

Research Note

Marine Biodiversity Negotiations During COVID-19: A New Role for Digital Diplomacy?

*Alice B. M. Vadrot, Arne Langlet, Ina Tessnow-von Wysocki, Petro Tolochko, Emmanuelle Brogat, and Silvia C. Ruiz-Rodríguez**

Abstract

Measures related to the COVID-19 pandemic have indefinitely postponed in-person formal international negotiations for a new legally binding instrument under the United Nations Convention on the Law of the Sea on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction (BBNJ). As a result, online initiatives have emerged to keep informal dialogue ongoing among both state and nonstate actors. To continue our research on the BBNJ process, we adapted our methodology and conducted a survey in May 2020 exploring the impact of COVID-19 on respondents' BBNJ-related work and communication. This research note identifies online initiatives and communication channels set up to maintain negotiation momentum and examines the challenges and opportunities of digital diplomacy for multilateral environmental agreement making, as well as the study thereof. We discuss future avenues for global environmental politics research and conclude that digital ethnographies provide an entry point to study some of these dynamics but need to be adapted to the study of negotiation settings and the specific context of multilateral environmental diplomacy.

The COVID-19 pandemic is dramatically affecting societies and economies around the globe and may have far-reaching consequences for the social and political orders. The measures put in place to contain it have affected the daily routine, life–work balance, and research practice of each of us. Transportation was

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shut down, national borders were closed, and long-planned intergovernmental conferences were canceled. Among others, the fourth (and final) session on an international legally binding instrument for the conservation and sustainable use of marine biodiversity of areas beyond national jurisdiction (BBNJ Treaty), which our team had planned to study collectively by “being there” (O’Neill and Haas 2019), was postponed.

Intergovernmental meetings where global environmental agreements such as the BBNJ Treaty are negotiated have provided scholars of global environmental politics (GEP) with the opportunity to study actors, power constellations, conflicts, influence, and contestation in practice and “on-site” (e.g., Campbell et al. 2014; Death 2011; Dimitrov 2014; Hughes and Vadrot 2019; Vadrot 2020). Campbell et al. (2014) demonstrated how to employ collaborative event ethnography (CEE) to study these sites and sensitized us to the various ways in which ethnography makes new forms of influence visible (Witter et al. 2015)—including how digital ethnographies “made it possible to identify and trace the digital expansion and contraction of spaces for representation at COP21” (Suiseeya and Zanotti 2019, 46).

While GEP scholarship had started to acknowledge the effects of digital technologies on negotiation dynamics and diplomatic practice, no one was prepared to study the disruptive effects of COVID-19 or to examine current efforts by state and nonstate actors to continue intergovernmental negotiations informally by establishing virtual spaces. How can we capture the nature of these new spaces, develop suitable methodologies to study them, and attribute meaning to the dynamics we observe?

This research note describes how we, as a team, adapted to new circumstances and continued our empirical study of ongoing BBNJ negotiations through an online survey and digital ethnography. It also provides an entry point into emerging issues for GEP scholars interested in the study of negotiation sites and their new digital dimension. Finally, it reflects on the ontology and epistemology of these sites and the need to expand our work through digital ethnographies.

We first briefly introduce the BBNJ negotiations and describe how these moved online. We then present our survey methods and sample before discussing our findings, which indicate that state and nonstate actors hold widely different views regarding online negotiations. Finally, we discuss these results in relation to the future study of (digital) environmental agreement making.

How the BBNJ Negotiations Moved Online

More than a decade ago, governments started to consult on the need for a new agreement on marine biodiversity in response to the lack of regulation on the conservation, sustainable use, and equitable sharing of biological diversity in international waters (De Santo et al. 2019). In 2017, the United Nations General Assembly decided to convene four intergovernmental conferences (IGCs) to negotiate a new legally binding instrument, the “BBNJ Treaty” (Tessnow-von

Wysocki and Vadrot, 2020).¹ Since 2018, three IGCs have been convened, leading to a draft treaty that was to be adopted at IGC 4 in March 2020. Yet, owing to the COVID-19 outbreak, IGC 4 had to be postponed.

Shortly after the first national lockdowns started, an alliance of ocean-related nongovernmental organizations (NGOs) supported by the governments of Belgium, Costa Rica, and Monaco initiated the “High Seas Treaty Dialogues.” These took place in April, June, and July 2020, continuing into autumn and winter, through an online platform (Webex) where registered participants may connect and interact simultaneously. The meetings share similar features to on-site negotiations (such as “opening” or “closing the floor”) and the speaking order (nonstate actors speak after states). Participants discuss BBNJ Treaty-related issues for three hours under the guidance of a facilitator who gives the floor to those who request it via the chat function. While this arrangement indeed facilitates exchange among delegates, it is not deemed a formal negotiation setting but, rather, a way to keep the momentum going.

