



Meaningful Public Participation in a COVID-19 World

Guiding Questions for Organizing International Negotiating & Meeting Spaces

The COVID-19 global pandemic has upended the way many organizations around the world perform their work. International fora and meetings, which previously brought together hundreds or even thousands of people from all corners of the globe to discuss, debate, and move policies and actions forward, have been delayed or, in many cases, reformulated as virtual meetings occurring exclusively online. While such moves have been necessary to avoid worsening the global health crisis, the design and execution of these meetings have often been less than ideal, posing risks to the quality and quantity of public participation now and into the future. In this context, public participation refers to the engagement of civil society, Indigenous Peoples, and local communities rather than that of corporate actors.

Event and fora planners must consider five key areas in designing and implementing meetings held exclusively online, with a virtual component, or other format adopted in response to the pandemic, such as pre-recorded video or audio statements.

1. Is the virtual meeting designed to promote meaningful participation to the greatest extent possible?

Ensuring robust participation in a COVID-19 world begins with meeting design. A necessary prerequisite for all meetings — especially virtual ones — is designing them in a consultative manner to promote the meaningful participation of civil society, Indigenous Peoples, and local communities to the greatest extent possible. Meeting organizers should begin by considering what barriers need to be addressed; how these barriers can be overcome, including what alternatives can be put in place to do so; and how to

consider the costs and benefits of holding the virtual meeting. Therefore, organizers should consider the following questions during the design phase:

- *Is the meeting designed to **address, among other things, the following barriers to participation?***
 - » *Geographic barriers, e.g., time zone considerations*
 - » *Connectivity barriers, e.g., lack of stable and reliable internet*
 - » *Barriers related to disabilities, e.g., live captioning, sign language interpretation*
 - » *Language barriers, e.g., interpretation services*
 - » *Economic barriers, e.g., internet access, lack of funds to travel*
- *Is the virtual meeting designed to **provide alternative or complementary methods of participation?***
For example:
 - » *Are there procedures for sharing written comments, comments submitted through alternative methods, or pre-recorded messages with decision-makers and other meeting attendees before or during the meeting?*
 - » *Are institutional representatives available for direct follow-up calls via internet platforms or by phone?*
 - » *Does it allow for the submission of comments via text, SMS, or other more accessible modes of communication?*
 - » *If there is a “main” meeting, does it allow for prior or congruent “side” or regional meetings?*

The increase in virtual meetings due to the COVID-19 pandemic has sparked additional discussion and examples of the potential benefits (e.g., cost savings, fewer emissions, participation of those who cannot travel). However, these cannot be seen in a vacuum or purely quantitatively and should be considered against the costs of meeting virtually.

- *In this analysis, have the organizers gone beyond considerations related to the quantitative costs and benefits of modifying the forum to carefully consider the qualitative ramifications of such a decision on participation?*

2. Is the virtual meeting being implemented in a way that reflects the priority of promoting inclusion to the greatest extent possible?

When holding virtual meetings, organizers should **avoid exercising undue limitations or control, vetting the substance brought forward in comments or other inputs in advance, or engaging in other forms of censorship.** Such restrictions undermine the openness of the forum and the quality and effectiveness of participation. Therefore, meeting organizers should consider the following questions:

- *Does the virtual meeting allow participants to express comments and questions fully and in real-time, without censorship or prior vetting (e.g., by organizers or moderators), and with time for those comments and questions to be heard and incorporated into outcomes or decisions?*
- *Does the virtual meeting allow participants to communicate directly in the virtual forum, controlling their own camera and microphone to the greatest extent possible?*

- *Does the virtual meeting allow for participants to communicate in written form via a chat function that is publicly visible, and will the chat messages be included in the outcome document (summary) of the meeting? Is there an option for participants to chat with each other privately?*

