



Module 6

Conflict Prevention & Peacebuilding Skills

Lesson 20: Communication and Conflict Skills provides a foundation of skills in active listening, diplomatic speaking and skills to defuse conflict and tense situations.

Lesson 21: Dialogue and Facilitation Skills identifies how to have productive conversations the identify differences and build on common ground to enable coordination.

Lesson 22: Negotiation Skills identifies different approaches to negotiation and negotiation skills useful to civil-military-police personnel working in complex environments.

Lesson 23: Mediation Skills describes the stages of mediation and it can be used to support human security in complex environments.

Multi-stakeholder coordination requires advanced communication and conflict skills. These skills are necessary for every level of interaction – but become even more important in a complex environment. This Module provides civil society, military and police leaders with practical skills in communication, dialogue, negotiation and mediation.



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Lesson 20

Communication and Conflict Skills

Learning Objectives:

At the end of the lesson, participants will be able to:

Identify nonverbal and verbal forms of communication necessary to defuse hostility and find solutions to challenging conflicts

- Identify the characteristics of active listening
- Distinguish between paraphrasing versus defensive responses
- Identify the characteristics of diplomatic speaking skills
- Recognise how respectful behaviours defuse tense situations
- Identify the relevance of communication and conflict skills for leadership in complex environments to achieve human security

This lesson provides an overview of terminology and a set of foundational communication and conflict skills to enable civil society, military and police to communicate their interests and goals while actively listening and understanding the interests and goals of other stakeholders living and working in the same complex environment. The communication and conflict skills in this lesson can be used to manage, resolve, transform or prevent conflict and to build peace between groups working in complex environments.

1. Communication and conflict are a natural parts of group interaction.

Communication and conflict are natural aspects of all relationships. Communication can promote understanding but it can also prevent or undermine it. Conflict can be destructive. It can also be an opportunity to address different points of view and find creative solutions that address the needs of all the people who are interacting.

Adaptive leaders in complex environments will communicate and may face conflict with other people in their own organisations (within the military, police, governments, international organisations, or civil society) every day. Adaptive leaders will also have to communicate and address conflict with people in other organisations who may share some but not all of their goals, interests and assumptions.

Communication and conflict skills can help adaptive leaders learn how to more effectively listen to others to improve understanding of other people's points of view as well as how to communicate one's own goals and interests to others in a way that is more likely to help other people understand.

2. Social Science and Conflict Terminology

Security experts are beginning to link research from social science to security operations.¹⁰⁴ The field of peace and conflict studies has already brought together interdisciplinary research on conflict to provide a better understanding of conflict dynamics and skills to support coordination. Terminology in the social sciences, and particularly in the field of peace and conflict studies, can be confusing. There are many terms with similar meanings. The definitions below aim to clarify the differences in approaches.

Conflict management is a limited approach to reduce the negative effects of conflict by lessening its negative impact.

Conflict resolution is an approach that resolves or settles the underlying issues that cause conflict.

Conflict transformation focuses on changing violent conflict into nonviolent conflict where individuals use political and legal channels to address their interests.

Conflict prevention refers to efforts to prevent violent conflict. Conflict prevention efforts such as diplomacy and negotiation attempt to stop violence from breaking out, since it is more difficult to stop violence once it has started.

Peacebuilding is an umbrella term used to describe all efforts to transform conflict into nonviolent forms of political negotiation and dialogue that can address the root causes of conflict.

Each of these approaches grows out of the communication and conflict skills outlined in this lesson and also uses the dialogue, facilitation, negotiation and mediation skills detailed in the next three lessons. Each approach attempts to move from violent conflict toward less violent conflict or complete resolution of the issues causing conflict, as illustrated below. This *Handbook* uses the terms "conflict prevention" and "peacebuilding" as an umbrella term for all efforts aiming to decrease violence and address root causes.

18. Using Conflict Prevention and Peacebuilding to Support Security

The Coordination Wheel for Human Security in Module 3 described civil-military-police coordination to conduct joint assessments, to plan jointly plan human security strategies, to jointly implement human security programmes, and to jointly monitor and evaluate the security sector. Each of these activities requires communication and conflict skills as well as peacebuilding processes such as dialogue, negotiation and mediation.

A lack of contact and communication between civil society and security forces increases tensions and decreases their ability to understand how to support human security. Peacebuilding skills and processes help to support all the ideas discussed in this *Handbook*: legitimate state-society relations, human security, security sector reform and development (SSR/D), local ownership and civil society oversight of the security sector, and civil society-military-police coordination. The field of peace and conflict studies is relevant to police and military personnel in many ways.¹⁰⁵ Conflict prevention and peacebuilding communication skills and processes such as dialogue, negotiation, and mediation enable women and men in civil society and the security sector to do the following:

- to communicate with each other,
- to defuse tense situations,
- to understand each other's interest and
- to identify potential common ground enabling coordination to support human security.

19. Humiliation and skills for defusing anger and hostility

Civilians, military, and police working in complex environments will encounter people who are angry and hostile. Coordination forums often have at least one person who becomes hostile. The experience of being humiliated or disrespected is the most likely reason people in any culture become angry and hostile. Social science provides an analysis of key principles related to humiliation and an understanding for how to defuse hostility.¹⁰⁶

- Anger and aggression are often born out of frustration and a feeling of powerlessness.
- Recognise that the aggressor is often feeling threatened, anxious and fearful, and will respond even more aggressively if he feels more threatened. Attempt to connect with the aggressor's humanity and personal dignity. When confronted with an unacceptable demand, an appeal to the aggressor's humanity has proven effective.
- Help the other person save face
 - reassure him/her that their concerns are legitimate
 - offer the option to pursue the issue/problem later if possible
 - refrain from openly judging his/her behaviour.

20. Factors That Escalate Hostility and Aggression

Insecurity: We all experience insecurity whenever we are fearful or feel a loss of control and predictability in our lives. When this basic degree of order and safety are threatened, people become increasingly volatile and unpredictable.

Lack of choices: Just as a cornered rat fights the dirtiest, so too do humans. When there is dirty fighting, someone is usually feeling powerless. This is hard to remember. Cornered people are often intimidating and can inflict serious injury. Worse, they mask their powerlessness - from themselves as well as others. *Nothing suppresses a whimper better than a snarl!* This hostility is most likely to be directed at you if people feel that either you are responsible, directly or indirectly, for their predicament or that you have options that they do not. In general, humans respond with hostility and aggression when they perceive that their choices are limited. The sense of powerlessness that comes with feeling backed into a corner often produces violent or hostile responses.

Asymmetrical power: When one person or group has or is perceived to have more power than another, the less powerful person may feel threatened.

Ostentatious use of symbols of power: People can interpret showing off as an attempt to humiliate. Local people may perceive outsiders are humiliating them by physical postures that project power, such as sunglasses, hi-tech equipment, expensive vehicles, contextually extravagant lifestyles, uniforms, guns, or other symbols of wealth and power. These may aggravate rather than defuse angry people.

Disrespectful behaviour: People feel disrespected when other groups that come into their community or space do not show deference to local customs, leadership, and ethical/moral norms or do not acknowledge or honour the equal humanity of all. Intercultural competence, discussed in Lesson 3, is essential to helping all stakeholders identify how best to show respect to people in other cultures.

21. Defusing hostility by showing respect

Security forces and civil society can jointly advance human security when both groups respect each other as human beings, even though they may distrust or disagree with each other on issues. Mutual respect is a fundamental peacebuilding value. But it is also a skill. It is not easy to show respect to others in the midst of a heated argument or when there is fundamental disagreement.

Building respectful relationships does not mean to accept or accommodate another person or groups perspectives or interests. A peacebuilding approach does not back away from conflicts or tensions. It is "hard on the problems, but soft on the people."¹⁰⁷ This means that it encourages individuals to distinguish between opinions and the persons who hold the opinion. It encourages them to criticise ideas or reject types of behaviour, while maintaining an appreciation for the person behind it. Such an attitude is the pre-requisite for building strong and sustainable relationships and trust.

- Respect is a key principle in de-escalating and defusing anger and aggression.
- Focus on communicating respect with appropriate listening skills and non-aggressive, non-challenging body language. The ability to show concern for the specific, personal needs of others while maintaining a non-anxious demeanor in the midst of an angry interpersonal encounter, may defuse the situation.
- Communication skills enable people to show respect while still maintaining their own interests and needs.
- Verbal response to a hostile person may only escalate conflict. Nonverbal postures that reflect your calm and confident ability to respond and interact with the aggressor are more likely to deescalate a tense situation.
- Listening is an important skill in defusing anger. While it may seem easy, skillful listening and careful paraphrasing to check for meaning and to show to others that you understand their point of view – even if you do not agree with it – is quite difficult.
- Diplomatic speaking skills help to redirect and reframe anger and positional arguments into a discussion that involves an analysis of the real interests involved
- More specifically, listening actively to others, in interpersonal exchanges, is a far more powerful tool than speaking when trying to defuse hostility.
- To whatever extent you are able, show an interest in resolving the issue or meeting the other's needs and concerns:
 - emphasise willingness to be cooperative and address the issue(s) being raised
 - acknowledge the importance of whatever concern they are expressing

3. The Communication Process

Learning to defuse angry people or coordinate with diverse stakeholders both require communication skills. Communication involves sending and receiving messages. The diagram below shows this process. People send messages or “speak” both verbally through the tone of our voice and the words that we choose, and nonverbally through the ways we hold our bodies, the direction of our eyes, the tone of our voice, and the expressions on our face. People receive messages or “listen” both verbally and nonverbally.



Figure 55: Communication Process

4. Nonverbal Communication Skills

According to communication experts, 60-80% of communication is nonverbal. That means each person communicates to others primarily through our facial expressions, body posture, and eye movements. Researchers have found that some people are much better than others in reading nonverbal cues. “Emotional intelligence” is a term used to describe people who can accurately guess how someone else might be feeling by “reading” their faces and bodies to understand what they are trying to communicate. Adaptive leaders – those civilians, military and police who are able to make wise choices in a complex environment – need emotional intelligence to help them communicate effectively with others. The ability to interpret body language is especially important when communicating across cultures since postures and physical expressions may have different meanings in different cultures.

