ambitions. We can, however, observe instructive nuances in interpretation, especially regarding this point of universalism. Four types of interpretations of the role of the Alliance for Multilateralism stand out in particular.

- *A network that is in principle open to everybody.* While the formation of the Alliance can be interpreted as a response to recent US unilateralism, the Director of Policy Planning at the French Foreign Ministry is quick to emphasise that the network ‘remains open to everybody’.⁶⁰
- *A flexible network that can arrange and rearrange itself based on specific issues or projects.* The Special Ambassador of Germany for the Alliance of Multilateralism emphasised that, while there is a core of beliefs such as the rules based international order, the network is flexible and issue-based and can form around specific projects: ‘Engagement in a specific initiative does not entail automatic participation in other projects pursued by the Alliance.’⁶¹
- *A network to socialise countries into the rules-based international order.* An opinion piece by two academics on the potential role of India within the network argued that the country could act as a bridge between the West and China and address the trust deficit faced by China. Specifically, India ‘could lead a coalition to bridge this deficit of trust through a regime of incentives and sanctions that seek to embed Beijing into a much more guided and directed socialisation into the rules of the international system’.⁶²
- *A network that clearly stands to rebuke those deemed not compatible with its core values.* The same opinion piece also pointed out that the Alliance can be a useful place to foster strategic cooperation with some countries while also providing for greater distance, or even decoupling, from other countries (such as China).⁶³

It remains to be seen what role the Alliance for Multilateralism will play in responding to COVID-19 and in addressing current challenges faced by multilateralism and the UN in particular. The global pandemic has highlighted fissures in the internal order, tensions between countries, and challenges faced by the UN system. It is clear, however, that ‘the multilateral system needs to adapt and reform to “recover better”’.⁶⁴ Regardless of the specific interpretation of the role of initiatives such as the Alliance for Multilateralism, the commitment of countries to multilateralism is a key ingredient.

Multilateral Diplomacy by online and video conference: practices, procedures, protocol, and platforms

*Diplomacy as we know it has been put on pause, and all communication is taking place online. In-person interaction is usually a key aspect in diplomacy, but we have to adapt.*⁶⁵

*The more time spent in the digital diplomacy environment, the less likely foreign ministries will return to previous practices.*⁶⁶
*A crisis is a terrible thing to waste.*⁶⁷

It is not useful to think of COVID-19 as an anomalous event that was neither predictable nor very likely and happened to the world seemingly out of the blue.⁶⁸ So, 'far from an anomaly, this outbreak is the shape of things to come.'⁶⁹ If this is true, one question we need to ask goes beyond how the multilateral system has responded so far. Rather, we need to ask: is the system well set-up for future crises of a global scale? Or, to use a phrase coined from within the UN system: can we 'build back better' and if so, how?⁷⁰ To apply this question to shifts in diplomatic practice, and the use of digital diplomacy tools in particular, we need to first understand what shifts in practice can already be observed at this point in time.

Diplomacy is considered a practice that relies on direct human contact, on face-to-face encounters, on being in the same room, and on having space to develop interpersonal relationships. In many countries, and in particular the diplomatic hubs in New York, Geneva, and Vienna, the lockdown put an abrupt end to this. Video conferences have replaced personal meetings. Some informal meeting spaces no longer exist. At the same time, diplomacy is all the more important in order to coordinate responses to COVID-19, negotiate the policies and actions of various international organisations, and ease tensions between countries. Technology is able to bridge some gaps and ensure some continuity of activity. However, practitioners point out that it is simply not the same and that while technology offers a useful 'crutch', it is no replacement for face-to-face meetings or drafting agreements in the informal spaces of corridors.

The impact of COVID-19 forced a change in diplomatic practices. This also meant that rules of procedure with the UN system had to be creatively interpreted or adapted. Switching to online and video conferencing and other means of electronic communication also raised some questions around protocol. Lastly, decisions and questions around online video conferencing platforms became more prominent. The switch to online and video conferencing raised profound questions for decision-making and voting procedures and challenged organisations to adapt.