To provide delegates with a more formalized framework, the president of the BBNJ negotiations, Rena Lee, launched the “BBNJ intersessional work” in September 2020 and moved away from the video-based format used for the purpose of the “High Seas Treaty Dialogues.” Instead, the “BBNJ intersessional work” uses MS teams, a Microsoft group chat software, allowing text proposals by state and nonstate actors registered to IGC 4, following questions posted by facilitators on the different package elements of the BBNJ Treaty. These questions may be commented upon, participants may react to others’ comments by selecting emoticons (heart, laugh, surprise, sadness, or anger), and discussion is open for five days. At the current stage, it remains unclear whether this work can act as a basis for the development of a new draft treaty. If it did, this would mean that statements and activities taking place in online dialogue are ascribed an important meaning—and de facto transform the practice of multilateral agreement making.

Adapting Methodology in Times of Crisis

We modified the CEE method to study the BBNJ case (Vadrot 2020). We applied the method during IGC 2 and IGC 3 and were preparing to attend IGC 4 (end of March 2020) but were informed two weeks beforehand that the negotiations had been indefinitely postponed. In order not to lose sight of the BBNJ process and to explore the potential effects of national lockdowns around the world on it, we decided to develop an online survey and reach out to involved state and nonstate actors. Our team pursued the following objectives: first, to keep track of the process; second, to anticipate how the lockdowns might affect treaty making; third,

1. The treaty will be an implementing agreement of the United Nations Convention on the Law of the Sea (UNCLOS) and includes the following package items: marine genetic resources (MGRs), including the sharing of benefits; area-based management tools (ABMTs), including marine protected areas (MPAs); environmental impact assessments (EIAs); capacity building and the transfer of marine technology (CB/TT); and crosscutting issues.

to collect views on the opportunities and challenges arising from online tools; and fourth, to start thinking about the conceptual and methodological implications of studying BBNJ negotiations further.

The Survey: Method and Sample

Owing to the unprecedented character of the national lockdowns around the world, the limited amount of time to adapt to the new research conditions, and the unpredictability of how and when diplomatic activity might resume, the research team refrained from developing a questionnaire testing predefined hypotheses based on theoretical assumptions. Instead, we followed an explorative logic to provide a new data source at a time when ethnography could not take place. In this regard, the survey needs to be viewed as experimental; it seeks to identify key issues relevant for practitioners and the study of agreement making in pandemic times.

The online survey was conducted in the period May 4–26, 2020, shortly after the first European peak of the COVID-19 lockdowns. The objective was to obtain a sufficiently representative sample of all BBNJ stakeholders, that is, representatives of government, intergovernmental organizations (IGOs), NGOs, business/industry, research institutes and/or universities, and the United Nations (UN). In total, 366 persons were contacted individually, including professional acquaintances of the research team; authors studying and publishing on BBNJ issues in peer-reviewed journals; participants of past conferences, including IGCs and Conferences of the Parties of the Convention on Biological Diversity; and persons met on-site at past IGCs whose contact information was publicly available.

We used snowball sampling, whereby some individuals were identified as important nodes. These individuals received a personal e-mail invitation to take part in the survey through an URL and were asked to distribute the link to their networks and peers. Moreover, the MARIPOLDATA project website publicized the survey and provided an access link. Finally, the survey was disseminated through mailing lists as well as on social media. In total, 709 persons accessed it. Given that IGC 2 had counted 918 participants, this was a significant share. Out of these 709 persons, 105 completed the survey—a response rate of 14.8 percent.

A large majority of respondents (73.3 percent) indicated that they actively participated in BBNJ negotiations. Among them, 72.4 percent declared that they had followed the negotiations since 2017 or earlier. Our sample of 105 respondents not only includes a large number who are formally involved in BBNJ processes, but it is also fairly balanced in terms of geography and profession: 27 are state representatives (from 25 different countries); 13 represent an IGO; and 65 are from NGOs, business, and research. They originate from thirty-five different countries, making the sample fairly representative.²

2. Full list of countries of state representatives: Andorra, Australia, Austria, Bangladesh, Belgium, Brazil, Canada, Chile, Costa Rica, El Salvador, France, Germany, Guinea, Ireland, Japan, Monaco, New Zealand, Palau, Palestine, Portugal, Slovenia, South Africa, Trinidad and Tobago, the United