Nonverbal communication can include the following:

- Eye Contact: In some cultures, direct eye contact is a sign of respect. In other cultures, direct eye contact is a sign of challenging someone else. Cross-cultural communication can be difficult when

one person is looking down to show respect to another while someone else is demanding to be respected by having that person look at that person in the eyes.

- **Facial Expressions:** Some facial expressions are universal. Smiling and frowning communicate pleasure or displeasure in every culture. But some facial expressions, like raising eyebrows or pursing the lips, communicate different messages in different cultures.
- **Body Movements:** The diagram above illustrates nonverbal postures. What emotions do each of the body postures above communicate? If the person on the left were a security officer at a checkpoint and the person on the right were a civilian at the checkpoint, what would each person be communicating to the other?

In some cultures, the postures of the person on both the left and the right would be interpreted as hostile and threatening. Body postures differ significantly across cultures. In a cross-cultural context, we need to know both what we ourselves are communicating and what other people in other cultures mean with our body posture, eye contact, and facial expressions.

5. Verbal Communication Skills: Active Listening and Paraphrasing

Both listening and speaking require verbal communication skills, including active listening, paraphrasing and diplomatic speaking. Active listening is an important skill because it is a way of helping people feel their concerns are heard and acknowledged. When people feel heard, they are less likely to repeat themselves, yell or shout, or be very angry. Active listening is an essential skill for defusing an angry or violent confrontation.

6. How to listen effectively:

- * **Empathise** - put yourself in the other person's shoes and try to understand how s/he feels.
- * **Listen** - for the *feelings* or emotions of the speaker, the *meaning* of their message, and the *specific content* they are trying to communicate. Angry people often say aggressive, inappropriate, offensive, unfair, unfounded things. Nevertheless, do not get "hooked" into arguing. Do not give into the temptation to start interrupting, correcting, and arguing with the angry person. When people are escalating, rational arguments have little to no effect except to further provoke their hostility. Instead, focus on the deeper issues the person is so eager to communicate. (See discussion below on Aikido listening, reframing positions to interests)
- * **Validate** - let the other person know that her/his experience is valid. This does not mean that you agree with them, only that you have listened to their experiences and can understand why they might be feeling the way they do.
- * **Paraphrase** - Paraphrasing is restating in your own words the core of what the other has expressed in a message. A good paraphrase gets at content and emotions (see below)
- * **Clarify** - ask questions to get more information about the problem (see below)
- * **Gather information** - try to gain a better understanding about the situation without antagonising

Affirming a person when you agree with what they are saying, as emphasising common ground is important and can provide a basis of trust for exploring areas of difference or tension.

Demonstrating respect for a person's humanity by asking people to say more about their experiences or feelings can defuse tension. Showing people you care about their emotions and respect their point of view can deescalate hostility or conflict and provide a foundation for communicating on more difficult issues. Acknowledging feelings and experiences is not the same thing as agreeing with someone. Acknowledgement of different experiences or beliefs can help to decrease tension.

7. Paraphrasing or summarising the emotion and content of the speaker's message to you to communicate understanding.

Paraphrasing is a way of acknowledging that you hear what someone said and checking to make sure you and others understand the message by giving them a short summary of what they have said. When people feel heard, they are less likely to feel angry. The opposite of paraphrasing is to reply defensively. When

people respond defensively, they do not summarise the other person's point of view, but immediately react to explain their own point of view. Defensive replies are often accompanied by strong emotions and judgmental statements and thus tend to escalate tension.

Paraphrasing can be a difficult skill to learn. Some people may feel patronised or looked down upon if their emotions are summarised or paraphrased by someone else. It takes skill and practice to learn how to paraphrase strong emotions in a way that feels respectful to others. In some cultures, people do not like to show or talk about their emotions. Paraphrase someone's message by:

- Reflecting the emotion of their message and checking for understanding. "I sense that you are feeling angry. Do I understand correctly?" This can allow the other person to correct the perception and to keep their dignity if they have behaved in a certain way that was perceived as angry.
- Reflecting the content of their message or their concerns. For example: "If I am hearing you correctly, I sense you are upset that the community is not respecting your authority."

A paraphrase contains no hint of judgment or evaluation. For example: "If I understand you correctly, your perspective is that the military working in your community should never casually point their guns at anyone." Here are more examples of the difference between active listening responses using paraphrasing to show understanding, and defensive listening replies that will likely escalate conflict.

Example A

There have been armed break-ins in a number of houses. A police officer knocks on the door of a home to check on the safety of the family. A man answers the door and screams, "This is my property! I have done nothing wrong! You may not search my house!"

Paraphrased Reply: "Sir, I respect your privacy. You have not done anything wrong. We will not search your house. We are here to check on your safety."

Defensive Reply: "Sir, you don't have any rights. I can come into your house if I want to. If you would respect my authority, I could tell you that I am only here to ask if you have had someone break into your house!"

What is likely to happen if the police officer uses a paraphrased reply to affirm the emotions and needs of the man at the door? What is likely to happen if the police officer uses a defensive reply?

Example B

A local religious leader is concerned about the way security forces are searching the homes of families from a religious minority group. The religious leader approaches a checkpoint and asks to speak to someone in authority at the military base. The military guard speaks forcefully "You can't just come here and get into the base! You have to have an appointment! You need to back away and leave right now. You are a security threat! If you don't back up, you will be arrested and detained!"

Paraphrased Reply: "Sir, I respect your difficult and dangerous job. Could you please let me know how to make an appointment? I was not able to find a phone number to call and I have no way of determining who I should call to make a meeting."

Defensive Reply: "If you keep treating people here with this disrespect you will find people here who will not bother to talk to you! You are in our country and should treat us with respect!"

What is likely to happen if the religious leader uses a paraphrased reply? What might happen if the religious leader uses a defensive reply?

Example C

A military officer sees an NGO leader in the street. She invites him to the military base to discuss coordinating on water management programmes in the local community. The NGO leader becomes angry, raising his voice and saying, "I can't come to your military base! Don't you know anything about International Humanitarian Law! The insurgents would be sure to see me walking into the military base and would kill me as soon as I leave. Even talking to you right now here in public is dangerous for me! Please just leave us alone so we can do our work and you should just stick to keeping people safe!"

Paraphrased Reply: "Sir, I hear your concern for your safety. We want to make sure contact with you does not endanger you or your organization. But we do need to coordinate our water efforts with yours. Would it be possible to contact you on the phone or by email?"

Defensive Reply: "I'm so tired of hearing the NGOs complain about their safety. You only come to us when you need our help!"

What is likely to happen if the military officer uses a paraphrased reply? What might happen if the military officer uses a defensive reply?

8. Diplomatic Speaking

Like active listening and paraphrasing, diplomatic speaking is also a specialised skill. When people are speaking, they tend to have a strong desire to have their own ideas or feelings recognised and acknowledged by others. Diplomatic speakers take into consideration that when they talk about their own needs, they also need to recognise and acknowledge the needs of others. Diplomatic speakers craft messages that may be easier to hear or understand for the audience.

Diplomatic speaking is especially important when someone needs to communicate in a situation of conflict or tension. Learning how to speak diplomatically helps people say things that others may not agree with in a way that is more acceptable. When people need to communicate a message that might antagonise others, they need skills to enable them to give this message in a way that will not make other people close their ears or become defensive. Diplomatic speaking is a skill to communicate one's own needs without offending others. Diplomatic speaking includes three key skills: learning to use "I" or "We" language, learning to share goals as preferences, and making assertive statements.

9. Use "I" or "We" language

Beginning sentences with "I" or "We" is a way of communicating one's own needs and interests or goals and of responding to someone else by communicating the impact of their behaviour or statements on you. Beginning sentences with "You" can feel like it is pointing fingers or blaming others, creating or increasing conflict. Sentences that begin with "I" or "We" and go on to share the impact of another person's actions on your own feelings and goals. It communicates one's own needs and interests without accusing the other person. The second one is likely to make someone defensive.

Example D

"I" language: "I feel upset when you are late for our meetings because it means that everyone else has to wait for you."

"You" language: "You are always late!"

"We" language: We feel humiliated when you refuse to meet with us because we believe our interests deserve to be considered.

"You" language: You are disrespectful!

Example E

Demand: "You must stop building schools in the region we are working."

Preference: "We have an interest in making sure our projects complement yours so that our work does not unintentionally undermine or conflict with your work."

Demand: "Your community members must stop youth gangs in your community."

Preference: "We are concerned about the high rates of crime in this community. Reducing crime rates is our responsibility, so we want to work with the community to find ways to reduce crime while respecting community and individual rights."

10. Share your goals as preferences

It is important to be able to tell other people what you would like to do or what you would like them to do. Stating goals in terms of preferences rather than demands allows a conversation and exchange to occur.

11. Making Assertive Statements

There are times when civilian, military or police personnel are facing an angry person who does not pose an immediate, lethal threat. In such situations it may be appropriate to respectfully but assertively request a specific change in behaviour as a condition of continuing a discussion.

Preference Statements: Clearly communicate your preferences or desires rather than stating them as demands or forcing others to guess what they are.

My preference is...

If it were up to us...

What I would like is...

From our perspective, it would be helpful if...

Interest Statements: Clearly state your wants, needs, fears, and concerns.

What concerns me is...

What we really need is... because...

Purpose Statements: Disclosing your intentions enables others to understand what motivates you and minimises the opportunity for misunderstanding. It also reduces the chance for others to unknowingly operate at cross-purposes.

What I'm trying to accomplish with this policy is...

We're out here today because we were hoping to...

I am in the process of trying to locate...

Our intention with this group of people is to...

Naming Observations: Describe what you are currently observing between yourself and the other person in a non-positional way. In an unhelpful conversation with a community elder, one might say:

"I'm noticing that we seem to be spinning our tires in this conversation. It seems like we're all getting a little tired and frustrated. I'm not sure why we are stuck nor how to move on. What do you think?"

