Center for Stabilization and Reconstruction Studies
United States Institute of Peace

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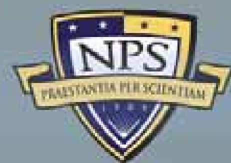
Negotiation Skills

for Post-Conflict Actors



The Center for Stabilization and Reconstruction Studies

The Center for Stabilization and Reconstruction Studies (CSRS) is a teaching institute which develops and hosts educational programs for stabilization and reconstruction practitioners operating around the globe. Established by the Naval Postgraduate School in 2004 through the vision and congressional support of Congressman Sam Farr (CA-17), CSRS creates a wide array of programs to foster dialogue among practitioners, as well as help them develop new strategies and refine best practices to improve the effectiveness of their important global work.

Located at the Naval Postgraduate School in Monterey, California, CSRS also contributes to the university's research and graduate degree programs. For more information about CSRS, its philosophy, and programs, please visit www.nps.edu/csrs.

About This Event

Negotiation Skills for Post-Conflict Actors was held May 20-23, 2007, at the Marina Dunes Resort in Marina, California. Representatives from non-governmental organizations, intergovernmental organizations, government civilian agencies, and the US and foreign armed forces gathered to discuss negotiation principles, improve their cross-community and inter-organizational communication skills, network with practitioners from the field, and learn best practices from experts. The event was hosted by the Center for Stabilization and Reconstruction Studies and was cosponsored by the United States Institute of Peace, drawing from their successful curriculum on negotiation issues.

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Executive Summary

The fluid nature of post-conflict environments and their changing security conditions are forcing relief actors to work more closely together in the field. Negotiation skills can help actors illuminate parties' needs, delineate common ground, develop creative options, and work towards successful outcomes.

As relief actors enter post-conflict environments, they are increasingly working in countries torn by civil war. Many of the conditions that originally led to conflict – ethnic strife, corruption, and power and resource inequities among them – remain. As a consequence, peace is often tenuous and nearly half of all states that have experienced civil war will return to it within five years.[1] Thus, relief actors must maintain vigilance in the field, balancing security concerns with their need to deliver vital services to victims of conflict.

The fluid nature of these environments – with their variable security conditions, stakeholders, and relief needs – can challenge even the most flexible of actors. Additionally, many are ill-equipped to do the sophisticated information gathering, synthesis, and sharing now necessitated in post-conflict relief work. Factors such as organizational mandates or values, budget constraints, and operational processes can further constrain actors' efforts, making it difficult to meet the full range of local needs.

The changing role of the military also adds complexity to field work, as armed forces perform services that have traditionally been the province of humanitarian organizations. Since the military lacks the extensive field knowledge, long-term relationships, and relief response expertise that non-governmental organizations (NGOs) and intergovernmental organizations (IGOs) possess, local commanders often want to partner with these groups to improve their effectiveness and win the hearts and minds of the local populace. The military's increased role has caused great concern to many members of the NGO and IGO communities, as these groups fear that their missions are being infringed upon, their neutrality and independence compromised, and their security threatened by the military's presence. This role overlap, or "creep," can also cause confusion on the ground, as local populations struggle to differentiate players and view humanitarian relief providers with increased suspicion. Does such a thing as humanitarian space exist any longer, if it is now occupied by military personnel? And is it even realistic to expect such a separation, when security issues are increasingly forcing NGO and IGO personnel to cooperate and share the same space with military forces?

Targeted Education for the Relief Community

Established in 2004, the Center for Stabilization and Reconstruction Studies (CSRS) offers educational programs for relief practitioners on a wide array of topics, including:

- Health and humanitarian affairs.
- Institution building and security sector reform.
- Stabilization and reconstruction skills and tools.
- Maritime and naval issues.

CSRS often partners with other organizations to design highly relevant, hands-on curricula that will assist participants in developing the insights, skills, and networks they need to increase their effectiveness.

Past partners have included:

- Center for Humanitarian Cooperation
- Global Majority
- International Medical Corps
- International Organization for Migration
- International Rescue Committee
- Different offices of the US Department of Defense, US Department of State, and US Navy
- Various educational institutions

While industry thinkers acknowledge that actors' missions vary considerably, they state that cooperation is inevitable. "Some degree of cooperative involvement in training, planning, and information exchange is critical as a means of avoiding misunderstandings and dealing with institutional prejudices," says H. Roy Williams of the Center for Humanitarian Cooperation.[2] Meanwhile, a report by the US Institute of Peace warns that: "The problems created by a lack of information sharing in crisis conditions cannot be overstated." [3] Consequently, communication should flow continually on multiple different dimensions: within, between, and among organizations; with local leaders; with and between decision makers; with the media; and among the parties in the conflict to ensure that all parties are working effectively and securely in the field.[4]

While not all relief actors are happy about the changes of recent years, many see the value of working more closely with critical stakeholders to improve security and the effectiveness of relief response. As practitioners seek to bridge cultural divides and resolve issues in the field, negotiation skills can be critical. Skilled negotiators can illuminate parties' needs, delineate common ground, develop creative options, and help groups achieve successful outcomes. Sometimes individuals negotiate with other relief actors, seeking to clarify roles and responsibilities. Other times they negotiate with a wide array of players, including host governments, civil society, or rebel factions, seeking to avert or minimize crises and prevent states from failing. On still other occasions, they may serve as on-the-ground mediators, helping relief workers or local community members resolve conflicts, potentially preventing issues from escalating into ethnic skirmishes or civil war.

Often such negotiations or mediations are informal and ad hoc, resulting from the various actors' efforts to conduct relief or other activities in local communities. They may also be ongoing, as actors negotiate the terms of their service to validate the role of local leadership, ensure that work meets with community acceptance, and gain access to new service populations. Changing political dynamics, security concerns, health issues, and refugee concerns can add complexity and urgency to multiparty negotiations, requiring that negotiators and third parties

Factors that Influence Negotiating Behavior

According to the US Institute of Peace, four factors influence negotiating behavior in any situation:

- Structural factors, such as a country's geographical situation and political system.
- The national culture of negotiators.
- The specific issues being negotiated.
- The personalities of negotiators.