In addition, virtual meetings should be structured to **ensure equity of participation** among the various stakeholders to the greatest extent possible. Equity is a core premise of environmental democracy and helps prevent replicating existing power imbalances in a meeting of equal stakeholders. Considerations include:

- *Are measures in place to remedy (or where not possible, mitigate) technical challenges related to unequal access to resources, e.g., quality of internet access, access via computers vs. mobile phones, etc.?
(A non-exhaustive list of remedies includes: using the same meeting platform across intergovernmental organizations, providing spaces in countries for participants to access the internet, involving participants in determining which meeting platform(s) to use, having live streams or recordings, and alternative ways to communicate input, etc.)*
- *Are steps being taken to avoid corporate/lobbying capture of the meeting, including through transparency and reporting obligations regarding meeting sponsorship and communications with the meeting's organizers?*
- *Have civil society groups been able to select their own representatives, rather than being forced to accept representation not of their choosing?*
- *Does the virtual meeting have clearly articulated objectives, and are moderators prepared to ensure that the meeting remains focused on addressing those objectives? Noting that clear meeting objectives are part of the "social contract" with both participants and those who are unable to participate or choose not to on the basis of the stated objectives.*

3. What are the virtual format's effects on different stakeholders' ability to participate meaningfully and on the quality of the meetings themselves?

Quality of engagement is lost when meetings are not in person. Organizers can plan a meeting to be inclusive and participatory for all stakeholders, but the actual implementation of those plans might, in fact, not be accessible or effective for everyone. The quality of engagement can be severely constrained by remote participation, especially if participants join from their homes or public spaces with limited internet access rather than an office or institutional space. Organizers should ask several questions before virtual meetings to ensure stakeholder engagement is as meaningful as possible:

- *Is there a mechanism for CSOs, Indigenous Peoples, and local communities to have private strategy sessions or discussions tied directly to the meeting?*
- *Is there a way for stakeholders and Member States to have side conversations within the virtual meeting system?*
- *Is there a way to quality check participants' internet access (and address issues) to allow for maximizing connection and interaction (including through video)?*
- *Is there a mechanism within the virtual environment for CSOs, Indigenous Peoples, and local communities to select their own representatives and draft their own inputs into the formal agenda discussion with the Member States?*

- *Is direct contact information for meeting participants, limited as needed by safety or privacy concerns, being made available to all participants?*

The mechanisms and structures of virtual meetings must ensure **full and effective participation** of all participants — Member States from all regions, CSOs, Major Groups, and other stakeholders. Ensuring participation must be true regardless of whether the attendees are new to the process or historically engaged in international discussions. If in-person side conversations outside of formal meeting rooms are no longer possible, virtual meetings may undermine stakeholder engagement. That is why organizers must provide mechanisms for all groups — not only the Member States to conduct side conversations during virtual fora. On the other hand, if grassroots groups, community representatives, or others unable to travel to engage in international fora previously can engage virtually, then participation can potentially increase for those specific groups.

- *For those who have **historically and consistently engaged** with the forum or meeting: Do they have the same level and quality of access as with previous in-person meetings?*
- *For those who were not previously able to engage with the forum or meeting: Does the meeting mechanism allow for their effective participation?*
 - » *Are there structures in place to build capacity for new participants? Noting that new and experienced participants often address the need for capacity-building during side conversations, will mechanisms be made available to help new attendees participate effectively, lessening potential disruptions during the meeting?*

Conducting international fora and meetings in person is required not only on legal and moral grounds but on the grounds of efficacy. Government leaders come together in person to discuss and make decisions on policy for the same reasons other stakeholders and community leaders do: Because person-to-person, face-to-face interaction is essential to truly move ideas forward, innovate, and make the best policies possible. Policy negotiations — especially those with the highest stakes — require the nuances, connections, and access points of in-person participation. Solutions can only truly be found when people can be in the same room, and when they can have casual side conversations outside of formal meeting structures, an axiom true for both Member States and civil society participants.