Agreement Statements: Acknowledge where you agree with the other party in the midst of a disagreement. This increases the amount of common ground and reduces the conflict field.

I agree with you that...

We definitely share your concern about...

Your interest in..... makes a lot of sense to me.

We share your hope that...

"Yes and..." NOT "Yes but..." The word **but** has been called the "verbal eraser." Agreement statements

lose their effectiveness if they are followed by a disclaimer such as **but**. It is better to make your agreement statement and then raise your other concerns.

I share your concern about.... and I am also concerned about...

I agree that we should.... and I also think that...

12. Defusing Conflict

Even when using active listening, paraphrasing and diplomatic speaking, conflict can still begin to escalate. Two additional strategies can help defuse conflict.

Disagree with ideas, not with people. Be hard on the problem, soft on the people. Conflicts can become destructive and even violent when people begin to accuse or blame each other. A focus on understanding other people will often deescalate conflict. Once people feel respected and heard, they are then able to work productively to address the issues.

Call for a time out. Sometimes arguments get so heated that people stop listening to each other. If conflict is escalating or if you are at an impasse and cannot find a way to address the problem, ask if you can find a quiet place and/or a separate time to work out the problem after each of the people involved has had time to think.

LESSON REVIEW

Leaders in complex environments aiming to improve human security communicate every day with many different individuals and groups. Conflict is a normal part of all relationships and leaders in complex environments experience conflict within their own organisation, between organisations working on similar goals, and with groups that are openly opposed to their goals. Conflict and communication skills are relevant in all aspects of a leader's life and work. Communication and conflict skills help culturally diverse individuals, groups, and organisations learn how to communicate their goals and interests to others. Wherever civilians and security forces relate to each other - at a checkpoint, in the streets, or in meetings - these skills can help groups listen to each other, defuse tension, and communicate effectively so that others can understand.

Citations

¹⁰⁴ For example, see *Social Sciences Support to Military Personnel Engaged in Counter Insurgency and Counter Terrorism Operations* HFM-172 (NATO, 2011) [http://ftp.rta.nato.int/public//PubFullText/RTO/MP/RTO-MP-HFM-172//\\$\\$MP-HFM-172-ALL.pdf](http://ftp.rta.nato.int/public//PubFullText/RTO/MP/RTO-MP-HFM-172//$$MP-HFM-172-ALL.pdf) accessed January 2016.

¹⁰⁵ Thomas G. Matyók and Cathryne L. Schmitz, "Is There Room for Peace Studies in a Future-Centered Warfighting Curriculum?", *Military Review*. (May-June 2014).

¹⁰⁶ Donna Hicks. *Dignity and its Essential Role in Solving Conflicts*, (New Haven, Connecticut: Yale University Press, 2011).

¹⁰⁷ Roger Fisher and William Ury, *Getting to Yes. Negotiating Agreement Without Giving In*, (New York: Penguin, 1983).

Lesson 20

Learning Exercises

Anchor

10 minutes

Anchor the content in this lesson with an open question. Participants can share in groups of two or three people their response to this question:

- What is one experience where you have been able to defuse someone who is angry or hostile?
- What techniques did you find effective in defusing anger?

Add

20 minutes

Present the PowerPoint slides or ask participants to discuss the lesson readings in a small group.

Apply

25 minutes

The goal of this exercise is to practice using communication and conflict skills to defuse an angry person or group. In each of the scenario groups, a town meeting is occurring in the village closest to the IDP camp where civilians were killed in the raid. At the town meeting, one person in the community becomes angry and begins yelling and threatening the others in the room. Ask for a volunteer or group of volunteers from any of the stakeholder teams to role-play being angry and escalating tension at this meeting. Set up the training room as if there is a town meeting. One of the stakeholder groups representing the government (civilian, military or police) should open the meeting and begin to discuss the recent raid in the IDP camp. The angry role players should then disrupt and escalate tensions in the meeting. Any of the other stakeholder teams or players can then attempt to diffuse the situation using verbal and nonverbal communication skills to defuse conflict. Let this scenario play out, with the role-players from different stakeholder teams attempting to practice skills. The angry role-players should attempt to be as realistic as possible.

After twenty minutes of role-playing, debrief the scenario.

- What did each stakeholder team do verbally or nonverbally that either escalated or deescalated the situation?
- Did any of the role-players illustrate “active listening” or “paraphrasing” or “diplomatic speaking”? Give specific examples.
- What worked best? What did not work?
- Debrief the role-players who were angry and escalating the tension. Did you feel heard and understood by other stakeholders? What made you feel like escalating or deescalating the anger you felt?

Away

5 minutes

To end the lesson, the trainer can ask participants to divide into groups of 2 or 3 people. Participants can share with each other their reflections on this lesson.



Lesson 21

Dialogue & Facilitation Skills

Learning Objectives

At the end of the lesson, participants will be able to:

- Distinguish between the characteristics of dialogue and debate
- Identify five characteristics of a good facilitator
- Identify the relevance of dialogue and facilitation skills for leadership in complex environments to achieve human security

Multi-stakeholder dialogue is a fundamental part of multi-stakeholder coordination. Dialogue is a process that creates a safe space for people with diverse experiences and points of view. Civilians, military and police need to dialogue with each other on all aspects of the Coordination Wheel for Human Security. This includes dialogue on conflict assessment, dialogue on joint planning, dialogue on separate or joint programming such as civilian assistance and protection of civilians, and dialogue to monitor and evaluate the security sector.

This lesson draws from the *Little Book of Dialogue on Difficult Subjects*.¹⁰⁸

1. Dialogue

Dialogue is a way of talking that encourages active listening and honest but respectful speaking. The goal of dialogue is to improve understanding and relationships between people or groups that are in conflict. Dialogue is less formal and structured than mediation. Unlike negotiation or mediation, dialogue is not

aimed at reaching an immediate solution to a problem. Instead, dialogue is used when there are misunderstandings between groups and different experiences. *Dialogue simply creates the space to talk about problems in a place where everyone is committed to listening to each other and trying to understand different points of view.*

Dialogue differs from another commonly used communication approach called debate. In a debate, participants either consciously or unconsciously believe that there is only one right way to believe or act. When people believe they alone hold the whole truth, there is no need to listen to others. For this reason, some people following the debate approach discredit dialogue because it requires them to recognise that they may be able to learn from people who believe differently. Dialogue requires participants to keep their minds open to the process of learning and changing.

2. Comparing Dialogue with Debate

The chart below describes some of the differences between “dialogue” and “debate.” Politicians and the news media often dramatise debates where each side of an argument tries to prove they are right and the other side is wrong. Debate is unlikely to lead to real understanding or an appreciation of the differences that led to a given conflict. Dialogue is more likely to lead to mutual understanding.

Figure 56: Comparison of Debate and Dialogue

DEBATE	DIALOGUE
The goal is to “win” the argument by affirming one’s own views and discrediting other views.	The goal is to understand different perspectives and learn about other views.
People listen to the other to find flaws in their arguments.	People listen to the other to understand how their experiences shape their beliefs.
People critique the experiences of others as distorted and invalid.	People accept the experiences of others as real and valid.
People appear to be determined not to change their own views on the issue.	People appear to be somewhat open to changing their understanding of the issue.
People speak based on assumptions made about the others’ positions and motivations.	People speak only about their own understanding and experience.
People oppose each other and attempt to prove each other wrong.	People work together toward common understanding.
Strong emotions like anger are often used to intimidate the other side.	Strong emotions like anger and sadness are appropriate when they convey the intensity of an experience or belief.

3. The Role of Dialogue in Complex Environments

In complex environments, diverse stakeholders need to understand each other’s experiences and opinions. A formal and facilitated dialogue can enable civil society, governments, military, police and international actors to improve their understanding of the context and their relationships with each other. For example, in a complex environment, diverse groups may use formal dialogue on the following topics:

Security dialogues to identify the threats facing different groups in society, especially those groups that may be marginalised or lack political representation, such as women and minority groups

Assessment dialogues to discuss the root causes of insecurity and violent conflict and to identify local resources for peace and human security

Dialogue skills are also useful in informal or unplanned occasions such as checkpoint or border crossings, ad hoc meetings, or even sharing tea or drinks at a local restaurant.

4. Ground Rules or Guidelines

Ground rules – sometimes also called dialogue guidelines – are a set of behavioural standards and goals that people in a formal dialogue agree to follow to create the best possible experience. Ground rules are important for several reasons.

First, setting ground rules serves to normalise a new process and strengthen ownership. In dialogue, the group designs and agrees to its own set of norms and guidelines. Setting guidelines together helps participants consciously choose to be in the process and decide what behaviours to honour and protect.

Secondly, setting guidelines together communicates that everyone in the group is essentially equal, at least with respect to the group's task. This is also somewhat rare because most settings where people interact involve some degree of hierarchy where someone is in an authoritative role over others. If the dialogue is based upon a collaborative search for truth among participants, it is vital that all of those involved have equal opportunity to participate fully in the process and no one is seen as the authority.

Generally, there are two ways to set ground rules. In a setting with time constraints, one approach is to list the ground rules and ask if people can comply with them. It is important that each person has a chance to modify or raise concerns about the rules. Beware of prematurely assuming that people have agreed to a set of ground rules when they have not. After ample opportunity to change the proposed ground rules, the facilitator can invite public agreement that the group is willing to hold themselves and others accountable to the ground rules.

Sample of Basic Ground Rules

1. *Listen to understand the other's point of view* rather than to prepare a defense of your own view. Try to listen more than you speak.
2. *Respect others, and refuse to engage in name-calling.*
3. *Speak about personal experiences.* Start your sentences with "I" rather than "you." "I experienced...."
4. *Minimise Interruptions and Distractions.* In general people should be allowed to finish what they are saying without being interrupted directly or with side-talk between other participants. Also people should silence their cell phones.
5. *Maintain confidentiality.* Outside the group, discuss the content of what was said, not who said what.
6. *Ask questions.* Ask honest, thought-provoking questions that give people the opportunity to explore and explain their underlying assumptions.
7. *Stay through the hard times.* Make a commitment to stay in the dialogue despite the tensions.
8. *Aim to understand.* The goal of dialogue is to increase understanding between individuals. The goal is not to solve the problem or agree on everything.
9. *Recognise common ground.* Every two people share something in common. Find it!
10. *"Ouch," then educate.* If someone says something hurtful, don't just disengage. Let the individual and the group know why it was hurtful.