Quinney, Nigel. *US Negotiating Behavior.* US Institute of Peace, October 2002, page 2.

use skill, sensitivity, and flexibility to resolve escalating disputes. Savvy negotiators will seek to negotiate interests, rather than positions, to create "win-win" results. In *Getting to Yes,* authors Roger Fisher and William Ury illustrate the danger of positional bargaining with an anecdote about how Kennedy-era talks between the Soviet Union and the United States broke down over nuclear inspections negotiations. The United States wanted ten, while the Soviet Union would cede only three. The irony? Neither side had bothered to define what an inspection constituted, meaning that the discussions were totally meaningless.[5]

Negotiators are influenced by a wide array of factors. (See graphic box above.) While negotiators typically operate within a sphere of influence that is defined by their country and organizational affiliation, culture and personality can and do play important, if often subliminal, roles in shaping negotiation objectives and styles. If negotiators are unaware of these influences, they may miss valuable verbal and nonverbal cues, entrench their counterpart in intractable positions, or derail negotiations completely. However, negotiators should also take care not to stereotype their counterparts too broadly, as individuals necessarily represent unique views and exhibit highly personal behaviors.[6]

To help relief practitioners improve their negotiation expertise, the Center for Stabilization and Reconstruction Studies (CSRS) teamed with the US Institute for Peace (USIP) Professional Training Program to provide hands-on skills training. *Negotiation Skills for Post-Conflict Actors* brought together representatives from NGOs, IGOs, government civilian agencies, and the US and foreign armed forces to discuss the civilian-military relationship and hone negotiation skills using self-assessment and role play in a series of increasingly complex scenarios. This event, which was held May 20-23, 2007, at the Marina Dunes Resort in Marina, California, was CSRS's most international to date, with participants from Afghanistan, Burundi, Mozambique, Norway, the Philippines, and Switzerland joining US actors. This program leveraged USIP's proven curriculum for preparing practitioners for the complex negotiation situations that can arise during large-scale overseas emergencies.

Participants mingle before the opening session.

Participants' learning objectives for the event were to:

- Enhance their understanding of – and professional network among – the other post-conflict response communities.
- Improve their cross-community and inter-organizational communications skills.
- Understand the strengths and limitations of their conflict management styles.
- Expand their understanding and repertoire of negotiation/mediation skills and strategies.
- Develop the capacity to build trust, identify shared objectives, and promote collaboration.

CSRS was honored to welcome the new president of the Naval Postgraduate School, Vice Admiral (Ret.) Dan Oliver, who was introduced by Lieutenant General (Ret.) Robert Ord, III, Dean of the School of International Graduate Studies. President Oliver stressed the importance of collaboration across communities. "Getting that collaboration right is difficult," he acknowledged. "We have to work across languages, geographies, religions, and ethnic boundaries." However, he said that communication was the beginning of understanding. It is in that spirit that we offer *Negotiation Skills for Post-Conflict Actors*, recognizing that improved communication and negotiation skills benefit not just individual practitioners, but the relief community as a whole. We hope that workshop participants will use their new insights, skills, and professional networks to help eradicate post-conflict countries' ills and mitigate the suffering of its citizens.

Matthew Vaccaro
Program Director

Cultural Differences in Conflict Situations

Panelists from each of the four principal communities involved in stabilization and reconstruction work – NGOs, IGOs, civilian government agencies, and the armed forces – presented the common cultural stereotypes others have about their organizations and how those generalities can hinder cooperation in the field.

Panelists:

Cynthia Irmer
Conflict Prevention Officer
Office of the Coordinator for Reconstruction and Stabilization (S/CRS)
US State Department

Major John Fitzsimmons
Reserve Officer
Golf Company
2nd Battalion
25th Marines
United States Marine Corps Reserves

Noemi Rios
Former Senior Field Operations Manager
VEGA

Mario Lito Malanca
Practice Manager
Crisis, Mitigation, and Recovery
Emergency and Post Crises Division
International Organization for Migration

Cynthia Irmer, a Conflict Prevention Officer in the State Department's Office of the Coordinator for Reconstruction and Stabilization (S/CRS), described some of the common stereotypes of the State Department: No one is in charge and officials can't make up their minds, yet still want to be in the center of things. She drew group laughter when she illustrated the sometimes tense relationship between State and the military with an anecdote: When invited to a State-sponsored simulation on how the US Government would aid an unstable state, a military official responded: "Yes, we will be happy to participate in your kumbaya exercise."

All joking aside, Irmer said that S/CRS was created to facilitate dialogue between different agencies and groups. She exhorted participants to examine the filters – nationality, language, organizational affiliation – through which they viewed other countries critically, drawing parallels to State officials' ability to immerse themselves in the languages and countries where they are posted.

The next speaker, Major John Fitzsimmons, a reserve officer with the US Marine Corps' Golf Company, offered an infantryman's perspectives of inter-community stereotypes, taking pains to stress that he was not qualified to speak on behalf of either the Marine Corps or the US military. Seeking to shatter the relief community's perspective of the military as a blood-thirsty squad of under-skilled warriors, Fitzsimmons painted a picture of a foot-mobile, highly trained unit comprised of diverse individuals who work as doctors, attorneys, policemen, and businessmen in their civilian lives. Since the military deploys for short periods of time – two years at most – it is essential that officers on the ground build good relationships with NGO representatives to win the hearts and minds of the local populace. Unfortunately, when he was sent to Iraq, his unit didn't achieve that goal. From his experience, NGOs that were co-located with troops didn't respect the military's rules, although they still sought its protection, increasing the tension between the two groups.

"My military brother has let me down," said panelist Cynthia Irmer, joking. "State always blames DoD," retorted fellow panelist Major John Fitzsimmons to much group laughter.