These are the issues we address in this section and we do so by drawing on in-depth interviews and a survey conducted with diplomatic practitioners. In addition, we trace the decisions and controversies regarding rules of procedure, in particular within the UN system, through publicly available documents and articles. In addition, we build on our experience with our ConfTech's Help Desk, that supports diplomatic practitioners with questions around video conferencing, and our *Online Meetings and Conferences: How to Run Effective and Secure Events* course.^{71,72}

Practices

The adaptations to everyday diplomatic practice that COVID-19 necessitates provide a challenge and a steep learning curve for many practitioners. When talking to practitioners, we noticed a focus on practices that are no longer possible due to lockdown or social distancing. The discontinuation of face-to-face meetings is of course the most obvious example. While there is a sense of being able to keep working and to keep up most routines with the help of digital technology, there is also a sense of loss regarding cherished activities with colleagues. The suggestion that ‘operating online is not real diplomacy’ exemplifies this quite well.⁷³

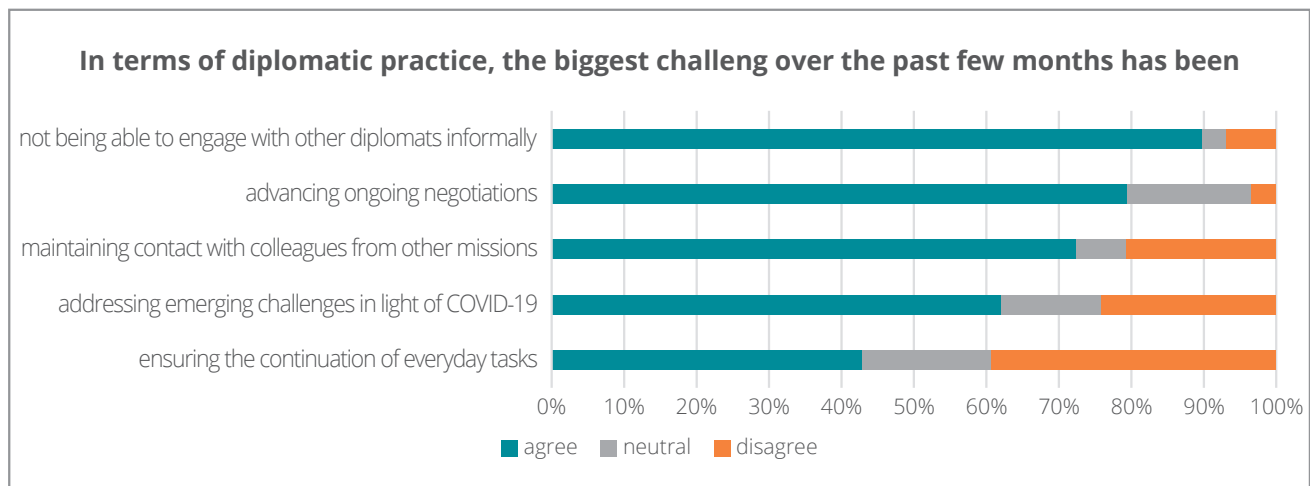


Chart: *DiploFoundation survey conducted in September 2020 – main challenges as perceived by diplomats.*

Under the new conditions, some aspects of diplomatic work have now become more difficult than before. In particular, survey respondents highlighted challenges regarding maintaining informal contacts and difficulties with advancing ongoing negotiations. One respondent explained that informal contacts are crucial for information sharing and information gathering and that at the moment there is a lot less of this in their opinion. While not being able to engage with other diplomats informally and advancing ongoing negotiations is the top challenge, this has to be contrasted with the experience of one respondent who reported ‘greater efficiency in negotiations and a “straight to the point” attitude’.

Generally speaking, some advantages associated with the shifts in diplomatic practice include:

- greater flexibility in using various means of communication;
- the realisation that not all meetings need to take place face-to face;
- the potential for greater involvement of civil society; and
- greater efficiency.

Asked about *permanent* shifts in practice, the respondents to our survey almost unanimously pointed to the increased use of virtual and hybrid meetings. On a general and very positive note, they pointed to opportunities such as

- delivering keynote speeches, for example by heads of state and government, virtually;
- bringing experts into meetings through digital means;
- cutting down on travel;

- having shorter or more focused meetings online; and
- being able to choose between face-to-face and virtual meetings as appropriate for the given context.

It is worth taking a closer look at some of these changes in practice, in particular the pace and load of work, the replacement of informal meeting spaces, and questions of transparency.

Faster or slower?