Another approach is to elicit the ground rules from the group. This approach offers much better buy-in and adherence as people have invested more thought and energy in developing them. But the process can be very time consuming. In sustained dialogue processes, some facilitators use the process of eliciting ground rules as a way to learn the concerns, fears, and other tendencies in the group.

In some dialogues, participants may request that others "speak from the heart" meaning that they share their emotions or the impact that an experience has had on their life. In some cultures, people participate in dialogue without observable emotion and may even look down upon others or walk out of a dialogue that includes too many emotional expressions. Facilitators will need to "read the room" or try to get a sense of how to make a dialogue safe for some people to express their emotions without making the room so emotional that it feels unsafe, awkward or uncomfortable for other participants.

One strategy to align the group around ground rules is to ask a question like this: "Before we go any further, can we all agree to try to stay respectful and give everybody a chance to speak?" People will rarely say no, and this question gives you and others the capacity to point out when people are being disrespectful and are interrupting. Potentially the group agreement on this question can empower the facilitator to point out when some people are dominating the conversation.

5. The Role of a Dialogue Facilitator

Dialogue between groups can be done with or without a facilitator. A facilitator guides people through a dialogue process. Facilitators are “process experts” rather than experts on a subject area. They keep a dialogue focused, help participants consider a variety of views, and summarise group discussions. They model active listening and respectful speaking.

Facilitators help the group explore similarities and differences of opinion. Facilitators do not promote or share their own opinions. Facilitators make sure that all participants get a chance to contribute to the dialogue. Facilitators bear primary responsibility for enforcing the ground rules, although the group also shares this collective responsibility.

Effective dialogue between people of diverse experiences and beliefs usually requires the guidance of a facilitator. The role of the facilitator in guiding the conversation makes dialogue different than other communication forms. Facilitators help create a safe space by setting ground rules or guidelines to keep dialogue participants focused on listening to and working with each other. Facilitators guide the dialogue process without deciding who is right or wrong, or declaring a “winner” as a moderator does in a debate.

6. Facilitation Skills and Tasks

Facilitation is a learned skill. “Natural leaders” or people who play important leadership roles in other activities may make excellent candidates for serving as facilitators, but not always. Facilitators are similar, but also distinct from other types of effective leaders. The role of the facilitator may be the most important element of a dialogue. Key competency skills of effective facilitators include the following:

Establish the purpose of the dialogue. Everyone in the room should clearly understand the purpose and focus of the dialogue. Put this in writing and say it verbally. Check that participants understand and ask if they have any questions.

Foster dialogue. Remind participants of the difference between dialogue and debate. Help them grasp the importance of active listening and speaking respectfully and honestly, and how this differs from ways they may be used to talking with others.

Manage the agenda and guide the process. Be as self-confident as possible to assure the participants you know how to guide the process. Keep the discussion focused, and keep your focus on the process. Ask open-ended questions that explore the complexities of the issues.

Develop ground rules. Either explain or ask the group to develop a list of ground rules. Ask participants if they can agree to them, and invite them to monitor how they are following the ground rules. When the ground rules are violated, give gentle but firm reminders.

Listen actively. Demonstrate verbal and nonverbal listening skills that show people you understand what they are saying.

Monitor group dynamics. Pay attention to ensure that everyone has a chance to speak and that no one is dominating the conversation. Check in with participants who seem quiet or withdrawn. Ask how they are feeling. Remind participants to “share air time” so that everyone feels responsible for monitoring the group’s dynamics.

Communicate interest in everyone’s perspective. Help to bring out views that aren’t represented. Participants in a dialogue should feel that the facilitator is authentically interested in understanding their experiences and ideas.

Help deal with difficult participants. Keep one-on-one arguments from taking over. Prepare for participants who talk too much, refuse to participate, or disrupt the workshop. Respond to the situation with confidence and grace.

Summarise and paraphrase. Help people feel that their unique experiences and ideas are heard and understood by summarising and/or paraphrasing what is said. This skill can also help with long-winded participants who have lost their own key message.

Stay impartial. In order to maintain everyone's trust, facilitators must refrain from sharing their experiences or beliefs relevant to the issue. The facilitator's role is to help participants wrestle with the similarities and differences in the views they expressed.

Model the behaviour you expect from participants. Facilitators should model active listening, respectful and honest speaking, and other ground rules at all times through their words and body language.

Close with a summary. Summarise the discussion and help focus the group on talking concretely about next steps they want to take individually and collectively.

7. Advanced Skills and Tasks

Some facilitator characteristics – whether learned or natural – are important in leading highly effective dialogues.

Facilitators inspire confidence in their leadership

Dialogue requires a facilitator to lead the dialogue and decide where to guide the conversation next. For much if not most of the time, participants will be so engrossed in the exchanges that they will lose track of the larger flow of the dialogue process. But sometimes, the group's attention is drawn to the process itself, and it is important that the facilitator not appear incapable of making a decision regarding the substance of the dialogue. The group must feel that it can trust the facilitator's judgment about which topics to deepen and which to neglect, and that the facilitator trusts his or her own judgment.

Having enough natural charisma to inspire confidence in others is useful in the facilitator's role as the leader and will help create an atmosphere in which people feel safe and able to engage productively.

Facilitators are good multi-taskers

Facilitators need to keep track of many different and competing objectives at once. For example, articulate but long-winded speakers often bring important content to a discussion. But in order for a group to benefit from their contributions, a facilitator must keep track of the relative values of what they are saying, people's level of apparent boredom/interest in the ideas, how many people have yet to address the topic, and how much time is left in the session.

Facilitators are flexible and not overly controlling

Since the facilitator's job is to create a setting in which many people feel empowered to listen, talk, and learn, the facilitator must be careful not to overly control the dialogue, because this will make people feel boxed in and not truly included. Facilitators provide guidance but also listen to the group and observe participant's level of energy when deciding whether to be flexible or when to keep on schedule.

Facilitators see a situation from many points of view

Many facilitators engage in dialogue as part of their commitment to broader principles like justice, peace, and democracy. In some cases, competent facilitators have an unconscious (or even conscious) bias against participants that hold more political, economic, or social power. Facilitators need to do a great deal of self-reflection to process their own biases before facilitating a dialogue in which their biases might affect their ability to manage the process. Facilitators must be able to empathise with the experiences of all the participants. The capacity to understand all points of view is essential.

Facilitators stay calm and engaged

One test of a facilitator's skill level is his or her reaction to emotional intensity within a group. This may take the form of anger, tears, rudeness, expressed frustration, or other intense emotion. In these conditions, a facilitator's primary task is to maintain the group's focus of attention in spite of the charged emotions. This can be very difficult, especially if the emotions are directed at the facilitator. Staying calm in the midst of anxiety or tension takes a great deal of practice and inner strength. A wise facilitator stays emotionally present and engaged while thinking about what is best for the group rather than formulating a defence or attempting to stop emotional expression.

Facilitators pose provocative questions

When designing dialogues, facilitators come up with guiding questions, not with minute-by-minute agendas in order to leave space for participants to contribute their own inputs and develop a common understanding. A highly skilled facilitator is able to diverge from his guiding questions and come up spontaneously with new questions that will move the dialogue forward and attain a deeper level of

honest analysis. The ability to improvise and generate questions that help the group see commonalities or disagreements is an important skill.

Facilitators connect with people

A final important quality that separates first-rate facilitators from those with only a basic level of competence concerns the ability to emotionally connect with participants and continually invite them to stay engaged in the process. Highly skilled facilitators convey that they understand how participants see the issue, and that everyone in the group can learn more from each other by staying with the process. The challenge is to stay engaged in the process as participants learn and transform at their own rate without seeming to be smarter or more evolved than the participants. The facilitator reminds participants that they all are on a path toward a higher understanding, and that the facilitator is only a half-step ahead.

8. Differences between Facilitators and Other Leaders

Most natural leaders and facilitators share some of these important skills, but not all effective leaders make good facilitators. Some leadership roles and skills undermine the capacity to be good facilitators.

Teachers and trainers may be tempted to see their role as fostering growth and development by dispensing wisdom to the group. By contrast, effective facilitators recognise that the group must come to its own conclusions based on participant's exchanges.

Good meeting leaders stick to a defined agenda. However, effective facilitators sometimes keep their focus on the overall goal of learning rather than accomplishing an agenda. Good public speakers may be tempted to use their rhetorical skills to sway disparate people to their points of view. But rather than convincing participants to accept one point of view, good facilitators help people understand several points of view. They spend more time listening than talking.

REVIEW

This lesson provides an understanding of how dialogue and facilitation skills can enable civil society, military and police to enhance their ability to understand complex environments through listening and learning from other stakeholders and to improve their ability to coordinate with other stakeholders working toward the shared goal of human security. This lesson contrasted dialogue and debate to illustrate how debate-style conversations aim to convince others their opinions and experiences are wrong while dialogue-style conversations aim to help people understand why other people's experiences have led them to hold different opinions. The lesson asserts that dialogue can be difficult, but that it has the reward of greater understanding and improving relationships between people. The use of dialogue guidelines and a skilled facilitator can make it easier for people to engage in dialogue. The lesson reviews the key skills and characteristics of a professional facilitator.

Citations

¹⁰⁸ David Campt and Lisa Schirch, *The Little Book of Dialogue on Difficult Subjects*. Intercourse, PA: Good Books, 2004.

Lesson 21

Learning Exercises

Anchor

10 minutes

To begin the lesson, anchor the content in this lesson with an open question:

- What is an example of one experience where you had to facilitate a meeting in a diverse group of people? What was effective in trying to facilitate this meeting? What was challenging?

Add

20 minutes

Present the PowerPoint slides or ask participants to discuss the lesson readings in a small group.