Noemi Rios, the former Senior Field Operations Manager of VEGA, offered a primer on NGOs, stressing their independence and neutrality and discussing the differences between how they operate. Some organizations are operational in nature, seeking funding and implementing programs, while others are campaign-driven, building awareness for a cause. Common stereotypes about NGOs are that they lack accountability, transparency, and a democratic mandate; are staffed with young naïve personnel who may in fact be covert intelligence officials; and are defiantly anti-global. Ms. Rios addressed each stereotype in turn, discussing the organizational structures and donor guidelines that focus each group's work while creating strong accountability measures, and dismissing other charges. Additionally, she discussed how NGOs and the military can work cooperatively together, sharing an anecdote about her personal experience working with Jonathan Morgenstein, a Marine Corps reservist and US Institute of Peace program officer, helping women-owned businesses in Iraq. While the experience was very positive, Rios acknowledged that short military deployments and insufficient transition times can undo gains if knowledge and best practices are not transferred to new personnel.

Representing the IGO community, Mario Lito Malanca, a Practice Manager for Crisis, Mitigation, and Recovery in the International Organization for Migration's (IOM) Emergency and Post Crises Division spoke about his organization's work with the military. With 120 member states, IOM is a global force in the field of migration. IOM has established a unit to coordinate migration response activities with the military, NGOs, member states, and other groups. IOM has worked cooperatively with military forces since 1992, often viewing them as partners focused on a common goal. Malanca discussed how IOM has a memo of understanding with military forces and has worked side by side with the military in Mozambique, Angola, Kosovo, Afghanistan, Serbia, and Montenegro. He stressed the military's resources for dealing with large-scale emergencies such as a pandemic or natural disaster, like the Pakistan earthquake. Because the military

The new president of the Naval Postgraduate School, Vice Admiral (Ret.) Dan Oliver, greets Apollinaire Ndayimirije, a police monitor with the African Union Mission in Sudan.

was able to deploy personnel in just two hours, forces were able to set up tents and provide food for earthquake victims, helping to minimize loss of life.

CSRS Program Director Matthew Vaccaro contrasted the differences between the four communities represented by presenters. IGOs like IOM, he said, are typically mandate-driven and influenced by member state priorities. NGOs such as VEGA are driven by values or donor guidelines. Meanwhile, the military is mission-focused, seeking to accomplish a specific set of tasks that have been ordered from above. And finally, the State Department is process- and dialogue-driven, meaning that the journey is just as important as the destination.

Members of the group discussed the challenges of interaction in post-conflict environments. Conflict, said Vaccaro, has a way of simplifying relationships since the military is the only community with weapons. However, scenarios like Iraq actually complicate relationships and work on the ground because forces are involved in ongoing conflict as combatants. Several participants said that relational difficulties are usually due to a lack of respect and understanding between parties. At a lower level, this can create tension between groups, such as the issues Fitzsimmons and his unit experienced in Iraq with NGO members who did not respect hygiene

Purpose of Humanitarian Negotiation

Humanitarian negotiation is undertaken to achieve three critical objectives:

1) Ensure the provision of humanitarian assistance and protection to vulnerable populations.

2) Preserve humanitarian space.

3) Promote better respect for international law.

From *Humanitarian Negotiation with Armed Groups*, United Nations, 5.

At left: Workshop participants enjoy the opportunity to talk with other relief actors during a meal break.

At right: Panelist Cynthia Irmer, a Conflict Resolution Specialist with S/CRS, speaks with Ed Salazar, a Diplomatic Strategy Officer in S/CRS.

mandates and military perimeters, but still wanted security services. At a higher level, it can lead to communication cutoffs and hostility. An NGO member said that sharing space is necessarily contentious as it erodes the impartiality of humanitarian relief providers. French NGOs in particular, he said "are paranoid about the 'instrumentalization' of NGOs, but many say the fight is already lost."

Said a military participant: "If one community doesn't respect another and their capabilities, members withdraw. We saw that at the workshop today in the dining room. There were very few mixed tables; most people ate with their own community." If barriers exist in everyday life, how can actors optimize cooperation in post-conflict environments? Malanca said IOM's successes can provide a roadmap. In Kosovo, the relief community created a Joint Implementation Commission to handle issues on both a national and provincial level. This two-pronged strategy allowed actors to implement a common approach to relief work and handle community issues at the local level, preventing them from escalating to national problems. A government agency representative cautioned against comparing Kosovo (where there were clear role divisions between players and a relatively secure environment) to Afghanistan and Iraq, where military forces have been providing relief as well as security. "We've seen a real blurring of the lines," he said.

Understanding and Optimizing Conflict and Negotiation Skills

How do people negotiate? And what informs their decisions? According to workshop facilitator Nina Sughrue, individuals have a dominant conflict style that influences their negotiation choices. That style has both strengths and weaknesses, so it's important to understand the ramifications of implementing certain conflict styles and when it's appropriate to adopt other approaches.

Presenters and Facilitators:

Nina Sughrue
Senior Program Officer
United States Institute of Peace

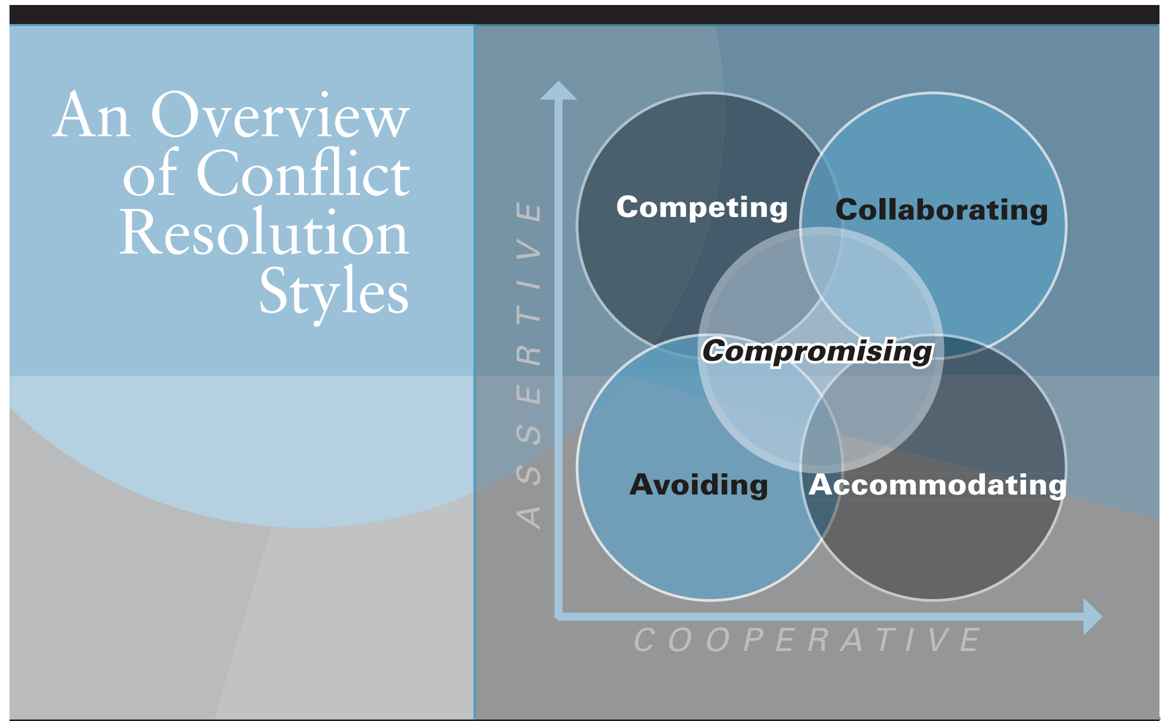
Jonathan Morgenstein
Program Officer
United States Institute of Peace

How do people negotiate? And what informs their decisions? To help participants understand their personal negotiation styles, workshop facilitator Nina Sughrue had them complete the Thomas-Killman Conflict Mode Instrument,[7] one of the world's most well-known and widely used tools for conflict resolution. While participants typically possessed attributes of all five conflict styles – competitor, avoider, compromiser, accommodator, and collaborator – they had a dominant style that unconsciously influenced their negotiation choices. By gaining insights into different styles, participants are better able to understand the styles used by all parties at the negotiating table and adapt their own approach accordingly. Based on the results of the self-administered test, Ms. Sughrue asked participants to break into five groups and discuss the major attributes of their primary approach to conflict.

Strengths and Weaknesses of Different Conflict Styles

As groups presented their conflict styles, Ms. Sughrue pointed out that each group had stressed only the positive aspects of its conflict style. Presenting a more balanced approach, she walked through the positive and negative attributes of each approach. Competing can be effective when your interests are at stake or you are under attack, but it can also antagonize your counterpart, she said. As a consequence, this approach can be detrimental to building long-term relationships. Americans are seen as competers at the negotiator table by their international counterparts, said Ms. Sughrue, echoing one of the key assertions of a United States Institute of Peace report on this issue, *U.S. Negotiating Behavior.*

Collaborating gives parties time to explore options and create win-win solutions, but can be inappropriate when time is limited, issues are not significant, or other parties are intractable. It is most helpful when parties are on the same side of a solution and are seeking to craft an elegant solution. When people are not prepared to move forward, avoidance can be an effective strategy for buying adequate time for decision making. However, it can also escalate conflict and extend it. People who live in conflict



situations are typically avoiders, said Ms. Sughrue, as they seek to limit their exposure to further suffering.

Compromising works well when parties are equally committed and powerful and have a limited amount of time for negotiation; however, it may require making concessions that sacrifice key interests or short-circuit the ability to create a more effective solution through collaboration. Many senior military people are compromisers, said Sughrue, because they already possess power and thus don't need to compete to win it.

Accommodators give away key interests to build trust, but can lose more than they bargained for if relationships aren't reciprocal or counterparts view them as weak. It is most appropriate when people are dealing with a negotiation that isn't important or are seeking to build relationships with like-minded peers.

In negotiations, parties often employ different conflict styles, increasing the risk of creating unproductive results. If a competer and an avoider are paired, the negotiation will end quickly or stalemate. Meanwhile, two collaborators may spend excessive time creating an unworkable solution or may even generate multiple outcomes.

While one style typically predominates, people possess all five conflict styles. As a consequence, individuals who exhibit one mode in professional situations may use another one in social relationships. Family relationships often turn people who typically address conflict into avoiders, said Sughrue. The best negotiators are flexible and use all five modes, adapting their approach to meet the needs of each situation and optimizing their probability of a successful outcome.

The Odin Negotiation: Practicing New Principles

To put new insights into practice, the group split into two-person teams, assuming the roles of an oil executive and a local activist in the fictional city of Odin. While the two roles had seemingly exclusive positions, the exercise was carefully written to allow negotiators to find middle ground. The MegaOil Odin Operations Director was to push for redesigning a historical building for company usage and building the tallest structure possible to maximize the profitability of the project, while

Strategies for Negotiating Effectively

1. Prepare by defining interests and BATNAs, or the best alternative to a negotiated agreement,[8] for all parties.
2. Set realistic, achievable goals.
3. Focus on interests, rather than positions.
4. Listen actively, seeking to understand before you persuade.
5. Establish relationships by building trust and reciprocity.
6. Offer and obtain concessions.
7. Stay calm during impasses.
8. Generate multiple options, brainstorming a wide range of ideas for future evaluation.
9. Use leverage, by creating coalitions, using judicious warnings, and communicating messages of fairness.
10. Get a written, public commitment, rather than just an agreement.

*What is **negotiation**?*

The United Nations defines it as "a process of communication and relationship building undertaken with the objective of arriving at an agreed outcome around a particular set of issues, in situations where the parties are not in complete accord on those issues to begin with."