What about the speed of diplomatic practice that relies more strongly on digital tools? Is diplomacy accelerating? Here, we find quite a number of diverging opinions. This suggests that speed, time pressure, and multitasking are not so much a function of the introduction of additional digital technology as such, but rather a function of a particular portfolio or working environment. For example, a Geneva-based diplomat suggested that ‘delegates are now required to think on their feet and oftentimes react on the spot to new proposals and developments as meetings have been reduced to address a much more prioritised agenda and within shorter time frames.’⁷⁴ In contrast, a recent article observed that negotiations advance much slower as diplomats are ‘pushed into taking more official stances in video conferences’.⁷⁵ This aligns with suggestions from two of our survey respondents who suggested that in light of online and video conferencing, positions have become firmer and less flexible. The absence of informal meetings spaces and a reliance on digital means of communication contribute further to this situation.

Practitioners, especially those from small and developing countries, also observed an increase in workload and an increased need to cover multiple meetings at once in multilateral hubs such as Geneva and New York.^{76,77} While progress on negotiations might be slower, workloads seem to have increased for diplomats, especially those working in a multilateral context.

Replacing ‘the corridor’?

By now it is almost a truism to point out that diplomacy depends on direct interpersonal contact and that most breakthroughs in diplomatic negotiation happen in informal settings and away from the ‘actual’ negotiation spaces: in corridors, smoking lounges, and even bars.^{78,79} As mentioned, this aspect of diplomatic practice is, understandably, one of the ones that is missed the most under COVID-19 restrictions. Virtual informal spaces are technically possible. With regard to so-called virtual coffee breaks, the challenge is not a technical one, but rather building trust that these meetings will be confidential.⁸⁰ In addition, a senior diplomat mentioned that as a back channel during virtual meetings, WhatsApp, albeit a weak replacement for ‘the corridor’, is used. Yet, another senior diplomat suggested that digital means of communication will never enjoy the same amount of trust as face-to-face communication, given fears of third-party interception of confidential information.

When we look at this year’s opening of the UNGA, which under normal circumstances would have been attended by many heads of state and government, it becomes clear that corridor diplomacy can also be about more than a quick chat on the sidelines of a meeting. A situation like the opening of the UNGA provides an informal space for bilateral meetings and in particular for meetings between adversaries who can use the cloak of the UN to meet. Away from this high level of diplomatic practice, the corridor is also important for the working level. Looking at the diplomatic ecosystem in Brussels, scholars Eggeling and Adler-Nissen describe how diplomats used breaks between meetings to advance on negotiation texts.⁸¹ In this sense, the corridor and other informal activities are crucial contributors to negotiation success, which do not find an easy equivalent in the online sphere.^{82,83}

In many of these observations, a nostalgia for old times or hope for a future that will be more similar to pre-COVID-times is noticeable. However, it is not useful to end on this observation. We cannot stop at simply observing that the corridor and informal spaces have closed down and have been haphazardly replaced by digital tools. This would be too simple.

Following diplomatic scholar Der Derian, Eggeling and Adler-Nissen describe diplomacy as the 'mediation of estrangement'.^{84,85} Overcoming communication challenges and distances between positions is at the core of diplomatic practice. In the same vein, the greater physical distance that diplomats now encounter, is one more challenge for them to overcome, one more distance to be navigated and bridged. The question then is: How does diplomacy cope and how does a new normal arise out of this strange new situation?

More or less transparency?

One of the core assumptions about the impact of digital tools in diplomacy is that greater use leads to greater transparency. However, observations in the context of COVID-19 adaptations show a more mixed picture. While there is certainly the aspiration among some diplomats to also increase the transparency of diplomatic work, the realisation of this goal depends very much on its explicit incorporation in practice and decisions regarding rules of procedure. Looking at the diplomatic ecosystem in Brussels, Eggeling observes that media oversight and democratic control were hindered as meetings moved online and traditional press briefings after the physical meetings took place virtually.⁸⁶

Experiences and challenges of small and developing countries

Diplomats from developed and from developing countries share many of the same concerns regarding diplomatic practice in times of COVID-19. The absence of informal spaces for negotiation and questions around the security of online and video platforms are just two examples.