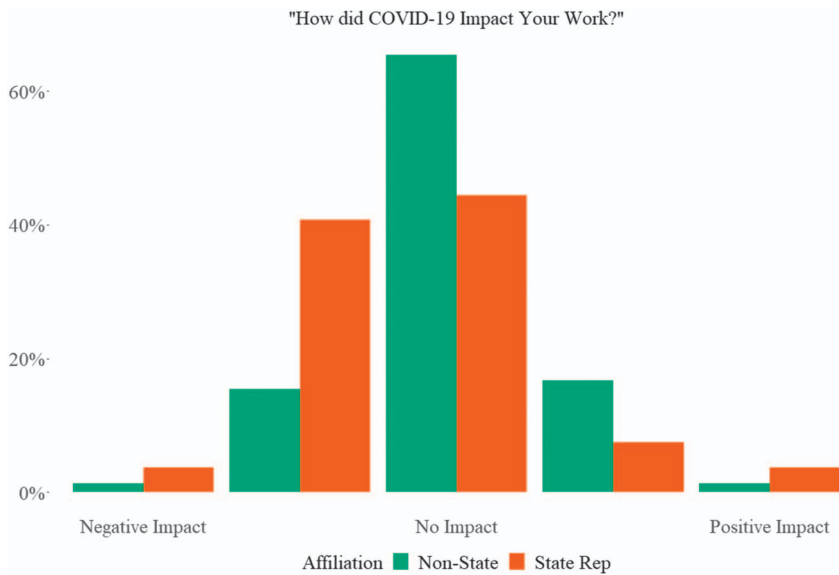


Figure 1
COVID-19 Impact on Work

The questionnaire was designed around three topics: backgrounds of participants and their involvement in the BBNJ process, effects of COVID-19 measures on their BBNJ-related work and communication with other actors, and the perceived effects of COVID-19 on the BBNJ negotiations themselves and the suitability of online arrangements. In total, the questionnaire consisted of twenty-three (open and closed) questions, allowing for cross-sectoral comparisons while providing the necessary space for individual suggestions and explanations. The survey used the *form* framework for online survey design (Arslan et al. 2020).

Results: The Impact of COVID-19 on BBNJ Negotiations

Like many people around the globe, BBNJ actors experienced restrictions in their working practices. Owing to the closure of schools and other caregiver services, parents had to work remotely while home-schooling their children. When asked how COVID-19 impacted their work, many respondents—state actors more than nonstate actors—indicated a rather negative impact, as displayed in Figure 1, but a significant number of people experienced no impact at all.

Kingdom, and Vatican City (Holy See). Full list of countries of nonstate respondents: Albania, Australia, Austria, Belgium, Canada, Costa Rica, Ecuador, Fiji, France, Germany, Ireland, Italy, Japan, the Netherlands, New Zealand, Norway, Portugal, Samoa, Sweden, Switzerland, the United Kingdom, and the United States of America.

Respondents were asked about the kinds of BBNJ-related activities they pursued. State representatives reported that they were reviewing sections of the latest draft, informing themselves by talking to researchers, or catching up on scientific publications. Nonstate respondents declared that they produced videos or podcasts, trying to strengthen public outreach on BBNJ issues. Both groups highlighted that they were using the additional time to engage with the draft text and participate in or organize BBNJ webinars.

Changing Communication Patterns and the Use of Online Tools

Despite the challenges that both state and nonstate actors were facing during the first phase of the national lockdowns, they continued communicating with other actors—replacing face-to-face meetings with other communication tools. Figure 2 shows that while e-mail has remained the most frequently used tool, the use of virtual meetings and social media has seen a significant increase. Roughly half of the respondents even reported that virtual meetings had become “an official channel of communication.” Yet we noted one important difference between