McHugh, Gerard and Manuel Bessler. *Humanitarian Negotiations with Armed Groups: A Manual for Practitioners.* United Nations, January 2006, 5.

Participants' Conflict Resolution Styles

Competers	Accommodators	Compromisers	Avoiders	Collaborators
• Results-oriented • Aggressive • Timely • Detailed • Proactive • Commitment to resolution	• Good listeners • Relationship-oriented • Future success-focused • Empathic • Solution- and outcome-oriented	• Sacrificial • Solution-focused • Realistic • Pragmatic • Flexible • Adaptable	• Reflective • Non-emotional • Patient • Relational • Choose the right battles	• Willingness to learn • Active listeners • Consensus-builders • Seek shared goals • Identify essential elements

Participants brainstormed characteristics of their conflict resolution styles. While participants only mentioned positive attributes of their style, workshop facilitator Nina Sughrue said that all conflict styles have both positive and negative attributes.

the Old Town Association Chairman was to seek guarantees that MegaOil would preserve the architectural integrity of the building, minimize the number of new stories built, and provide reduced-rate housing for local citizens.

Creating Win-Win Outcomes

Participants spent about an hour conducting the exercise. After returning to the larger group, participants discussed their solutions. Workshop facilitator Jonathan Morgenstein asked the different participants to share their interests, not their positions, stressing that positions are just a starting point. While participants may give up certain positions, they should not compromise on their core interests.

Participants came up with different solutions for their negotiation. One group collaborated on the building redesign, while another compromised on an interior modernization that kept the architectural façade intact. Most were able to articulate their interests – profit for MegaOil and historical preservation for OTA – and then work to create an effective compromise. As Morgenstein pointed out, the parties' objectives were not incompatible and multiple outcomes were possible.

"What happens when you pair two collaborators?" asked Nina Sughrue. "Peace on Earth," quipped a civilian government agency representative to group laughter.

Regardless of how an individual deals with conflict, it is important to note that in most situations the relationships between negotiators will extend far beyond the current conflict. This is true with family members, business partners or neighboring diplomats, and highlights the importance of using negotiation strategies that will create "win-win" solutions, allowing each side to save face and thus create a lasting settlement.

Applying Mediation Skills in Conflict Zones

Mediators play a vital role in ending conflict, says professor William W. Monning. These neutral third parties serve as facilitators, helping adversaries explore options and solutions they might not be prepared to discuss or offer to one another at the negotiating table. Because mediation is both neutral and voluntary, it is often an elegant solution to intractable conflict.

Presenter:

William W. Monning, J.D.
Professor of Negotiation and Conflict Resolution
Monterey Institute of International Studies

President
Global Majority

To help participants understand how to make the jump between academic knowledge and fieldwork, CSRS invited William W. Monning, a Professor of Negotiation and Conflict Resolution at the Monterey Institute of International Studies and a co-founder of Global Majority, a Monterey-based organization that promotes nonviolent conflict resolution education, mediation, and advocacy, to speak about mediation's applicability and practical implementation in conflict zones. "How do you take what you have learned in classrooms, where there are sequential negotiations, and apply them on the ground, when there may be emergency or first-aid issues to solve?" asked Monning.

Good negotiators must overcome their human instincts, said Monning, adding: "We all have very bad human instincts – fear, mistrust, anger, ego – that interfere with good decision making and conflict resolution." Negotiators must learn how to put aside their mistrust and use new tools, such as alternative dispute resolution, to analyze problems and find solutions to conflicts.

Monning outlined the four different types of alternative dispute resolution: negotiation, mediation, arbitration, and litigation. (See graphic on next page.) Negotiation, the most informal, least expensive form of dispute resolution, is used by individuals in both professional and personal settings. It may take the form of ad hoc discussions between two colleagues; alternatively, negotiation may be a highly orchestrated event with multiple participants. With mediation, a neutral third party helps conflicting parties work towards an agreement they might not achieve on their own. The mediator has no decision making authority, serving instead as a facilitator. Mediation has been used successfully in countries such as South Africa, Angola, and Mozambique, when warring parties realize that they cannot achieve decisive victory through military means and are willing to consider a diplomatic resolution. Often this realization comes after years of conflict and much loss of life. Arbitration helps parties define the legal means and rules that will settle future conflict should it occur, with the arbiter having final

decision making authority. Litigation is quite literally the court of last resort, as it is time-consuming, costly, and adversarial in nature.

Because the mediation process is both neutral and voluntary, it offers an elegant solution to intractable conflict. Mediators work with both parties to gain their trust, explore options, and participate in designing solutions that they might not be prepared to discuss or offer to their adversaries. The mediator is a safe party who can be trusted with inside information and has no agenda or stake in the outcome. To optimize the success of the mediation process, a mediator will typically conduct extensive preparations. He or she will identify all issues, objectives, and decision makers, and communicate how the mediation process will progress. During the mediation, the mediator will try to keep discussions on track by using a variety of techniques including bringing the right decision makers to the table; buying time to evaluate solutions; and meeting one-on-one with participants to discuss issues, test BATNAs, and shape solutions. Good mediators help participants move forward by generating multiple options for their consideration and tabling troublesome issues for later resolution.

Participants discussed how negotiations aren't linear constructs: In Japan, said Monning, the negotiating table is a formality. Key decisions have likely already been made, or will be discussed at the bar that night. Additionally, words aren't always enough, and small courtesies can go a long way towards winning trust and building rapport. A military officer said that during a negotiation with Thai government officials, "his friend, Johnny Walker" helped overcome a stalemate so that his military doctors could enter Vietnam to treat cholera patients. Monning said that small gifts can be useful, but that negotiators should take care to avoid the appearance of bribing officials.

Finally, participants discussed how organizational values and expectations can constrain negotiating styles. An NGO member said that he might "act like a

Workshop facilitator Nina Sughrue stresses a point.