However, diplomats from small and developing countries are likely to face a number of additional burdens:

- *Lack of personnel.* Especially in multilateral hubs, diplomats from small and developing countries have always faced the challenge of needing to cover multiple topics and 'being in two places at the same time'. Our interviews suggest that there is now a greater tendency towards overlap between meetings. There is also a tendency towards scheduling additional informal meetings on online and video conferencing platforms, given the ease with which these meetings can be set up. Thus, existing challenges related to lack of personnel might be exacerbated.
- *Lack of in-house cybersecurity expertise.* Extending the security measures enjoyed at embassies and permanent missions to the homes of diplomats can be challenging or impossible for some missions, thus placing an additional burden on ensuring continuity of work.
- *Need for additional support and training.* One respondent to our survey suggested that 'many .. colleagues are not yet comfortable with using collaboration platforms'. While this is not a challenge exclusive to diplomats from small and developing countries, diplomats from developed countries are a lot more likely to be able to draw on more in-house expertise and support.

One major concern lies with the longer term impact of COVID-19 on the conduct of multilateral diplomacy: diplomats of small and developing countries, especially those posted at multilateral hubs, are likely to face an additional crisis next year. The impact of budget constraints and delays with replacing key personnel at multilateral hubs will become more noticeable over the coming months.⁸⁷ At the same time, some issues on the multilateral agenda have been postponed until next year, thus leading to a backlog of agenda items and meetings. These two aspects combined might create a substantial challenge for diplomats from small and developing countries.

Formal procedures, decision-making, and protocol

While individual working diplomats have developed a number of coping strategies and often are able to adapt their procedures and tools for personal use, video conferences and the lack of physical meetings poses particular challenges for the workings of the UN system. Most crucially, both the UNSC and the UNGA have had to adapt their rules of procedure and redefine decision-making under the new circumstances. In both cases, it was paramount that these UN organs retain their ability to make decisions. For example, the president of the UNGA pointed out that 'under the prevailing extraordinary circumstances, the General Assembly has to be able to take essential decisions related to the Organisation.'⁸⁸

Consensus decision-making and the silence procedure

Consensus has become increasingly popular as a way of arriving at decisions in a multilateral setting. Consensus can work even when some parties reluctantly support the agreement. In fact, the possibility of moving forward with a decision without needing unanimity while avoiding the potential divisiveness of a vote is one of the biggest advantages of this form of decision-making.⁸⁹

Adapting to the changed circumstances, the UNGA decided to use the so-called silence procedure as its dominant form of decision-making. The silence procedure describes the 'rule that a proposal with strong support is deemed to have been agreed unless any party raises an objection to it before a specified deadline'.⁹⁰ To stay silent does not necessarily equate to full agreement. Rather, at a minimum, to raise no objection during the silence period means to acquiesce to the decision under consideration.

The silence procedure might simply be a final step in the decision-making process when consensus has already been reached or it might be a way of adding pressure to those parties not yet in line with the agreement. The silence procedure is more commonly associated with decision-making in organisations such as NATO, the EU, and the Organization for Security and Co-operation in Europe (OSCE). The UNGA has, on occasion, also used the procedure prior to 2020.

The UNGA has published very specific guidelines on this.⁹¹ Under the silence procedure, draft resolutions are circulated by the UNGA president. Countries then have 72 hours to raise any objections with the president. In the case of objections, the silence procedure is considered broken and the resolution is thereby not adopted. If no objections are raised within the time period, the UNGA president circulates a letter confirming the adoption of the resolution. After a decision is adopted, member states can issue an 'explanation of position'.

The silence procedure becomes important as voting is deemed technically impossible.⁹² When the UNGA issued a resolution adopting the silence procedure as its *modus operandus*, Lichtenstein circulated a letter to raise concerns about the assumption that voting is technically not possible and argued that this could be interpreted as changing the rules of procedure of the UNGA.⁹³

In addition to the silence procedure, there is, at least in principle, nothing that would prevent the UNGA from putting a form of formal electronic voting system in place. While the silence procedure works well in cases in which consensus exists or can be built, the absence of the possibility to vote prevents any decisions on more controversial issues. Observers have suggested that the lack of an electronic voting system is due to the interests of some member states. 'Powerful memes like China and Russia – but also some Western states, including the U.S. – seem comfortable with a situation where they don't need to confront General Assembly resolutions that go against their interest.'⁹⁴ In addition to not being able to address more controversial issues, reactions to crisis moments will take longer under the current silent procedure. This is a cause for concern for some diplomats.⁹⁵