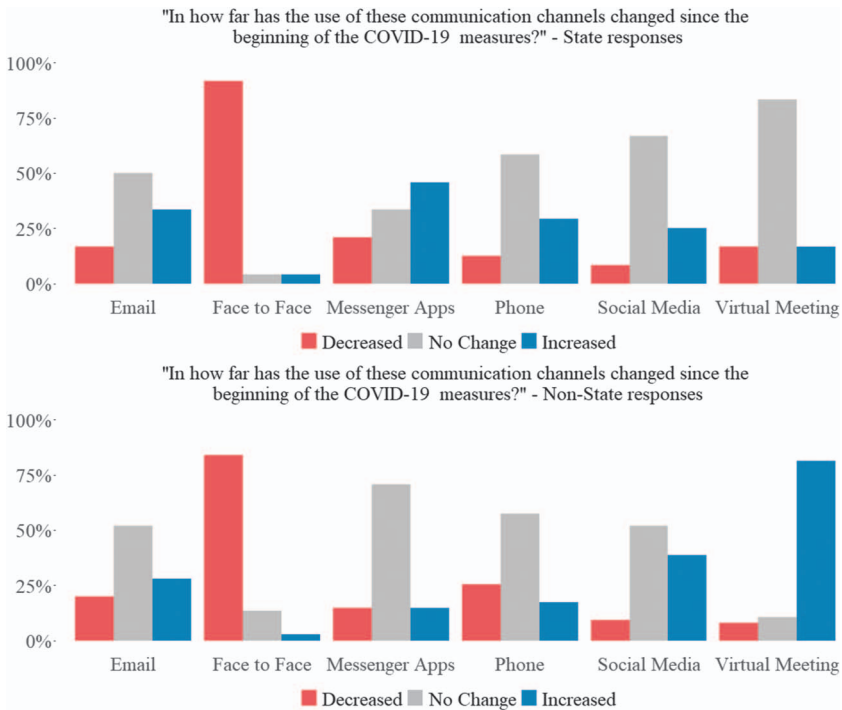


Figure 2 Changes in Communication Tools from the Perspective of State and Nonstate Actors

state and nonstate actors. While the latter almost completely replaced face-to-face communication with virtual meetings, government respondents—at least at the time when this survey was conducted—did not intensively use virtual meeting tools; instead, they relied on phone calls and messenger apps—a fact that may well have changed in the meantime.

These differences point to a more general trend, namely, that state actors—compared with nonstate actors, most notably IGOs—are less willing and able to quickly adapt to online tools and engage in new forms of digital diplomacy (Bjola and Zaiotti 2020; Owen 2015).

One side effect of the different modes of adjustment during national lockdowns is a change in communication patterns. We asked our sample respondents to assess whether communication with other actors had increased, decreased, or remained the same. Although the general intensity of communication with others had not changed for most respondents, our data indicate significant differences between state and nonstate actors. While nonstate respondents reported an overall decrease in communication with state representatives, communication among state representatives remained the same. In other words, the lockdowns apparently did not affect communication between governments but made it harder for nonstate actors to engage with government representatives. When asked if online communication tools could replace personal meetings, 87 percent of respondents indicated that they could “partly” replace personal meetings.

Thus respondents share the sense that online communication may help maintain dialogue with other actors—especially if there are no other means to do so—but this cannot fully replace face-to-face meetings that, for instance, take place between working group sessions or plenaries. There, various actors come together to informally deliberate about different treaty text options and specific compromises.

In other words, the opportunity to reach out to other actors within the framework of an intergovernmental conference is perceived as a valuable practice of multilateral diplomacy and a key aspect of moving treaty text forward. Scholars have indeed noted that communication is a source of power in international politics benefiting both state and nonstate actors; nonstate actors use physical negotiations to meet state representatives and forward their agendas (Marlin-Bennett 2013), while state actors also use them to negotiate behind closed doors.

As described, state and nonstate actors became enrolled in two initiatives to keep the discussion going: the High Seas Treaty Dialogues and BBNJ intersessional work. Yet, at the time when this survey was conducted (May 4–26), the dialogues had just been launched, and the intersessional work had not yet been announced. Thus, while some of our respondents could draw on their experiences with their first online encounters with other delegates, the use of online tools was far from being “normal” practice.

When asked if the postponement of IGC 4 would affect the overall BBNJ Treaty, our respondents—including both state and nonstate actors—agreed that it would have an impact, with many nonstate actors assuming that the outcome would be substantially different (Figure 3).

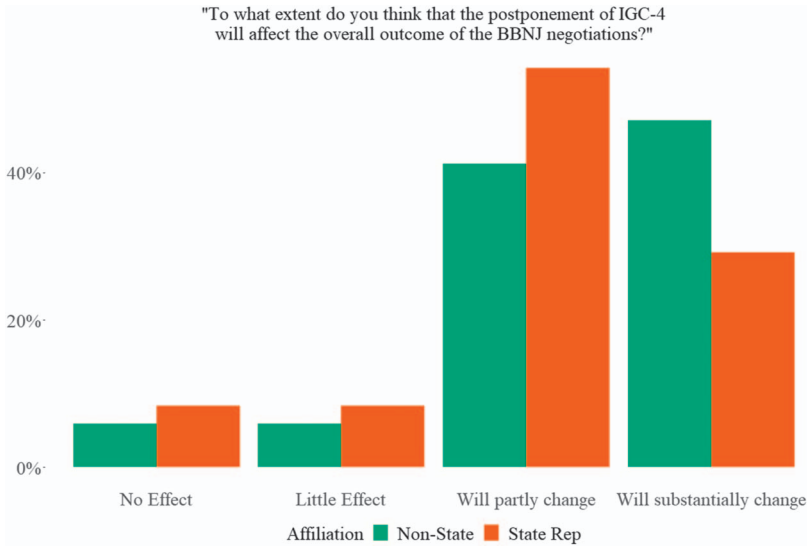


Figure 3
COVID-19 Impact on BBNJ Outcome

To explore the underlying reasons for this opinion, we asked our sample respondents a set of questions regarding the feasibility of online negotiations and the opportunities and challenges that these would entail.