"Most wars end at the negotiating table," says professor William Monning. "However, parties must realize that they will not win a decisive victory militarily to be ready to end conflict diplomatically."

benevolent dictator" to gain respect and achieve certain objectives, but that this mode of negotiating would likely prove unacceptable to his superiors. Similarly, a military officer said that he will brief his superiors on his counterparts' cultural attitudes, the negotiation's objectives, and his desired negotiating style and strategy to make sure they are on board with his approach before sitting down at the table. To demonstrate what not to do, another officer showed participants a military video of a Colonel angrily berating an Arab sheik about a skirmish that had cost his unit the lives of several soldiers. During the course of the video, the Colonel turned down the sheik's offer of instituting a crime watch and demanded that the sheik give him the names of possible perpetrators. The fallacy of this approach? The Colonel likely received worthless intelligence and damaged a critical relationship he might need to leverage at a future point. Additionally, he reinforced destructive stereotypes about how US military officials interact with local leaders overseas. The fallout from this hostile interrogation would likely be extensive, as the sheik shared the message of the Colonel's discourtesy with other leaders and community members.

Facilitating Multi-Actor Negotiations

If negotiations between two parties are complex, what happens when the number of players increases? That question undergirded the group's next simulation, Perspectives on Provincial Reconstruction Teams (PRTs), led by Nicholas Tomb, CSRS Program Coordinator. For this exercise, participants represented key players at a United Nations Office for the Coordination of Humanitarian Affairs (OCHA) meeting in Geneva, Switzerland, called to discuss the relationship between PRTs and humanitarian organizations in Afghanistan. Participants were asked to explore the potential for coordination and information sharing among the groups, as well as discuss the security challenges faced by their particular organization. The representative from OCHA was assigned to serve as moderator.

Participants introduce themselves at the opening session.

After breaking into five groups, participants returned to share their findings. Two groups decided to use OCHA as an intermediary for information sharing between the military and NGO communities. In the first group, humanitarian relief providers were willing to share general information about their location and activities, while the second group's providers gave much more detailed medical data to avoid duplication of efforts. The third group also used OCHA, but set up functional working groups to involve an NGO that didn't want to cooperate too closely with the military. The fourth group agreed to a routine phone meeting, where all stakeholders would provide security-related information to optimize the safety and security of all relief providers. One NGO would provide e-mail updates only, to preserve its independence. And finally, the fifth group decided to use the Afghan Ministry of the Interior to facilitate sharing information on NGO locations. None of the five groups decided to involve NGOs in military planning, either because of the military's refusal to share classified information or because of NGOs' reluctance to participate in an activity that would violate their mandate of neutrality.

Creating a Political Language for Peace

To bring a real-life perspective to the group's training, workshop facilitators invited a guest speaker, Reverend Byron Bland, to discuss his work in Northern Ireland. Bland has helped a grassroots organization, Community Dialogue, explore the social and political dynamics of reconciliation.

Presenter:

Reverend Byron Bland
Associate Director
Stanford Center on International Conflict and Negotiation

How do you create a language for peace? What does reconciliation look like in a society scarred by years of violence and deep cultural divides? And what happens when theoretical constructs are tested by the harsh realities of real-life implementation? These important questions have guided Reverend Byron Bland in his work as a conflict resolution practitioner who has sought to make the connection between peace theory and practice through his organization, the Stanford Center on International Conflict and Negotiation; as the author of *Getting Beyond Cheap Talk;* and in his hands-on work in Northern Ireland with the group, Community Dialogue, founded by Irish activist Brian Lennon.

Complicated situations like Northern Ireland test negotiators' skills to the utmost. Common techniques, such as those offered by the industry tome, *Getting to Yes,* don't begin to address all the unasked questions, unresolved issues, and troubled relationships that can sabotage the peace process. To understand these issues, practitioners should conduct a barriers analysis to understand and assess the full set of tactical, strategic, structural, and psychological barriers that must be addressed. Equally importantly, actors must define what reconciliation really means. It's certainly not interpersonal relationships writ large, which are fraught with peril even on an individual scale.

What Reconciliation Means

In her seminal work *The Human Condition,* Hannah Arendt said that human community ought to be impossible, since people interact in destructive ways and live in a sea of uncertainty. However, two critical human attributes – forgiveness for the past and hope for the future – enable people to reconcile. Witness the Truth and Reconciliation Commission's important work after the African National Congress's victory in South Africa. While most researchers have focused on forgiveness, Bland feels that the hope of a shared future is what allows warring parties to end strife and work towards reconciliation. Only by defining the future can people find the strength and trust to deal with the past.

For dialogue to be productive, it must be open, and it must address the individual's place in the new peace. Community Dialogue sought to engage local citizens by asking three core questions: What do you want? Why do

There are four critical problems that have to be addressed to create meaningful reconciliation between warring parties: • The problem of a shared future • The problem of trustworthiness • The problem of loss • The problem of just entitlements

— Peace Studies Expert Reverend Byron Bland

you want it? And given that others disagree, what can you live with?

Barriers to Cross-Cultural Understanding

According to Bland, there are three primary barriers to creating understanding between competing factions: naive realism, false polarization, and reactive devaluation. A naive realist believes that his view of the world captures the way it really is; anyone who doesn't share his views or refuses to change has evil motives. If an opposing party does something good, it manifests his strategic or tactical understanding of the situation; on the other hand, the naive realist's action reflects the inherent goodness of his character. Bland says we see this perspective at work today in the Israeli-Palestinian conflict.

False polarization occurs when parties can't see the ambivalence of the other side's position and are blind to the common ground that they share. There is always more common ground than parties believe there is. To counteract false polarization, each party should articulate the strongest arguments for the opponent's position to demonstrate that it understands the other side's needs and desires. When the Unionists and Nationalists did this in Northern Ireland, they saw that the opposing side had an authentic perspective based on its set of experiences. Creating understanding is essential to moving beyond issue deadlock.