Apply

25 minutes

The goal of this exercise is to practice using dialogue and facilitation skills. Continuing from the disruption in the exercise in Lesson 22, the town meeting to discuss what to do about the eighteen civilians killed in the IDP camp continues but in small groups instead of one large group. Create small groups of 5-6 people, one person from each stakeholder in the scenario you are using.

One person in each small group should take on the role of facilitator to practice the skills in this lesson. The other participants can model either dialogue or debate. Some of the participants in each of the groups should role-play an angry person who is escalating tension in the meeting. Allow the dialogues to continue for twenty minutes. Then debrief the scenario with a discussion in each small group:

- What did the facilitator do well verbally or nonverbally? What communication skills were evident?
- How did the facilitator handle difficult or tense moments in the dialogue?
- Does each participant in the group feel like others understood their point of view?

Away

5 minutes

To end the lesson, the trainer can ask participants to divide into groups of 2 or 3 people. Participants can share with each other their reflections on this lesson.



Lesson 22

Negotiation Skills

Learning Objectives:

At the end of the lesson, participants will be able to:

At the end of the lesson, participants will be able to:

- Identify three different approaches to negotiation
- Identify the difference between conflict “positions” and conflict “interests”
- Identify at least three situations where negotiation would be useful for improving civil-military-police coordination
- Identify the limits of interest-based negotiation
- Identify the relevance of negotiation skills for leadership in complex environments to achieve human security

This lesson provides an introduction to the skills and process of negotiation. The lesson identifies the type of situations where negotiation might be useful to support civil-military-police coordination.

1. Negotiation Defined

Negotiation is a process where two or more people or groups communicate with each other to address competing interests that appear to be incompatible. In complex environments, civilian, military and police leadership may need to use negotiation skills to address a wide variety of conflicts.

2. When is negotiation useful?

In complex environments, civilian, military and police leadership may use negotiation to address a wide variety of conflicts.

- *Intra-group conflicts within civil society, military or police* about internal conflicts. For example, some NGOs have been angry with other NGOs that work openly with the military. This is because

the safety, access, trust and legitimacy of all NGOs and their beneficiaries depend on the perception of NGO independence from armed groups or political actors. Once any NGO begins to work as a contractor for an armed group, it may damage the acceptance and security of all NGOs.

- Inter-group conflicts between civil-military-police groups about each group's roles and responsibilities in areas where they are each working and need to coordinate. For example, there may be conflicts on SSR, DDR or civilian assistance efforts.
- Identity conflicts between clashing ethnic, religious, tribal or other identity groups.
- Ad hoc conflicts happen because diverse stakeholders are all operating, living and working in the same complex environment. Negotiation can be used to improve day-to-day encounters or meetings to simply sort out logistical coordination for sharing space. This can include using negotiation at checkpoints or borders to defuse hostility and reduce the possibility of escalating conflict.

3. From Win-Lose to Win-Win Solutions

Most people approach negotiations with a belief that in order for us to “win” or get what we want from the negotiation, the other side needs to “lose.” This “win-lose” attitude makes people feel like they are against the other person and their needs. The first principle of negotiation is that people need to work together to solve their shared problem and if possible, create a “win-win” solution that satisfies everyone's basic needs. Negotiation and mediation are an opportunity to solve a shared problem. Recognising that command and control attempts rarely work in complex environments, adaptive leaders use negotiation and mediation skills and process to improve understanding and coordination between diverse stakeholders living and working in the same complex environment.

4. Positions versus Interests and Needs

Negotiation helps people identify underlying needs and interests to develop creative solutions. Module 4 on Coordination on Conflict Assessment introduced the distinction between “positions” and “interests.” People often engage in conflict to attempt to address their grievances. People may be willing to fight and die to protect their basic human needs for dignity, respect, identity, and economic and physical safety. As illustrated in the “onion” diagram in Module 4, needs and interests are often hidden underneath public positions.

- Positions are what people say they want in public. These can be political demands or conditions under which they will stop fighting.
- Interests are desires, concerns, and fears that drive people to develop a public position.
- Needs are the most basic material, social, and cultural requirements for life that drive people's behaviour and their positions and interests.

Many people believe that the best negotiation style is to decide what you want, take a “position,” and then push and coerce other people to give you what you want. Interest-based negotiation is a process to go beneath the public positions to discover each group's deeper interests and needs. If people in a negotiation discuss their positions rather than their interests or needs, it will be difficult for them to find creative solutions that allow each of them to be satisfied.

Discussing basic needs and interests is a better negotiating strategy. Needs and interests can be satisfied in many ways. Creative problem solving can be used to satisfy each person or group's interests or needs in a negotiation.

5. Three Approaches to Negotiation

Soft Negotiation: This type of negotiation style puts a large focus on maintaining relationships at the expense of solving problems. Soft negotiation is “nice” and “soft” on people and relationships. But it does not solve the problem, because people are afraid of confronting the real issues. This approach avoids the real issues. People who are accommodating are often willing to give up their own interests and needs in order to satisfy other people.

Hard or Positional Negotiation: In hard or positional negotiation, people see each other as the enemy. They make no effort to understand or care about the interests and needs of other people. They may use coercive negotiating tactics such as threats, abusive language, or power plays to show that they will not accept anything other than their “position” in the negotiation.

Interest-Based Negotiation: In interest or need-based negotiation, people see each other as partners in an effort to solve a mutual problem. They share their own needs and interests while also listening to the needs and concerns of others. They recognise that their needs and interests are interdependent and that it will be difficult for them to meet their own needs and interests without examining the needs and interests of others. People engage in creating problem solving to brainstorm how all human needs can be satisfied. People build relationships with each other and seek to cooperate rather than compete with each other. This type of negotiation searches for a “win-win” outcome acceptable to all the people in the conflict. Interest-based negotiation is also referred to as “principled negotiation.”

The chart below illustrates these three different negotiation styles.

Soft Negotiation	Positional Negotiation	Interest-based Negotiation
Soft on the people and the problem Seeks “I lose, you win” solutions Makes offers and yields to pressure	Hard on the people and the problem Seeks “I win, you lose” solutions Makes threats and pressures others	Soft on the people and hard on the problem Seeks win-win solutions Explores interests and focuses on principles

Figure 57: Approaches to Negotiation -Adapted from Roger Fisher, William Ury, and Bruce Patton¹⁰⁹

6. Best Alternative to a Negotiated Agreement or “BATNA”

Before beginning a negotiation, it is important to know the alternatives to addressing a conflict. If the negotiation fails to address the problems, what will happen? What next steps will each group take? Understanding the “best alternative to a negotiated agreement”, or “BATNA”, allows people to make decisions about what they will accept during a negotiation. Without knowing the BATNA, negotiators will have a difficult time assessing their options in the midst of a negotiation.

For example, a negotiation between police officers and community leaders over permission for civil society to hold a protest march against government policies, both sides need to know their BATNA. Police need to analyse what might happen if they reject the protest without negotiating with the civilian leaders. If the media covers the decision, and it appears to be repressive, then police leaders may face consequences for that decision. On the other hand the community leaders also need to assess their BATNA. If the community decides to hold a protest without getting police permission through a negotiation, they too may face negative consequences such as arrest or violent repression of the protest march.

A group may decide to negotiate when they believe they have more to lose by not negotiating. People may decide to negotiate for the following reasons:

- They have experienced great losses during prior violent exchanges
- Using the legal system would be slow and expensive
- Using violence has not been able to solve their problems
- They may realise that they can only solve the problem through negotiation because they recognise the interdependence between groups and they believe they can get what they want and need by negotiating with others.

7. Separate the people from the problem

Skilled negotiators address the issues and problems rather than blaming individuals or people. Negotiations are more successful when people focus on the issues, not the qualities or characteristics of groups of people. Civilians, military and police may all hold negative stereotypes about other groups. Stereotypes are broad accusations against an entire group. In negotiation, the focus of communication is to find solutions to problems, not to engage in criticisms against an individual or group based on stereotypes. For example, if police and civilians in a community disagree about the use of force in a particular situation, a negotiation would emphasise the issue of the use of force in an effort to understand all points of view as well as the legal context. A constructive negotiation would not include civilians and the police calling each other names or attacking each other’s character. When conflicts become personalised and include name-calling and stereotypes, it becomes much more difficult to find solutions to problems.

8. Use creativity and innovation to find a solution

Negotiation requires creativity. There may not seem to be solutions at the beginning of a negotiation but the technique of brainstorming helps to generate options. Brainstorming is a process of thinking creatively to develop a list of ways a problem may be solved. Brainstorming helps people to “think outside of the box” that may limit their ability to see a solution. Skilled negotiators think creatively to develop the

widest range of possible options for resolving issues without immediately judging which are good and which are not.

Sometimes a solution developed during a brainstorming session seems impossible at first, but can be adapted and combined with other options to create a win-win solution. For example, the countries of France and Spain were in conflict over a river on their borders. Rather than fight a war over the river, or decide that one country owned it, they developed a win-win solution. They developed a creative idea of alternating years that they could use the resources of the river.

9. Find objective ways of making decisions

Some negotiations can borrow solutions from others who have faced similar conflicts. Where there are laws, rules, or standards, negotiators can use these as standards for deciding what is fair. For conflicts facing civilians, military, and police, each country's national constitution and laws, International Human Rights Laws, the Law of Armed Conflict (International Humanitarian Law) and other related laws may be helpful.

10. Every culture has their own way to negotiate

The interest-based negotiation skills described here can be helpful across diverse cultures. But it is not enough to have these basic negotiation skills. Western negotiation experts designed interest-based negotiation to be used in interpersonal or organisational conflicts or business negotiations to address very specific problems. A military, police, or civil society leader may find interest-based negotiation very useful for negotiating with their colleagues who are working within a shared cultural and organisational framework. But it might not be as useful for negotiations that take place between local civilians and foreign military forces. Every culture has its own style and rituals to support negotiation. Leaders who want to use negotiation in complex environments to support human security will have to learn how negotiation is carried out in the local culture. It might involve an exchange of gifts, the sacrifice of an animal, eating or drinking tea together.