4. Does the virtual meeting have measures in place to address concerns about privacy and the risk of retaliation against participants?

Virtual meetings open discussions to privacy and security risks different from those at in-person meetings. Uninvited participants can hack virtual meetings, participants' information can be leaked without their knowledge, and confidentiality can be compromised. Virtual meeting platforms often have tools available to protect individuals' privacy and allow for anonymity, ensuring participants with privacy concerns can meaningfully engage. Virtual meeting organizers should employ all the tools available to ensure privacy to the greatest extent possible, guided by the following questions:

- *Are there provisions to guarantee the **anonymity and privacy** of those participating in the virtual meeting or otherwise engaging with the convening organization/institution?*
- *Does the virtual meeting allow for anonymity of participants (especially those who may be at risk of reprisals), including the ability to ask questions anonymously?*

- *Do participants have the option to simply access and view the meeting without revealing personal information?*
- *Are security measures taken to ensure that only invited participants can join the meeting?*
- *Are participants aware of when a meeting is being recorded and who may receive a recording after its conclusion?*
- *Are participants aware of what information the meeting host can access, such as private chats or IP addresses?*
- *Are hosts collecting and storing participants' information? If so, how is this digital information protected from unauthorized access?*
- *Are participants able to decide what information, if any, organizers share about them before or following a meeting?*

While environmental and human rights defenders have long faced reprisals for their work — ranging from threats and intimidation to smear campaigns, surveillance, criminalization, and even physical attacks and assassinations — many of these risks have been exacerbated in the context of the COVID-19 pandemic. Numerous intergovernmental and multilateral institutions have developed [policies](#), [procedures](#), and [guidelines](#) to direct institutional efforts to prevent and respond to instances of reprisals, particularly when they target individuals or groups who have engaged or seek to engage with these fora. When planning virtual meetings, organizers should consider the following questions related to possible retaliation and reprisals against participants:

- *Has the convening organization or institution adopted a stance of **zero tolerance** for reprisals? Has this zero-tolerance position been clearly communicated in the context of the specific virtual meeting?*
- *Are systems, such as protocols to deal with instances of reprisals, already in place within the relevant institution? Are any additional measures required in the context of the specific virtual meeting?*
- *Are the meeting organizers taking relevant, proactive measures to **prevent** any threats or instances of reprisals that may occur in relation to participants' engagement in the virtual meeting? Is there a point of contact with whom potential participants can raise any concerns about possible reprisals before the meeting and discuss possible measures to protect the participant and/or mitigate the risk?*
- *Are the meeting organizers prepared to activate existing systems or protocols to **respond** to reports of reprisals as soon as the need arises? Is there a first point of contact for participants who face threats or other reprisals related to their engagement in the virtual meeting?*
- *Has information about risks and safety measures been clearly communicated to all participants?*

5. Is virtual participation in the context of COVID-19 explicitly temporary?

As has been explored above, virtual approaches to international meetings are often less than ideal. The fact that the current global health emergency requires virtual meetings **should not serve as a precedent** to continue this approach beyond the duration of the pandemic. For this reason, meeting organizers should consider addressing the following questions when communicating about virtual participation:

- *Is it clearly established that the virtual format will apply only to the immediately upcoming meeting or session, and not to future meetings?*
- *Is it explicitly stated that the virtual meeting is of an extraordinary nature and that it is being adopted only due to the pandemic situation?*
- *Is it explicitly acknowledged that the current use of a virtual meeting should not serve as a precedent or as a justification to continue virtual meetings beyond the period during which the pandemic necessitates it?*

There is an expectation that event and fora organizers will reinstate in-person meetings as the default for participation when it is safe to do so. Until that point, if it is not possible to have **all** participants gather together in person, then meetings should remain fully virtual in the interest of ensuring equitable participation for all stakeholders.