Toward a Better BBNJ Treaty Through Intersessional Online Dialogue

Despite skepticism regarding the replacement of on-site negotiations with online meetings, respondents stressed that the use of such meetings for intersessional work might benefit the overall BBNJ process. Governments were expected to conclude the BBNJ Treaty at IGC 4, but the treaty text was far from ready, and important points of divergence still needed to be discussed.

For these reasons, online meetings where delegates could discuss central, unresolved BBNJ Treaty issues were perceived as important initiatives. Respondents hoped that work on the text could facilitate regional and interregional discussions, within-coalition coordination, and interaction between various stakeholders. This would lead to the identification of points where consensus might be achieved, allow state parties to propose amendments to the language, and cluster priority proposals and provisions.

These survey responses indicate that online tools may be beneficial because they increase opportunities for exchanges of views on treaty text, thus allowing state actors to dive deeper into certain issues and expanding scientific input. Yet respondents also mentioned that some online tools were more suitable than others. Website-based (rather than video conference-based) moderated discussions,

as currently used by the UN Division for the Oceans and the Law of the Sea (UNDOALOS) for the BBNJ intersessional work, were seen as valuable to work on treaty text and develop bridge-building solutions. Respondents also stressed the importance of informal video conference-based sessions to provide room for negotiation, consultation, and small working groups in order to develop joint proposals.

Participation and Inclusiveness

The use of MS teams and Webex to continue informal dialogue among state and nonstate actors has several implications for participation in such dialogues and the inclusiveness of such virtual sites. Our results suggest that the effects of online tools on participation and inclusiveness appear to determine how actors perceive the suitability of virtual arrangements to continue formal negotiations of any sort online (Bernauer and Gampfer 2013). When asked whether online negotiations made the BBNJ process more inclusive, state actors and nonstate actors responded quite differently (see Figure 4). State respondents—who tended to answer no—argued that the process was “already quite” or “highly” inclusive (“Who is excluded at the moment? Observers or specific curious individuals? That’s like saying the sports stadium should be bigger for more spectators” [state respondent]).

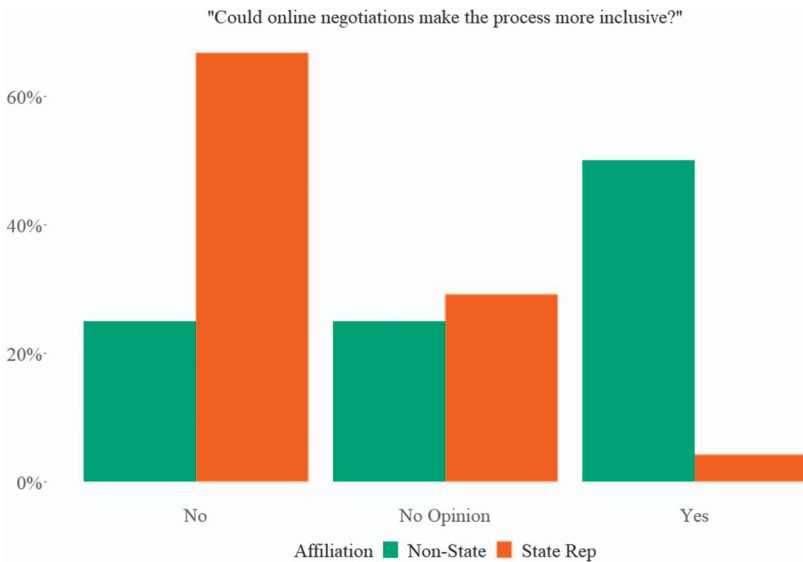


Figure 4
Inclusiveness of Online Negotiations

Nonstate respondents drew a different picture, pointing to the challenges of physically attending IGCs. Some mentioned that attending online negotiations may be cheaper and less time consuming: “more people will be able to attend full time,” “it should allow more states to participate,” and “more observers could follow the negotiations.” They also pointed to groups that might benefit, including delegations from developing countries, local and Indigenous peoples, and marginalized communities with limited resources.

Yet nonstate respondents also pointed out that online arrangements might lead to less inclusiveness because “smaller or less powerful voices will not be heard, including member states and civil society representatives” (nonstate respondent). Indeed, developing countries might not fulfill technical requirements to join the negotiations: “This would inevitably ‘leave people behind.’ Not all countries have the same access to technology. This would greatly hinder equity amongst actors” (nonstate respondent). Or else, translation services might not be available, thus excluding certain groups. Additionally, time zone differences were mentioned as a factor of exclusion, most notably regarding the participation of actors from Oceania—a problem that occurred in the case of the High Seas Treaty Dialogues taking place from 1 PM (Central European Time), which is 2 AM Australian time.