Reactive devaluation occurs when one party diminishes the value of another's offer. The recipient becomes suspicious, analyzing the offer to see if there is a trick involved and minimizes its worth. This makes the giver unhappy, because the concession involves real political cost. To prevent reactive devaluation, parties making concessions should explain why they are making an offer, why they are choosing this particular offer, and why the timing is significant. In Northern Ireland, a Unionist official devalued the Irish Republican Army's (IRA) offer to put weapons in caches, demanding that they surrender them instead. When confronted with the flaw in his logic – the IRA could rearm at any time – the man relented and accepted the concession.

Pictured from left to right: Commander Timothy Clemente and Captain Joseph Contreras, both of the US Army's 426th Civil Affairs Battalion, proceed to a breakout session.

"No one asks the question: 'Is this a just peace?' Instead they ask themselves: 'Is this peace worth enduring?'"

— Reverend Byron Bland

The Four Peace Problems

As groups seek to develop a common understanding, they face four critical issues: the problem of a shared future, the problem of trustworthiness, the problem of loss, and the problem of just entitlements.

At the simplest level, each side's arguments about the future are cries for recognition: Is there a place for me in this new future? Since parties will necessarily sustain losses, they must find them bearable enough that they won't resort to violence, believing that they will continue to have status and a role in the new order.

Creating trust is critical to building a shared future. Parties must believe that their interests are now intertwined and will be promoted jointly. One way to build trust is to specify open and closed arguments: which issues will be left open, and which ones must be resolved now. Weaker parties will typically seek to leave issues open to create future leverage. In Northern Ireland, the Nationalists wanted to let things unfold, while the Unionists wanted to nail them down.

Another strategy is to agree to cooperate, even though each side has different reasons for doing so. Groups might agree about the final outcome, but disagree about the process, or vice versa, but use this commonality to move forward. The Israeli-Hezbollah ceasefire is an example of this strategy. However, agreeing on an interim step is only a temporary measure; groups must move forward or the peace process will inevitably break down, as there are no goals to achieve and no enforcement measures to ensure accountability.

Validating Each Side's Losses

Creating peace necessarily creates loss. One or more parties will give up gains and will typically perceive losses as greater than the other side's. It's a mistake to try and force parties to perceive their losses as equal, as each side believes the other has won all the important issues. Such a view aligns with behavioral science's prospect theory, which finds that human beings value prospective losses much more than prospective gains. Consequently, the best approach is simply to get them to perceive the other side's losses as authentic, said Bland.

At left: Workshop participants listen to facilitator Nina Sughrue (off-camera) explain the finer points of negotiation.

At right: Nick Tomb, CSRS Program Coordinator, helps Major John Fitzsimmons prepare for his panel presentation.

A Peace Worth Enduring

Because each side is typically losing something, both groups may feel that the new peace is unjust. Parties on each side will differ in their opinions of what a just peace constitutes; hence, creating common ground is futile. Instead, parties should work to lessen the impact of injustice on each side. No one asks the question: "Is this a just peace?" Instead they ask themselves: "Is this peace worth enduring?" In South Africa, Nelson Mandela was able to win multiple concessions from President Frederik Willem de Klerk (equal voting rights and political power for the ANC among them) and end apartheid because he painted a picture of a shared future for both Africans and Afrikaners. As such, he has achieved almost mythic status. When Bland spoke to an Israeli group of leaders, he was asked by one official: "Where is our Palestinian Mandela?" Troubled by the question, Bland thought for a long time before discovering the answer: The Palestinian leader Israelis would be willing to lose to.

During the question and answer period, participants asked about how the model works with rogue nations as well as individuals who seek to derail the peace process, citing examples as various as North Korea, Spain's Basque movement, the Israeli-Palestinian conflict, and the Sunni-Shiite schism in Iraq. Bland said that finding a shared future, or else creating interim steps toward one, can help bridge the gap with isolationists, while peace participants must police themselves to keep extremists from succeeding.

Towards a Safe Haven

For the event's final simulation, participants negotiated a crisis with no BATNA. Failure to mediate peace between two warring factions in the fictional country of Meni would mean thousands of internally displaced persons who desperately needed vaccination would perish in an impending smallpox epidemic.

The event's final simulation offered a proving ground to practice new principles in the face of an escalating crisis. Participants were given a scenario: The fictional country of Meni, where a years-long civil war had recently escalated to a crisis point with the capture of NGO workers and much needed medical supplies. Failure to mediate peace between two warring factions would mean that thousands of internally displaced persons who desperately needed vaccination would perish in an impending smallpox epidemic.

Workshop facilitators created three subgroups and assigned participants roles as the president, rebel leader, multi-ethnic peace activists, UN Special Representative to the Secretary General, UN High Commissioner for Refugees (UNHCR) Representative, and two NGO leaders. Each group was to promote its own agenda, while the UN Special Representative sought to achieve consensus and the UN's objectives. Workshop facilitators urged groups to assess the negotiation for key principles they had learned during the sessions – conflict styles, positions and interests, BATNAs, third parties, and cultural differences – and implement new skills. Participants were encouraged to build trust with their counterparts and use creativity to find solutions. Groups were given three hours to complete the exercise.

When groups reconvened, they shared their findings. One group created a clever strategy to solve one of the issues on the table – seized land – by putting it in trust for displaced farmers. A couple of others took their role playing to a new level, threatening to kill a local activist group or playing an NGO member as a religious zealot. Workshop facilitator Nina Sughrue commented that the scenarios played out differently than she had previously witnessed, due to the fact that groups aligned themselves ethnically. Participants said that the addition of a second Muslim NGO representative, which created an ethnic imbalance among NGO players, was responsible for escalating hostilities. As a consequence, groups had a more challenging time working towards an equitable solution that considered the interests of all players.