Like the UNGA, ECOSOC has also started using the silence procedure for decision-making, following a decision in early April.⁹⁶ It is noteworthy that, at the time, there was a discussion regarding what decisions should be put under silence procedure.⁹⁷ For example, the Philippines, while supporting the ECOSOC decision on procedure raised concerns about the scope of the applicability of the silence procedure.⁹⁸ The letter to the president (2 April) suggests that the si-

lence procedure should only be used for procedural matters and issues where there is already clear consensus. And further,

For matters that clear[ly] require discussion or negotiations, consideration of said matters should be deferred until an appropriate time when an agreed procedure for negotiations or informal consultations can be agreed upon, when delegations can return to the UN and conduct face-to-face meetings.⁹⁹

Sam Daws, in his seminal book *The Procedure of the UN Security Council*, notes that consensus decision-making is also not a new or even a recent practice in the council.¹⁰⁰ Though article 27(3) of the UN Charter equates the adoption of a resolution with affirmative votes, Daws points out that 'there is no legal difference between decisions adopted through a voting process and those which, without a vote, are declared adopted by consensus or acclamation by the Council President.'¹⁰¹ However, he also highlights that variations around consensus decision-making in the UN Security Council exist. Some resolutions with consensus are nevertheless put to the vote, in their entirety or in parts.

Voting

Formidable challenges emerge regarding voting procedures when physical meetings are not possible. The silent procedure is utilised precisely to fill this gap. But some states argue that this procedure cannot be used for all decisions. This has led some organisations, or rather some states in some international organisations, to argue that while physical meetings are not possible, voting, and thereby decision-making on important matters, has to be put on hold. This is of course a serious issue with regard to the continuation of the work of these organisations, especially in times of crisis.

The UNSC has continued to employ voting procedures in the absence of physical meetings, but these procedures are considerably more lengthy. Writing in July, one observer suggested that 'during in-person meetings, voting is a matter of just a few minutes, as it takes place by a show of hands. Currently, the remote voting process takes up to three days.'¹⁰²

Protocol

Diplomatic protocol can be defined as 'rules of diplomatic procedure, notably those designed to accord to the representatives of sovereign states and others, as well as different classes of officers within them, the treatment in all official dealings to which their recognised status entitles them'.¹⁰³ From a sociological perspective, protocol can be understood as a ritual that signals officiality and hierarchy. On a more practical level, protocol is often thought of as arranging the order and manner of arrival at official meetings, seating, and official photographs. In this sense, social distancing measures clearly add to the list of points that protocol needs to take into account. For example, the protocol sections of host countries have been briefing the diplomatic corps on particular measures to be observed. Similarly, special choreographies had to be observed for high-level events that took place in person. The socially distant arrangements of group photos for high-level meetings represent the very visible aspect of these adjustments. While it is clear that adjustments had to be made, it is, in a sense, in the very nature of protocol to ensure adequate representation under the given circumstances.

More challenging is the question of how protocol translates to online and video conferencing. If we look at protocol as a ritual that signals officiality and hierarchy, we can see how the modalities of video conferencing platforms create tensions that cannot be addressed through minor adjustments of protocol. As one senior diplomat explained, video conferencing platforms are a great equaliser, participants join on a more or less equal footing; this, however, cuts directly against the diplomatic hierarchy that protocol is meant to signal. For example, in face-to-face meetings, seating

can be arranged in a way to underscore seniority. Reserving the first rows in a conference is also a way of keeping the attention of VIPs. Current video platforms do not offer a functionality that could serve as a virtual equivalent of this. In some cases, this has led to disapproval from more senior diplomats. If we understand protocol as a ritual that holds the social fabric of diplomatic practice together, the enormity of the shift required becomes clear. While individual diplomats might enjoy the more equal level of engagement afforded by video conferencing platforms, the profession as a whole is unlikely to shift with regard to protocol. Dedicated video conferencing platforms might be needed to address this and to help translate various aspects of diplomatic practice online.

Old and new platforms: diplomacy by video conference

*Just pray we don't have to use it.*¹⁰⁴

The formative image of diplomacy in times of COVID-19 is of course the image of the video conference. With the move to online and video conferencing, new challenges have arisen for practitioners. Asked about some of the biggest challenges or concerns in using video conferences, respondents to our survey highlighted in particular:

- tackling technical issues,
- solving security issues, and
- adapting to changes in communication and negotiation dynamics.