Leadership and Legitimacy

Respondents also alluded to the key problems of leadership and legitimacy regarding the practical conduct and outcome of online negotiations. One state respondent mentioned that lack of “UN official pressure” could affect the participation of government representatives in online events such as the High Seas Treaty Dialogues and pointed to the need for a more formalized and UN-driven process. In general, respondents ascribed UNDOALOS a significant role, namely, maintaining links with delegations and preparing for the resumption of negotiations—a role that UNDOALOS has assumed since the launch of intersessional work. Multilateral negotiations inherently depend on a chair who orchestrates the discussion among delegates, collects the statements made, and translates the different preferences and proposed amendments into new negotiation text (Kamau et al. 2018). How leadership in the online setting might look is not yet clear and depends on the digital arrangement in question.

Furthermore, legitimacy of online negotiations is contested, especially as regards the delivery of a new treaty draft for IGC 4: “Ambiguous interpretation and denial of the process would be invoked after the negotiations,” even if these had made significant progress (state respondent). Thus the value of informal talks seems, to some extent, to depend on the saliency of the topic. Respondents argued that they could discuss practical, organizational, or technical issues more easily online, whereas (potentially controversial) political discussions and amendments to contested parts of the treaty text needed the physical presence

of negotiators in the room and a chair to manage the process and build trust (Blavoukos and Bourantonis 2011).

Impact of Temporal and Spatial Scales on Trust

The different temporal and spatial scales of online negotiation were mentioned as a central issue by almost all sample respondents. In particular, time zone differences were seen as problematic for video conference-based online tools that try to mirror negotiation dynamics, such as Webex (used for the High Seas Treaty Dialogues). Responses to our survey indicate that delegates meeting synchronically online (e.g., video conferences) is perceived to disrupt the central characteristic of negotiations on-site, where all actors share the same sense of time and space, gradually developing a shared sense of negotiation dynamics. Many respondents underlined the role of informal talks (“quiet chats”) over coffee or in parallel to formal negotiations, which serve to build trust and consensus.

State respondents particularly underscored that online negotiations would have a tremendous effect on consensus building and trust. Without the opportunity to meet in-person, “you cannot interact the same way,” “influence,” “develop understanding,” “overcome some barriers,” and “reach final deals” (state respondents). Thus state respondents identify “in-person negotiation,” “bilateral discussions,” “informal exchanges,” or “informal interactions in margins” as “vital” for progress. The public pressure that is exerted when negotiators meet in the same room incites immediate responses and is a powerful driving force toward compromise. In contrast, online interaction results in less immediacy: it is just too “easy to hide when digital” meetings tend to progress much more slowly, and to ignore attendees who do not speak up due to lack of trust. Changing temporal and spatial scales tend to disrupt trust relations and break with the “pecking order” formed in diplomatic settings (Pouliot 2011).

Discussion: The Future of Digital Diplomacy and the Study Thereof

The COVID-19 pandemic has disrupted both environmental diplomacy and field research using negotiation sites to study multilateral agreement making. Instead of suspending ongoing BBNJ negotiations, the worldwide national lockdowns have given rise to new forms of communicating and bargaining, including different types of informal online interaction, such as the High Seas Treaty Dialogues and the BBNJ intersessional work. Our research team tried to keep track of BBNJ activities and explored emerging issues related to the use of online tools by conducting a survey. While there seems to be agreement among respondents that online activities cannot replace on-site decision-making, they do constitute a new practice in multilateral agreement making. This new object of study, however, requires expanding our research questions and methodologies

far beyond a survey study and clarifying the ontology and epistemology of virtual sites in global environmental agreement making.

Emerging Issues for GEP Research on Negotiation Sites

Our findings reveal that different types of actors perceive online dialogue and its potential for future diplomatic practice in different ways. Nonstate actors pointed to its ability to foster participation, especially of those who cannot afford to attend events. In contrast, state actors argued that digital practice may disrupt relations of trust and coalition building, which are deemed crucial. Thus they still view physical negotiation sites as “more inclusive” because they provide “room” for informal exchange—perceived as a central element of diplomatic practice—and as “more legitimate” because there are currently no rules or procedures in place for virtual multilateral decision-making.