Conclusion

By providing teaching, scenario-driven role play, and networking opportunities, ***Negotiation Skills for Post-Conflict Actors*** *sought to give relief actors the negotiation mindset, insights, and strategies they need to be successful in the field.*

Negotiation Skills for Post-Conflict Actors was designed to help relief actors refine negotiation skills and practice using them in scenarios that mimicked conditions they might experience in the field. Participants learned about their personal conflict styles and negotiation and mediation principles before executing a series of increasingly complex exercises that involved players with competing agendas, escalating crises, and third parties serving as mediators. To drive home learning objectives, participants assumed roles they would never play in the field. This helped participants think creatively to serve the interests of their alter egos. Ideally, this type of challenging role play would also improve participants' ability to assess the positions and interests of their counterparts in the field.

During the multi-day event, participants used all five negotiation styles – competing, avoiding, accommodating, compromising, and collaborating – to help groups with opposing objectives focus on higher-level purposes and create successful outcomes. In the Odin exercise, participants realized that articulating real interests helped them find common ground and create "win-win" agreements, while in the PRT exercise, they found that delineating cultural differences and information sharing objectives was instrumental in creating a model that would work for all participants. Finally, in the Meni simulation, participants used a wide array of strategies to execute a difficult scenario with no BATNA: holding preparatory meetings with a subset of participants, using short-term concessions to leverage longer-term agreements, tabling non-urgent issues, and working around troublesome participants. With the lives of so many on the line, participants had to execute a successful negotiation. One participant played the role of a third party, helping warring factions agree on terms that would address their interests, while averting a humanitarian crisis. The workshop also helped participants build relationships and expand their understanding of the larger relief community. Panelists described how others stereotype their organizations, and how those generalities misrepresent their communities, potentially short-circuiting cooperation with other relief providers. Meanwhile, presenters

Participants walk to the beach for the famed CSRS workshop photo, which appears in every event report.

William Monning and Byron Bland stressed the role of dialogue, creative problem solving, and third parties in helping warring groups acquire new insights about opponents, overcome entrenched positions, and work towards peace.

While divergent purposes and organizational cultures still separate NGOs, IGOs, government civilian agencies, and the armed forces, practitioners from all organizations increasingly see the value of working together in the field. For this reason, relief actors value the opportunity to network at CSRS events, which provide a neutral venue for learning more about other communities and their expertise, developing professional relationships, and gaining insights and best practices for use in future fieldwork.

Whether they're sharing information with other actors to improve security or operational efficiency, teaming on strategies to help host governments avert or stabilize crises, or collaborating internally to improve effectiveness, practitioners can use negotiation techniques to ensure that they and their organizations are successful in the field.

Negotiation Skills for Post-Conflict Actors helped practitioners develop a toolkit to use in a wide array of circumstances to create successful outcomes and build careers as the next generation of relief leaders.

Endnotes

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Event Participants

Participants

Mr. Ziaurehman Amini
Office of the United Nations
High Commissioner for Refugees

Ms. Jennifer Anthis
Security Cooperation
Education and Training Center
US Marine Corps

Ms. Demetria Arvantis
Winrock International

Lieutenant Commander Roland Bolado
Armed Forces of the Philippines (Navy)

Mr. John Calogero
Armadillo Group

Commander Timothy Clemente
B Company
426th Civil Affairs Battalion
US Army

Captain Joseph Contreras
426th Civil Affairs Battalion
US Army

Dr. Stefan Eisen
Negotiation Center of Excellence
US Air Force

Major John Fitzimmons*
Golf Company, 2nd Battalion
25th Marines
United States Marine Corps Reserves

Ms. Sally Iadarola
ACDI/VOCA

Colonel Allen Irish
352nd Civil Affairs Command
US Army

Ms. Cynthia Irmer*
Office of the Coordinator for
Reconstruction and Stabilization
US Department of State

Commander Carlos LeBron
Navy Environmental
Health Center

Mr. Mario Lito Malanca*
International Organization
for Migration

Ms. DeAnn McGrew
Winrock International

Mr. Taher Nawroz
Office of the United Nations
High Commissioner
for Refugees

Mr. Apollinaire Ndayimirije
African Union Mission in Sudan

Major James Owens
351st Civil Affairs Command
U.S. Army

Mr. Jan Passion
Nonviolent Peaceforce

Ms. Perrine Punwani
International Rescue Committee

Ms. Noemi Rios*
Former Senior Field Operations Manager
VEGA

Mr. Ed Salazar
Office of the Coordinator for
Reconstruction and Stabilization
US Department of State

Ms. Gerry Schwaller
American Red Cross

Mr. Peter Smith
United Nations Secretariat

Mr. Douglas Tuttle
Monterey Institute of
International Studies

Major Olaf Wilhelm von Porat Erichsen
Education Command
Norwegian Defense
International Centre

Mr. Darren Wagner
International Council of
Voluntary Agencies

Lieutenant Commander Byron Wiggins
1st Marine Division
US Marine Corps

Lieutenant Dennis A. Wischmeier
Naval Strategy and Concepts
OPNAV N5SC
US Navy

Lieutenant Colonel Glynn A. (Al) Wood
Western Hemisphere Institute for
Security Cooperation

Mr. Nathan Voegeli
Global Majority

Speakers, Staff, and Special Guests

Reverend Byron Bland
Stanford Center on International
Conflict and Negotiation

Mr. John C. Christiansen
Center for Stabilization and
Reconstruction Studies

Mr. William Monning
Monterey Institute of
International Studies
Global Majority

Mr. Jonathan Morgenstein
US Institute of Peace

Vice Admiral Dan Oliver **
Naval Postgraduate School

Lieutenant General Robert L. Ord, III **
School of International
Graduate Studies
Naval Postgraduate School

Ms. Nina Sughrue
US Institute of Peace

Mr. Nick Tomb
Center for Stabilization and
Reconstruction Studies

Ms. Miriam Turlington
Center for Stabilization and
Reconstruction Studies

Mr. Matthew Vaccaro
Center for Stabilization and
Reconstruction Studies

** Panelists*
*** Retired from active duty*

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