Chart: DiploFoundation survey conducted in September 2020 – experiences of diplomats with planning video conferences

In many cases, diplomats have little choice over which platform to use. Organisations or ministries often determine this. The UNSC for example relies on its existing video conferencing system.

In other cases, for example relating to the work of UNGA committees, questions related to (a) whether to use an online or video conferencing platform and (b) which one, are part of a negotiating process. For example, the Third Committee on social, humanitarian and cultural issues has embarked on a hybrid model whereby opening sessions and voting takes place in person and informal consultations and interactive dialogues can take place virtually.¹⁰⁵ Some diplomats participating in our survey also reported that they utilise a variety of platforms depending on circumstances, context, and counterparts.

In either case, it is useful to keep in mind that platform choices have profound consequences for inclusion and exclusion. Zoom, Microsoft Teams, and Webex dominate 70% of the global market. However, countries like Cuba and Iran, who face US sanctions, cannot use these tools. In other words, finding a commercial application that is acceptable to all in the context of diplomatic meetings can be very complicated.¹⁰⁶ Additional challenges have arisen due to requirements for simultaneous translation. While these issues can be approached in a pragmatic manner, some conflicts over video platforms become instrumentalised in the sense that a perceived lack of technical capability could be used to stall the process of deciding on a particular platform and therefore stall an organisation's decision-making capabilities. Challenges such as low bandwidth; lack of technical facilities and equipment; sanctions regimes; and concerns over security, confidentiality, and data privacy are real. Yet, they can also be used as part of a diplomatic tactic to delay progress in negotiations.

Human Rights Council: Practices and challenges

The HRC is a very good example to draw the key points from the discussion together under the umbrella of one particular case. Generally speaking, there is a sense that the HRC responded exceptionally well and that it was one of the early adapters within the UN system.^{107,108} Continuity of the HRC's work was deemed particularly important to avoid the impression that this work was dispensable. With regard to how the HRC adjusted, six points are worth highlighting.

Going virtual as an initial reaction

One of the first responses from the HRC was to organise so-called 'virtual conversations', using Zoom as a platform. The first meeting of this kind, on the impact of COVID-19 on societies and human rights, took place on 9 April and was a discussion between 'more than 40 delegates and representatives of civil society', the High Commissioner for Human Rights, Michelle Bachelet, and council president Ambassador Elisabeth Tichy-Fisslberger.¹⁰⁹ Four hundred participants joined via Zoom and more than 2,000 people followed the webcast of the three-hour meeting.^{110,111} A second meeting of this kind took place three weeks later, on 30 April.

Negotiating a new modus operandus

In contrast to the virtual conversations, formal council meetings did not continue virtually. Before COVID-19 forced the HRC to stop meeting in person, it had completed the first three of four weeks of meetings as part of its 43rd session. One suggestion was for the council to complete the final week of meetings at the scheduled beginning of the next session. The timing and the modalities of these meetings, however, had to be negotiated carefully. In particular, both concerns over health risks and political misgivings about the work of the council had to be navigated. Consultations took place virtually and the first of these meetings was fraught with technical issues. In this situation the leadership, ability to listen, and persuasiveness of the council president was crucial.¹¹² This example also illustrates the double-burden that UN entities faced: ensuring the continuation of work while negotiating the very modalities of work.

Hybrid meetings: opportunities and challenges

The HRC decided to meet face-to-face with provisions for social distancing, such as meeting in a bigger hall and allowing only one person per delegation. In addition, remote participation was made possible, which was crucial for some delegations and in particular delegates with pre-existing health risks. This hybrid format was important to ensure continuation of work and flexibility in approach. However, this format also led to a number of challenges¹¹³:

- UN conference services had significantly more work in ensuring remote participation.
- Planning challenges arose from scheduling meetings in a way that took participants' diverse time zones into account.
- The need to provide official translation services further limited the time the council had to meet and narrowed down its flexibility in scheduling meetings.
- Overall, hybrid meetings led to increased costs regarding, for example, video conferencing platforms.¹¹⁴
- Voting could neither take place in a virtual nor in a hybrid format.