11. Negotiations in complex environments require advanced negotiation skills

In complex environments with civil, military, and police stakeholders, people and groups may not have any pre-existing relationship with each other, or any interest in having a relationship in the future. There may be little will to improve relationships or solve problems together through negotiation if groups do not want to coexist in the same environment. There may be few incentives for reaching a negotiated agreement and many rewards for continuing conflict.

The divisions within each side may also make reaching an agreement difficult. There may be internal conflict over whether or not to negotiate with other groups. For example, some civil society organisations and communities may want to negotiate on conflicts with military and police forces and others may not. Similarly some military and police leaders may want to negotiate with local civilian leadership at the community level and others may prefer to use force to intimidate or repress the civilian population.

If any of the armed groups walks away from negotiation deciding that violence is their BATNA, fighting may resume, even though some groups may prefer to negotiate. This makes the failure of negotiations very costly. While the negotiation skills identified so far in this lesson are valuable for solving technical problems, they fall short in providing guidance for what have become known as “wicked problems” occurring in many complex environments.

12. Wicked conflicts

Wicked problems, defined and described in lesson 1, include types of conflict that occur in complex environments. Wicked conflicts may involve many stakeholders and different issues, including complex religious, political, social and environmental issues. Wicked problems are particularly difficult to negotiate. Wicked problems require advanced negotiation skills.

Any solution to the problem may create new problems. For example, an attempt to address religious extremism can be perceived as attacking the religion itself, creating even more religious extremism. Or an attempt to negotiate between tribal leaders may cause other leaders who do not want to negotiate to assassinate those leaders in their own group that do want to negotiate. This may cause even more violence between groups.

Wicked conflicts are each unique. It is often not possible to take a solution that worked to address one wicked problem and use it to solve another. For example, a conflict between military leaders and tribal

elders in one country may involve specific religious law, tribal rituals and customs, specific opposition to government policies and a specific environmental context with other issues and factors driving conflict at play. This makes it much more difficult for military leaders to take a negotiated solution that worked in one region of a country and implement or impose the same solution on another region.

The complex environments in which wicked problems develop are themselves in flux. Social norms, political agreements, cultural and religious values, and social identities may all be shifting. This means groups are not able to calculate their alternatives or predict a BATNA to assess what might happen if they negotiate or decide not to negotiate. Complex environments and the wicked problems that happen within them are unpredictable, which make civil-military-police negotiations especially challenging.

13. Negotiation in Wicked Conflicts

In the midst of a crisis in a complex environment, some of the assumptions about negotiation change. Listed below are some of the challenges military, police or civilian negotiators face when trying to solve problems in complex environments when they face wicked conflicts.

- It may be difficult to define the problem that needs to be negotiated. Negotiating on a conflict related to climate change shocks, religious extremism, and government corruption would require a complex set of processes to address these three challenges. When negotiating in complex environments, civilian and security sector leaders often have to take into account external factors that they cannot immediately control or understand. Local community leaders may insist that their community members are joining non-state armed groups in response to perceived humiliation from military and police night raids on community homes. Military and police leaders may insist that local people are joining an “insurgency” because of religious extremism and demand that religious actors be held accountable. The conflict itself is not clear. There may be multiple factors driving conflict, making it difficult for security sector leaders and community leaders to negotiate over goals, strategies or tactics since they define the conflict in different ways.
- It may not be possible to include all the stakeholders in a negotiation due to political, geographical or logistical concerns. Those who were excluded may contest or try to undermine an agreement reached by the negotiating parties which means negotiations will have to restart again. In some security forces, there is a frequent rotation of personnel. This creates a situation where rotating personnel come and go, each not fully learning or understanding the complexity of issues and wicked conflicts.
- Stakeholders may have a difficult time determining their BATNA (Best Alternative to a Negotiated Agreement) because there are so many different factors to take into consideration.
- The emotional stakes in negotiations in complex environments are very high. Negotiation partners may fear for their personal security and may have been deeply traumatised because of the loss of their colleagues. Such fear may lead them to harden their positions, adopt more extremist views, and lose trust. It may also make it difficult to think rationally about costs and benefits or the “BATNA”. For example, NGO representatives may be in outright refusal of any type of contact with military actors after attacks on their offices occurred. A military officer may have no idea of the negative consequences for choosing not to negotiate with a tribal elder. A police leader may not be able to analyse any alternatives to a negotiated solution because there are so many diverse stakeholders and factors at play that it is not able to predict what risks or benefits may be achieved through negotiation. Furthermore, each side may be willing to fight and die for their cause. It may be difficult to convince them to consider alternatives to their positions if they feel their very identity is at stake.
- In some cultures, to acknowledge wrongdoing requires carrying out revenge attacks. In some contexts, any attempt at negotiating a problem that includes naming the history of wrongdoing risks increasing the violence, as naming, blaming and shaming tactics (often used by civil society, especially human rights groups) may humiliate stakeholders who may respond with cultural norms that call for revenge or increasing violence. This may affect civil-military-police negotiations in complex environments. Civil society may unknowingly set off new violence by publishing human rights accounts that name perpetrators. Military and police leaders may unknowingly set off new violence by negotiating with community leaders in a way that makes it impossible for community leaders to save face, causing them humiliation and prompting them to take revenge. Negotiation in these contexts requires extra attention to anticipate and mitigate these potential negative impacts.

14. Adaptive Negotiation and Social Transformation

Wicked conflicts that take place in complex environments may not have a negotiated solution. Official diplomacy between states, sometimes involving the UN is known as “Track I diplomacy.” Track I diplomacy may take many years to address wicked conflicts by starting with “low hanging fruit” or confidence-building mechanisms to solve small problems which then allows the stakeholders involved in negotiation to sequence the issues they address. Ultimately, negotiation on wicked conflicts in complex environments almost always involves “social transformation”; a fundamental shift in a country’s economic, political and social systems.¹¹⁰

Unofficial diplomacy or “Track II diplomacy” involves civil society. Local conflict prevention and peacebuilding use Track II diplomacy to bring together academics and mid-level leaders across the lines of conflict in an attempt to analyse the conflict and begin brainstorming possible solutions that can then support Track I diplomacy. Civil society has played significant roles in negotiating the end to civil wars in South Africa, Mozambique, and dozens of other countries.

Recognising the important role of negotiation and diplomacy, some military academies now train “soldier diplomats” who can participate in negotiation and reconciliation processes. Where civilian government, security forces, and civil society are all participating in negotiation and diplomatic efforts, coordination is essential. This type of coordination could significantly contribute to a systematic approach to wicked conflicts. Without coordination, the potential for negotiation efforts to undermine each other is significant. For example, civil society, military and police leaders may not themselves be able to assist in negotiations of “wicked conflicts” that stem from a diverse set of factors fuelling the violence. Adaptive leaders, as defined in Module 1, need to be able to determine when negotiation will be useful for civil-military-police coordination on human security and when it is not possible or needs to be carried out by other stakeholders, such as the UN or high-level diplomats.

Civil-military-police leaders can use “adaptive negotiation” to identify “sub-conflicts” or specific problems that would benefit from negotiation between security forces and civil society. Adaptive negotiation will also include an ability to think of negotiation as a broader process of social transformation, including negotiation on government and security sector reforms, rule of law programmes, religious values, economic development, and a wide range of other efforts may also be necessary.

LESSON REVIEW

This lesson reviewed three common approaches to negotiation: hard, soft, and interest-based. The lesson described why interest-based negotiation is usually more effective in that it takes into consideration the interests of all stakeholders involved in the negotiation, enabling all of them to create a solution that satisfies their interests. The lesson ends by describing the difficulty of negotiating solutions to “wicked problems” that frequently occur in complex environments where civil society, military and police may all be working toward human security. Leaders may need to negotiate broader social processes, like government reform initiatives, in addition to negotiating on specific issues such as how to manage water or how to divide land.

Citations

¹⁰⁹ Roger Fisher, William L. Ury and Bruce M. Patton, *Getting to Yes: Negotiating without Giving In*. (New York: Penguin Books, 1983).

¹¹⁰ See also the following publications:

Calvin Chrustie, Jayne Seminare Docherty, Leonard Lira, Jamil Mahuad, Howard Gadlin & Christopher Honeyman, “Negotiating Wicked Problems: Five Stories” in *Venturing Beyond the Classroom*, ed Christopher Honeyman, James Coben, Giuseppe De Palo. (Saint Paul, Minnesota: DRI Press, 2010).

Jayne Docherty and Leonard Lira, “Adapting to the adaptive: How can we teach negotiation for wicked problems?” in *Educating negotiators for a connected world: Volume 4 in the Rethinking Negotiation Teaching Series*, Christopher Honeyman, James Coben, and A. Wei-Min Lee, (St. Paul, Minnesota: DRI Press, 2013).

Leonard Lira, “Design: The U.S. Army’s Approach to Negotiating Wicked Problems,” in *Venturing Beyond the Classroom*, ed Christopher Honeyman, James Coben, Giuseppe De Palo. (Saint Paul, Minnesota: DRI Press, 2010).

Lesson 22

Learning Exercises

Anchor

10 minutes

To begin the lesson, anchor the content in this lesson with an open question:

- What is one experience of a successful negotiation you have had in your life? What was effective or ineffective in this negotiation?

Add

20 minutes

Present the PowerPoint slides or ask participants to discuss the lesson readings in a small group.

Apply

25 minutes

The goal of this exercise is to practice using negotiation skills. Given the rising tensions following the earthquake and the killing of eighteen civilians in the IDP camp, each of the stakeholders in this scenario decides to renew efforts to negotiate an end to the crisis by building a common national vision. Each stakeholder team has thirty minutes to formulate their negotiation plan based on the lesson and then to seek out other stakeholder teams with whom they want to negotiate with to achieve their goals.

- What approach to negotiation will each team take – soft, hard or interest-based?
- What is each team's BATNA?
- Which issues might not be negotiable?
- What are the potential risks or benefits of negotiation?