The lack of tacit knowledge on the conduct of multilateralism online is a phenomenon that goes beyond the BBNJ process and embraces the entire GEP field. Several meetings were postponed, including Conference of Parties (COP) 26 of the United Nations Framework Convention on Climate Change (UNFCCC) and COP 15 of the Convention on Biological Diversity. While the COPs that many scholars use for data collection and as study sites could not be replaced by virtual meetings, smaller settings, such as the BBNJ negotiations and the UNFCCC Adaptation Committee, could advance their mandated work plans in a virtual setting. Nevertheless, “without the in-person convening events that have traditionally driven global environmental decision making, it is much more difficult to follow what’s going on in multilateral environmental agreements” (Wagner and Allan 2020). Access may be restricted, and if access to those sites is granted, a lack of methodological apparatus challenges data collection and participant observation. However, GEP scholars may have to turn their attention to several emerging issues, including the aforementioned diverging perceptions between state and nonstate actors on the usefulness of digital sites.

Our results confirm many well-studied phenomena in GEP that apply to digital space, such as the centrality of nongovernmental actors (Betsill and Corell 2008), with the High Seas Alliance launching an online dialogue shortly after the start of the national lockdowns; the important role of international bureaucracies (Biermann and Siebenhüner 2009), with UNDOALOS and the president, Rena Lee, setting up an online room to work on the draft treaty, hinting that results might be used for a new treaty text; and issues of inclusiveness and representation, including legal and technical conditions to access online fora and be represented on virtual negotiation sites, concerning most notably civil society actors and the Global South (Fisher and Green 2004).

At the same time, our study anticipates new issues, such as leadership and the legitimacy of digital decision-making processes, the role of informal online dialogues, and emerging forms of power and influence. What are the spatial and temporal specificities of online tools, and how do they change interactions

between actors, including coalition building and relations of trust? (Cyber) security, for instance, may be put forward as a reason not to engage in such processes. But what do those who participate gain, and why would most actors invest in these online facilities, if little were at stake?

Toward a New Ontology and Epistemology for Digital Ethnographies of Online Negotiations

Suiseeya and Zanotti (2019) describe how multilateral negotiation sites have expanded into the virtual realm and are used by actors to influence formal procedures. Yet digital ethnographies capturing these emerging forms of influence—through social media, for instance—were not designed for the purpose of studying online intersessional dialogue during COVID-19 and cannot easily be applied to situations where the virtual is the “new normal.” Thus we need to expand the ontology and epistemology of online practice if we wish to study online negotiations by means of digital ethnographies.

To do so, we first need to acknowledge that ongoing diplomatic practice in “digital space” is situated somewhere between continuity and change—it is not detached from past and future treaty-making practice. Most participants in the High Seas Treaty Dialogues and the BBNJ intersessional work gained access because they were registered for IGC 4, and many had—as our sample suggests—followed the BBNJ process since the first IGC. When asked about the feasibility of digital negotiations, they had the physical site at UN headquarters in mind, including the rules and procedures for treaty text.

Thus there seems to be a shared appreciation among participants of what “normal negotiation practice” is. This shared collective “background knowledge” on the structural conditions for negotiating treaty text, the kind of practices that are considered meaningful, the sense of where one actor stands in relation to others, and the degree of success of strategies to influence the negotiation’s outcome have developed over time and through repetition (Adler and Pouliot 2011). However, some BBNJ practitioners are already performing on virtual sites and developing a collective sense of how to act meaningfully online. Learning a shared practice is, at the same time, enacting it (Barnes 2000, 33).

These insights from practice theory show that online dialogues already carry meaning because they are built on “old” practices, while enacting new ones. It remains to be seen whether, and how, digital practices will transform the ability of actors to shape treaty provisions and explore new avenues for interacting with, and influencing, other actors. Online tools may shape how different actors, including state and nonstate actors, dominant and marginalized groups, exercise influence and in turn also force GEP scholars to rethink the methodologies available to study how digital practices represent or contest the social and political order within emerging virtual spaces.

Digital ethnography is well placed to investigate some of these dynamics (Boellstorff et al. 2012; Pink et al. 2016). Digital ethnography is a “way of doing

ethnography that is part of and participates in a digital-material-sensory environment rather than simply ethnography *about* the digital" (Pink 2014, 420, emphasis original). GEP scholarship still needs to explore how to apply digital ethnography to studying virtual negotiation sites, to finding ways to access them, and to making sense of what we observe at these "virtual fields." Approaches inspired by science and technology studies (STS), for instance, treat media technologies and the internet as sociomaterial complexes (Gillespie et al. 2014), forms of "social shaping" (MacKenzie and Wajcman 1985), and field sites in their respect (Hine 2017). This "offers a rationale for conducting ethnographic studies as a means to find out exactly what that technology becomes in each specific context of use" (Hine 2017, 23). In digital contexts, defining a field's spatial and temporal dimensions "is equivalent to drawing its boundaries" (Tunçalp and Lê 2014, 60); getting "access" to the field is "being able to capture interactions or behaviours of interest" (Beaulieu 2017, 34); and being in the field is reframed in terms of "experiential rather than physical displacement" (Hine 2000, 45). Digital ethnographers can study a field that is purely online (a single online site or several) or both online and offline, and observe real-time social phenomena and/or recorded social phenomena (Tunçalp and Lê 2014, 65). Finally, digital ethnographers must consider their participation level in the field and whether they disclose their identity and presence (Tunçalp and Lê 2014, 65), for digital ethnographers can easily lurk in the background compared to traditional ethnographers (Hine 2000, 48).