In limited cases, measures to facilitate participation developed during the COVID-19 pandemic **may enable or enhance participation going forward** for particular sets of participants, which may include representatives of local communities and Indigenous Peoples, as well as persons with disabilities, among others. In addition, when virtual meetings, including recordings of such meetings, have improved access to information for many, those measures should be retained, while also recognizing that access to information is not a substitute for participation. If meeting organizers consider extending virtual options for participation even after in-person participation is reinstated following the pandemic, they should consider the following:

- *Is a clear and convincing rationale publicly provided for the measure's proposed continuation beyond the duration of the COVID-19 pandemic, laying out in specific terms how the measure serves to enhance participation, and for whom?*
- *Have any potentially negative effects of combining in-person and virtual participation been adequately considered and addressed to ensure that the effectiveness of each form of participation is not undermined?*
- *Have stakeholders been provided with an adequate opportunity to express concerns or otherwise comment on the extension or possible long-term adoption of the measure?*
- *Have any such concerns been addressed before adopting a final decision regarding the extension of virtual meetings?*
- *Does virtual access to the meeting still address all the concerns outlined above?*
- *Is participation prioritized above unidirectional access to the information?*

Conclusion

It is essential to recognize that COVID-19 has fundamentally altered how meetings are conducted. While some of the changes have been positive and allowed more people to be informed about decisions and developments at international fora, many other changes have undermined the depth and quality of engagement. This document has been developed to help meeting organizers achieve the few benefits of virtual meetings while minimizing their negative impacts as much as possible.

The principles and questions outlined above for the design and execution of virtual meetings represent a floor rather than a ceiling. Many fora are already doing better in certain areas, and others can do so as well.

Countries and individuals will have access to vaccines to protect them from COVID-19 at different times, which risks enshrining decision-making by the privileged few long into the future. Furthermore, the emergence of COVID-19 variants may require additional safety precautions in the years ahead. The transition period will likely necessitate the continuation of virtual meetings. Meetings during this period should be designed taking into consideration principles of equity and incorporation of the principles outlined above. For in-person meetings to resume, COVID-19 vaccines will need to be equitably distributed between countries, as has been recommended by international and regional human rights bodies.

After COVID-19 vaccines are widely available worldwide and variants are more successfully managed, more meetings will likely be held in person again, which has a number of benefits related to the quality of participation and engagement, as outlined above. Since virtual meetings have expanded access for some who might not otherwise be able to participate in meetings held only in person, virtual participation should be a parallel option for future in-person meetings. However, at no point should in-person participation be limited to country delegates while civil society is consigned to remain behind a screen. Going forward, meetings should integrate innovative approaches developed during COVID-19 to expand the breadth of participation while allowing for deep engagement by both in-person and virtual participants.

International Standards on Public Participation

African Commission on Human and Peoples' Rights 449 [Resolution on Human and Peoples' Rights as central pillar of successful response to COVID-19 and recovery from its socio-political impacts - ACHPR/Res. 449 \(LXVI\) 2020](#)

United Nations Economic Commission for Europe (UNECE) [Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters \(Aarhus Convention\)](#)

The Office of the High Commissioner for Human Rights (OHCHR) [Almaty Guidelines on Promoting the Application of the Principles of the Aarhus Convention in International Forums](#)

United Nations Economic Commission for Latin America and the Caribbean (ECLAC) [Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean \(Escazú Agreement\)](#)

The Office of the High Commissioner for Human Rights (OHCHR) [Guidelines for States on the Effective Implementation of the Right to Participate in Public Affairs](#)

Human Rights Committee (CCPR) [General Comment No. 25: Article 25 Participation in Public Affairs and the Right to Vote, The Right to Participate in Public Affairs, Voting Rights and the Right of Equal Access to Public Service](#)

Human Rights Committee [General Comment No. 37 on Article 21 of the International Covenant on Civil and Political Rights – Right of peaceful assembly](#)

These resources may provide important guidance, yet do not represent the entirety of international instruments on this topic.