Debrief the negotiation role-play by asking each team to reflect on the challenges and opportunities to use negotiation to achieve their goals.

Away

5 minutes

To end the lesson, the trainer can ask participants to divide into groups of 2 or 3 people. Participants can share with each other their reflections on this lesson.



Lesson 23

Mediation Skills

Learning Objectives:

At the end of the lesson, participants will be able to:

- Define mediation
- Identify the four steps involved in mediation processes
- Identify at least two situations where mediation would be useful for improving civil society-military-police relations
- Identify the relevance of mediation skills for leadership in complex environments to achieve human security

This lesson provides an understanding of how mediation skills can enable civil society, military and police to identify the causes of conflicts between diverse stakeholders and develop mutually satisfying solutions that address the interests of each group.

1. Definition of mediation

Mediation is a process for handling conflict with the help of a third party or “mediator” who facilitates a discussion between people in conflict with each other to identify the issues and develop options for addressing the challenges.

When a conflict is particularly difficult to resolve, a mediator helps people in conflict negotiate with each other by facilitating the process of identifying the issues and by encouraging parties to find solutions. A mediator plays a role that is more of a facilitator than a judge. Like facilitators, mediators guide people through a process where they can express their needs, share their experiences, and listen to others. However, mediators are not only interested in promoting exchange and understanding but also in coming to an agreement that all parties can accept. Unlike a judge, mediators do not make a decision about how to solve a conflict. Mediators need a wide variety of skills. These include the skills of good communication, dialogue, and negotiation discussed in the last few lessons.

Mediation is not a new idea or process; it is very old way of handling conflict adapted from tribal cultures around the world. In traditional societies, elders and chiefs play the roles of mediators. They help people in conflict communicate and negotiate with each other to find a solution to their problems. Mediation is growing in popularity. Many judges and courts around the world now refer cases to mediation. Diplomats use mediation to solve global problems and to bring an end to wars. Schools use peer mediation so that youth learn how to address problems with discussion rather than fighting.

2. When is mediation useful?

In complex environments, civilian, military and police leadership may use mediation to address a wide variety of conflicts. Adaptive civil-military-police leaders may find that they can serve as a mediator among their own staff, between other organisations who are in conflict, and between groups in the wider society that are in conflict.

- Intra-group conflicts within civil society, military or police about internal conflicts. Mediation can help address staff conflicts within an organisation.
- Inter-group conflicts between civil-military-police groups about each groups' roles and responsibilities in areas where they are each working and need to coordinate. Mediation can help address conflicts between communities and the police or military working in the area.¹¹¹ Mediation can be useful for adaptive leaders attempting to build a wide coalition of coordinated efforts aiming to achieve human security by improving relationships and the ability to coordinate between groups
- Identity conflicts between clashing ethnic, religious, tribal or other identity groups. Mediation can be used as part of a broader approach to reconciliation, conflict prevention, and peacebuilding to address deep-rooted conflicts and challenges. Mediation can be useful to decrease levels of social division and violence between groups that are driving or contributing to conflict in a complex environment. For example, police can serve as mediators between community members.¹¹²

3. The Mediation Process

The formal use of mediation draws on the best practices of people who have played a mediating role between groups in conflict. The process of mediation is not an exact recipe to be followed. The mediation process looks different in different contexts. The following four steps provide a general guide to the mediation process.



Figure 58: The Mediation Process

Pre-Mediation

Mediators usually prepare for a mediation session by meeting separately with each stakeholder, the individuals or groups involved in the conflict. In this preparatory meeting, a mediator will do the following:

- Identify potential locations agreeable to each stakeholder
- Review the mediation process and clarify the role of the mediator to lead the process, not to decide outcomes
- Listen to stakeholders identify key issues that they will bring to the mediation

Mediation Introduction

Welcome and describe the process

- Make people feel comfortable according to local culture or custom. Greet people and help them find an appropriate place to sit
- Give people a sense of how the process will proceed

Establish commitment to ground rules and the process

- Establish ground rules (see Lesson 11 or 21)

Opening Statement

Let each person describe the situation from his or her own perspective by making an “opening statement”

Identifying Issues and Options

Mediator summarises key issues and checks for accuracy

After the opening statements, mediators ask the different sides to paraphrase and summarise what they heard the other individual or group say were their key interests. The mediator should assure all stakeholders that *understanding* the other stakeholder’s point of view does not mean *agreement* with their point of view. Paraphrasing is a way to check for understanding.

Summarise and reframe the key issues each stakeholder has identified to highlight the underlying interests of each group. For example, stakeholders might share specific experiences, behaviours that are offensive, or a disagreement about a specific decision or resource. Mediators reframe positions and demands into statements that check for underlying interests, often having to do with a sense of respect, dignity and an ability to participate in decisions that affect the stakeholder’s interests. Ask all groups whether they feel their issues have been understood correctly.

Mediator sequences and groups issues together

- A mediator may call a break to consider how to best sequence a discussion of different issues identified by the stakeholders
- Address each issue one by one, or group similar issues together
- Sequence issues from easy to difficult

Brainstorm options to address issues

- Ask people to think creatively to develop solutions to address everyone’s needs and interests
- Create a list of possible options for addressing

Making Agreements

- Jointly decide what options best address everyone’s interests
- Evaluate the different issues: ask participants which options will satisfy everyone’s interests
- Encourage and empower the people in conflict to choose which options are best for everyone
- Use this process to address each issue until they all have been addressed

Develop an agreement

- Make the final agreement as specific as possible: Who will do what? When will they do it?
- Make arrangements for what will happen if the agreement does not hold or if some other issue or conflict arises. What will happen next?
- If apologies, acknowledgement of responsibility, or affirmation is part of the agreement, write these down or make note of them in the final agreement

Closing Ceremony

- Find a way to close the mediation with sharing food over a reception or meal.

4. Mediation Skills: Paraphrasing, Summarising, and Reframing

Mediators draw on foundational communication and conflict skills to help the people in conflict communicate more effectively and find solutions to their conflicts. Mediators should occasionally paraphrase people’s thoughts and feelings to check-in with them to ensure that you have correctly understood what they said. Paraphrasing is a way of acknowledging that you hear what someone said and checking to make sure you and others understand the message by giving them a short summary of what they have said. Say: “So what you’re

saying is ...” This is especially important if you are not sure you understand what they are trying to communicate or if other participants look confused.

Mediators can also ask other groups in the mediation to paraphrase statements from an opposing group. This is a very helpful technique to build trust between groups, as it helps them recognise that others have understood them. Mediators help to summarise the discussions for the group by using paraphrasing skills

Example A:

Diplomatic: “I would prefer if we would agree to finish listening to the opening statements in the mediation before we break for lunch. Could we all reaffirm our commitment to the ground rules of the mediation?”

Accusatory: “I will not tolerate any more interruptions!”

Example B:

A villager is very upset with another group in the mediation, saying “You never tell the truth, I can never trust you!”

Mediator paraphrased reply: “It sounds like you are really frustrated about what has happened in the past. Can we agree that during the mediation process, we will all be honest with each other?”

Example C:

Someone in mediation might say: “I demand that you give me \$1000 in compensation for destroying my farmland with your military equipment!”

Mediator reframing: “If I am hearing you correctly, you have an interest in compensation for your losses and want the military to acknowledge these losses.”

at the

end of each presentation or phase of the mediation.

“Reframing” is similar to paraphrasing. In reframing, a mediator will summarise what someone has said, but will change the phrasing of the sentence to be more productive in transforming the conflict. A mediator can “reframe” a statement about a groups’ position on how to solve the problem into a more general need that expresses the interests underneath the position.

Speaking diplomatically is also a key skill for mediators. Learning how to speak diplomatically helps mediators say difficult things in a way that others can hear them. When mediators need to communicate a message about conflict or differences among people, they need skills to enable them to give this message in a way that will not make other people close their ears or become defensive. When you are upset at others, diplomatic speaking identifies your own needs without offending others.

5. Non-Verbal Mediation Skills

Mediators communicate nonverbally with their eyes, facial expressions and body posture. Mediators can set the tone for a productive problem-solving session through nonverbal cues.

- ***Relaxed and calm:*** The groups in the mediation will watch the nonverbal behaviour of the mediators. If the mediator appears calm and relaxed, this helps the groups in the mediation stay calm. If the mediator is anxious and nervous, this is contagious and will spread to participants in the mediation.
- ***Address the whole group:*** Look around the whole group as you speak. Try not to favour certain people by looking directly at them most of the time.
- ***Confident and dignified:*** Mediators should think about their body posture to communicate that they are confident and that they are overseeing a dignified process where each person is respected.

6. Managing Conflict

Remind everyone that conflict is normal. While conflict may be uncomfortable or tense, it is an opportunity to solve problems and build better relationships.

- Remain neutral as much as possible. If you don't take sides, the group will have more confidence in trusting you to help mediate and resolve the conflict.
- Go to the heart of the matter. Focus on the issues central to the conflict. This may seem to initially make matters worse, but you have to do it to understand the disagreements.
- Stop one-on-one arguments from developing and threatening to take over the dialogue. Ask for quiet time for a few minutes, or get everyone to stand up and stretch, encourage the people involved to talk about it during the break, or suggest that people count to ten before answering back.

7. Emotional Outbursts

- Accept strong emotion as natural. Treat it as a chance to look closely at the issues involved and invite the group to help resolve it. Strong emotions express bottled-up feelings due to past experiences (anger, hatred, fear, hurt).
- Don't stop a crying participant. Give the person time to do it. Allow the flow of emotions and energies as well as the flow of ideas in the group, but don't let them disrupt the interaction for too long. For example, participants might burst into tears when sharing a painful experience.
- Allow the participants to express their emotions as well as the flow of ideas in the group, but don't let them disrupt the interaction for too long. Call a break and ask the person what she needs from the group.
- Afterwards, lead the group into some moments of silence to process what happened or, if you know you can, talk it through for them to help them learn from the situation.

8. Addressing participants who talk too much

Try to gain some agreement with the group at the beginning about the need to share speaking and listening roles so that each has a chance to talk.