Even when it is applied to the context of online negotiations, digital ethnography should study both online and offline dynamics, most notably because the rules and procedures guiding access, (inter)action, and the disclosure of one's identity mirror those of physical negotiation sites and the rules and procedures of the UN adopted by nation-states. Online-room actors are also registered at the physical IGC site, represent specific interests, and enter into alliances with their habitual partners.

Yet different online arrangements introduce different dynamics, especially in relation to the temporal and spatial dimensions. While immediacy is—at least virtually—inherent to the High Seas Treaty Dialogues at the expense of inclusiveness, the BBNJ intersessional work disrupts immediate interaction among actors; however, it does provide a forum where all participants have enough time and space to contribute to text development. Methodological tools borrowed from digital ethnography have the potential to elucidate important future research questions in this regard. These include how actors use specific digital infrastructures to shape treaty text; how the virtual site increases or decreases the visibility of certain actors; and how we estimate their significance in shaping the negotiation outcome, the strategies they employ, and the alliances they form. How and with what effect do actors adapt their negotiation techniques and strategies to the online setting, and what are implications for the performance and the study of power, authority, and interest? Last but not least, what are the "material geographies" and watching "global audiences" of the virtual sites, and what does the

online setting imply for the performance of protest and dissent “on-stage” that scholars consider central elements and critical driving forces of global environmental negotiations (Craggs and Mahony 2014; Death 2011, 7)? Many of these questions may become relevant for GEP scholars in the future, including in the context of the disruptive effects of COVID-19 on environmental diplomacy and multilateral negotiations.

Alice B. M. Vadrot is an associate professor for international relations and the environment in the Department of Political Science at the University of Vienna. She is the principal investigator of the European Research Council-funded project MARIPOLDATA (<https://www.maripoldata.eu/>), which combines ethnography, bibliometrics, and oral history to study the role of science and knowledge in marine biodiversity negotiations. She has published in *Global Environmental Politics*, *Environmental Science and Policy*, *Critical Policy Studies*, *Marine Policy*, and *Frontiers in Marine Science*. Her book *The Politics of Knowledge and Global Biodiversity* (2014) examines the establishment of the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES).

Arne Langlet is a PhD student in the ERC project MARIPOLDATA. He completed the joint master’s degree in international relations at Humboldt University Berlin, Freie University Berlin, and the University Potsdam in 2019. His focus lies on international and European environmental policy, the political economy of environmental and climate policy, and the study of international institutions and regimes. Methodologically, he is interested in surveys, quantitative methods, and the application of network and system analysis methods to international politics.

Ina Tessnow-von Wysocki is a PhD student in the ERC project MARIPOLDATA, where she studies science–policy interfaces for ocean protection within the United Nations negotiations on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction. With her academic background in international relations and professional experience in climate and foreign policy with the German development agency GIZ, and NGOs in several countries, she specializes in international cooperation on environmental issues. She has published on treaty design for a potential plastics treaty and on the BBNJ negotiations in *Environmental Science and Policy* and *Frontiers in Marine Science*.

Petro Tolochko is a postdoctoral researcher at the Department of Political Science and the ERC project MARIPOLDATA. He is currently working on bibliometric analysis of the marine biodiversity scientific field, where he applies computational methods to understand the production of scientific knowledge in the field. He is interested in statistical modeling, text-as-data methodology, and social network analysis. Together with Alice Vadrot, he has published

“The Usual Suspects? Distribution of Collaboration Capital in Marine Biodiversity Research” in *Marine Policy* 124, 2021.

Emmanuelle Brogat is the research administrator of the ERC project MARIPOL-DATA, providing administrative, finance, and legal services involved in the project life cycle and supporting research and communication activities. She has held different positions at the science interface, supported various international projects and programs in research and academia, and completed a master’s in European and international studies at the University Aix-Marseille. Her interests focus on research management, research and innovation policies, and sustainable development research.

Silvia C. Ruiz-Rodríguez is a master’s student in the Department of Political Science at the University of Vienna, with emphasis on international development and state activity, analysis of policies, and governance. She is a student assistant in the ERC Project MARIPOLDATA, where she focuses on diplomacy, digital ethnography, and knowledge struggles in the current BBNJ negotiations. She obtained a bachelor’s degree in law from the Metropolitan University in Caracas, Venezuela, where she graduated with honors.

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