Diplomats raised concerns about informal meeting spaces not being available any longer and the negative impacts of this on the negotiations. Further, from the perspective of NGOs, the adjusted format means that there are fewer opportunities to meet and influence representatives of HRC member states.¹¹⁵

Rescheduling and postponement

Overall, the HRC completed the work it had set for itself this year. This was achieved by rescheduling some meetings of the 43rd session for the beginning of the 44th session and extending the schedule of the 44th session. However, some HRC activities, such as regional consultations, could not be implemented this year and were postponed to next year. There are concerns that it will be difficult to fit an increased number of activities into next year's schedule. In addition, there are concerns that potential budget restrictions, due to the liquidity crisis of the UN (exacerbated by the impact of COVID-19), will lead to some of these activities being cancelled or needing a different format.

Decision-making and voting

In April, the HRC made use of the silence procedure for adopting the presidential statement on the human rights implications of the crisis. Voting on resolutions, however, took place in person and the council president stressed that there is currently no feasible alternative to this, as a dedicated online platform with this functionality is not available yet.¹¹⁶

Longer-term impacts

The virtual and hybrid meetings allowed the HRC to continue its work and to bring in representatives and testimonials from around the world. This is likely to lead to greater flexibility in the future – using these formats when needed and reducing travel costs by, for example, alternating between virtual and in person briefings from HCR mandate holders.¹¹⁷ It is important to keep in mind that the use of audio and visuals for testimonials from people affected by human rights violations is still contested among council members. However, resistance to that might be decreasing due to the experiences of the council this year.¹¹⁸

Preliminary conclusions: Three suggestions

For the past six months, diplomatic practice has had to make some substantial shifts. Practitioners have already indicated that some adaptations are here to stay. In particular, there is a sense that video conferences will continue to play a bigger role than before, even after physical meetings are possible again without restrictions. A number of survey respondents suggested that they have experienced greater efficiency when meeting virtually and indicated that this practice could be continued for specific issues. Others see benefits in hybrid meetings, where some participants are present in one location while others join remotely. Based on the observations in this report, we offer three key suggestions for the future of diplomatic practice.

1. Hybrid meetings

Hybrid meetings are a very likely candidate for a sustained post-COVID practice. One hope associated with this form of meeting is the greater inclusion of civil society and experts, especially in meetings of international organisations. Witnesses could be more easily included in meetings to give a better sense of the situation on the ground. Hybrid meetings might also save on travel costs, a reason that is of particular importance for small and developing states. Lastly, hybrid meetings can allow for supporting smaller delegations with experts and staff from the relevant ministries at home.

There are, however, at least three questions that need to be clarified with regard to hybrid meetings:

- On a practical level, how can equality between those attending in person and those joining remotely be achieved?
- Procedurally, how should connection problems be addressed?
- On a legal level, what is the status of those joining remotely vis-à-vis those participating in person?

As hybrid diplomatic meetings become a permanent kind of reality in the conduct of diplomacy, rules of procedure will need to be adapted in accordance with the changed practice.

Regarding the legal status of those joining remotely, the International Telecommunication Union (ITU) has developed one approach.¹¹⁹ The 2018 Plenipotentiary Conference decided that remote and *in situ* participants do not have the same legal status. Onsite meetings take precedence and continue even in the event of remote participants facing technical issues. However, in light of the changed reality of COVID-19 this approach might need to be re-thought. In parallel, the ITU is also working on a conference platform for UN entities.

2. A virtual home for the UN

‘Just like the Palais des Nations, the seat of the UN in Geneva, is open to all member states, there should be a virtual public space that is open to all on an equal footing.’¹²⁰ The move to video conferencing platforms has brought a number of challenges. In some cases, diplomats perceive a dependence on private sector companies and express concerns about privacy and security. A dedicated, purpose-built, open-source platform could address these issues.¹²¹ Such a ‘digital home for humanity’, as suggested by Kurbalija, should fulfill the following criteria: openness to participation from all relevant stakeholders, meaningful participation, and transparency and accountability.¹²² It should be situated with the UN to emphasise its character as a global public good.

3. Updating training and capacity building

Training and capacity building need to adjust to the new realities. This includes knowledge on cybersecurity, data security, and online etiquette. It also includes practical skills related to video conferencing platforms and digital collaboration tools. While few of these issues are new, there is a greater sense of urgency to provide this kind of training, especially in the context of MFAs who might have not yet advanced substantially in their digital transformation. Having said this, soft skills, such as managing and moderating online conferences, are likely to be a much needed but also brand-new addition to most diplomatic training and capacity-building efforts.

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