If some members of the group begin talking too much or too frequently, and you notice that others in the group are not paying attention, ask them if you can interrupt briefly. Remind the whole group of the need to listen to everyone's experience and that the mediators' job is to make sure everyone has time to speak. Tell the group that you will raise your hand briefly when it is time for the person speaking to summarise their main points and let someone else talk. Then go back to the person who was talking and ask them to summarise their story and move onto another participant.

In some situations, you may want to talk to the person who has been talking too much at a break, so they are not embarrassed in front of the group. Thank the person and tell them you observed that they had a lot of important experiences to share, and then ask them to make sure to let other people have a chance to talk. Be nice when you discourage talkative people who keep trying to take over the speaking time. Say: "Thank you- but let's hear from some others first."

9. Dealing with Silence

Participants are silent for different reasons in workshops. They can be afraid, shy, untrusting, bored, angry, and so on.

- Bring out quiet participants by gently including them in the dialogue. Say: "We haven't had the chance to hear your view yet. Would you like to share it with us?" or "We haven't heard much about how your group feels. What do you think?"
- Treat silence with respect, not fear. There are usually good reasons for it and finding out the reasons will help you re-focus the group on the workshop goals. When silence is bothering the participants or they seem unable to break it, confront it. Say something like: "We all seem to be unusually silent and some of us are looking a bit uneasy. Can we talk about what's happened to cause this? How do you feel about the silence?" We often think that nothing can be happening unless people are talking or that something must be wrong if people are not talking. But communication can still happen without words: participants speak with their eyes, and with hand and body expressions (non-verbal communication). Learn to look for non-verbal communication and to interpret it correctly for the group. Also, participants may want to take some quiet time out, even in a discussion group, to sit and think about what has been said.
- Bring hidden conflicts out in the open. If you see signs of unexpressed disagreement, ask those participants what they are feeling. Say something like: "I sense that we're not dealing with all the issues here. What is going on here? Let's talk about it together." If the whole group is silent, they may not understand the question you have asked to get the conversation going. Try to re-word the question or ask two or three similar questions and then open the discussion up again. If the group is

only giving short and brief answers to your questions, ask more questions to help people say more about their experiences or feelings.

10. Managing Spoilers

Adapted from "Managing a Mediation Process" US Institute of Peace¹¹³

"Spoilers" are people or groups who will try to interrupt or block a mediation. They may be inside or part of the mediation, or outside of it. If they are in the mediation, they may just be there trying to interrupt the process to make sure there is not an agreement. Other spoilers will block agreements if their own interests are not met.

It may be difficult to know at the beginning who is a spoiler. It is important to have all the key groups in the mediation, even those who may turn out to want to spoil or interrupt the process. But if some groups are not included in the mediation, they may be making more trouble or interruption outside of the mediation. So it is important to try to include them. Instead of excluding spoilers, mediators should find ways to manage them in the process through these techniques:

11. Mediators can ask to meet with spoiler groups directly.

Include spoiler groups as observers of the process, but not direct parties to the mediation.

- Try to address the underlying grievances of the spoilers. Find out if they are looking for security, a sense of fairness in distribution of resources, or some form of political recognition and legitimacy. These issues can be made part of the mediation itself.
- Ask potential spoilers to help develop and then commit to a set of ground rules for the mediation that will establish a set of norms for acceptable behaviours.
- Create a set of "carrots and sticks" so that groups that follow the guidelines gain the benefit of mediation and those that do not follow the guidelines will suffer some consequence. The groups in mediation can develop these carrots and sticks at the start of the process, so that they set up their own rewards or punishments.
- As a last resort, spoilers can be told that the mediation process will go forward with or without the spoiler. emphasising that the spoiler's actions will have limited impact on the overall process. They can either be part of the process or not included in the outcome.

12. Breaking Deadlocks

Adapted from Editors: Peter Harris and Ben Reilly Democracy and Deep-Rooted Conflict: Options for Negotiators Institute for Democracy and Electoral Assistance, 1998.¹¹⁴

When the mediation cannot proceed because the groups are at an impasse or cannot work through or agree on how to address an issue, there is a range of strategies to break this deadlock.

- Coalition building– Gain agreement from those groups in the mediation that want to continue talking with each other to form a coalition.
- Unofficial channels– When official mediation or negotiation efforts break down, unofficial channels for communicating can continue and meetings can take place in informal settings.
- Subgroups– Small groups of people can work on difficult issues that are blocking the progress of the larger group. These subgroups can work to develop options for addressing the issue that can then be brought back to the larger group.
- Shuttle mediation– A mediator can work with groups separately to try to make progress or gain clarity on the underlying issues and needs blocking progress in mediation.
- Referendums, consultations and mandates– If the groups in a mediation are not able to identify a way forward, these issues could be put to vote via a referendum or community council meeting.

13. Mediation Teams

A mediation team is a group of people, with different backgrounds or points of view who work together to lead the mediation process. Mediation teams best include a combination of insiders/locals and outsiders/internationals.

- A set of legitimate and respected insiders/locals that hold extensive social capital networks with diverse stakeholders
- A set of credible and respected outsiders/internationals with comparative experience with peace processes in other countries

14. Key Roles of Mediation and Negotiation Support Teams

Experts: Bring technical experts in the specialised skills of negotiation and mediation along with knowing the lessons learned from past peace processes

Trainers: Offer stakeholders training in negotiation, handling and speaking with news media, conflict coaching and other skills necessary to a peace process

Analysis: Engage in on-going analysis and assessment of political, social, economic and security dynamics impacting the peace process

Good Offices: Provide good offices or access to information related to the conflict needed by stakeholders

Envoys: Help identify, communicate with, transmit messages between, and convene diverse stakeholders

Planners: Ensure that all stakeholders accept the location of meetings, arrange for security at meetings, detail protocols, level of confidentiality and other ground rules to foster respectful interactions

Mediators: Model respect for all stakeholders, ensure each stakeholder has adequate and roughly equal time to share their perspectives, identify shared grievances, highlight common ground, develop creative options, design next steps together

Reality Testers: Challenge stakeholders to identify their best alternatives to a negotiated agreement and consensus on the way forward for the country. Identify the costs of not reaching an agreement

Catalysts: Act as catalysts for new forums, programmes, institutions to foster the peace process and on-going peacebuilding.

Sustainers: Provide continuity and sustainability to a long-term, dynamic process

15. Personal attributes of Mediation Teams

In their book, *In Pursuit of Sustainable Peace: The Seven Deadly Sins of Mediation*, Lakhdar Brahimi and Salem Ahmed outline the dangers of ignorance; arrogance; partiality; impotence; haste; inflexibility; and false promises.” They say these are the fatal consequences for the peace process. Instead, members of a mediation team should have at least the following basic skills and values supporting peace processes.

- Commit to using robust diplomatic skills in all situations and peaceful resolution of conflict and demonstrate capability of building or repairing relationships
- Recognise local capacities for facilitation and mediation skills in community, district or national processes or institutions
- Seek and promote inclusive, just and equitable solutions to political conflicts even if the insiders may belong to one or more of the groups considered as key stakeholders

LESSON REVIEW

This lesson reviewed the mediation process for civilian, military, and police leaders working in complex environments. Stakeholders may be able to use mediation to improve the ability of groups to work together toward shared goals and/or to defuse tension, conflict or violence between groups in society that are contributing to a crisis.

Citations

¹¹¹ Lieutenant Matthew Ivey, “Using Mediation to Resolve Disputes between U.S. Military Bases and Foreign Hosts: A Case Study in Japan,” in (*Harvard Negotiation Law Review*, 9 March, 2009). <http://www.hnlr.org/2009/03/using-mediation-to-resolve-disputes-between-us-military-bases-and-foreign-hosts-a-case-study-in-japan/> accessed January 2016.

¹¹² Samuel Walker, Carol Archbold, and Leigh Herbst, *Mediating Citizen Complaints against Police Officers: A Guide for Police and Community Leaders* (Washington, D.C.: U.S. Department of Justice, Office of Community Oriented Policing Services, 2002), <http://restorativejustice.org/am-site/media/mediating-citizen-complaints-against-police-officers.pdf> (accessed January 2016).

¹¹³ Amy L. Smith and David R. Smock. *Managing a Mediation Process*, (Washington D.C.: U.S. Institute of Peace, 2008).

¹¹⁴ Peter Harris and Ben Reilly. *Democracy and Deep-Rooted Conflict: Options for Negotiators*, (Stockholm, Sweden: International Institute for Democracy and Electoral Assistance, (International IDEA), 1998).

Lesson 23

Learning Exercises

Anchor

10 minutes

To begin the lesson, anchor the content in this lesson with an open question:

- What is an example of a time in your life when someone else intervened in a conflict between you and another person? What did that person do to help resolve the conflict?

Add

20 minutes

Present the PowerPoint slides or ask participants to discuss the lesson readings in a small group.

Apply

25 minutes

The goal of this exercise is to practice using mediation skills. A group of young armed men who had been committing acts of violence against both local communities and the local police are going through a process of disarmament, demobilisation and reintegration (DDR). The young men have given up their weapons and are beginning to return to their communities. Some members of the community are unhappy about the return of these former members of the gangs and militias that brought violence to their communities. They want to see the young men punished, not reintegrated into their community. Other members of the community want an end to the cycle of violence and want to welcome the young men back into the community. The community plans a mediation process between the community members who oppose or favour reintegration.

Divide into four groups composed of mixed teams, some representing the security sector or government and others representing civil society. Each group can assign two people to be mediators. Mediators may assume a “pre-mediation” meeting has already taken place to identify the time and place of the meeting. Mediators may begin by introducing and explaining the process.

After 20-30 minutes in the mediation, call time and begin to debrief the exercise. Let the small groups debrief first:

- What did the mediator do well?
- What was challenging?
- What might have helped the process?

In the large group, ask small groups to share the challenges and to ask questions about the process.

Away

5 minutes

To end the lesson, the trainer can ask participants to divide into groups of 2 or 3 people. Participants can share with each other their reflections on this lesson.