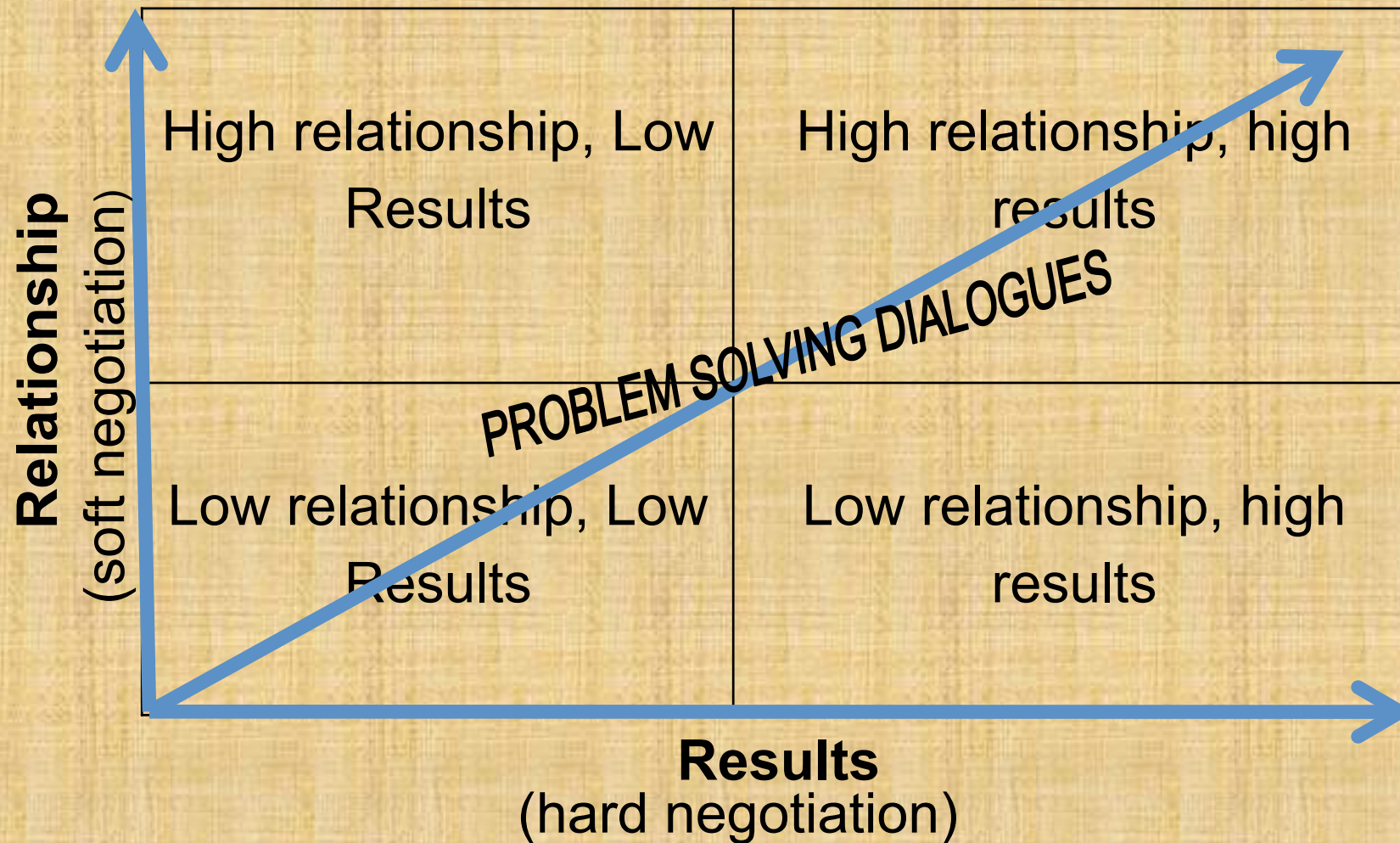


Communication and Negotiation in Multi-Stakeholder Dialogues

Constructive Engagement Workshop
ANSA-EAP, TAN and BL
27 August 2010

Purposes and Strategies for Entering into Collaborative Endeavors



Strategies for Problem Solving Dialogues

1. Framing of own message in assertive and non-adversarial manner
2. Effective communication (active listening, reframing of toxic statements, non-intrusive probing, and non-threatening feedback giving)
3. Effective negotiation approach and techniques

I. Framing and Delivery of the Message

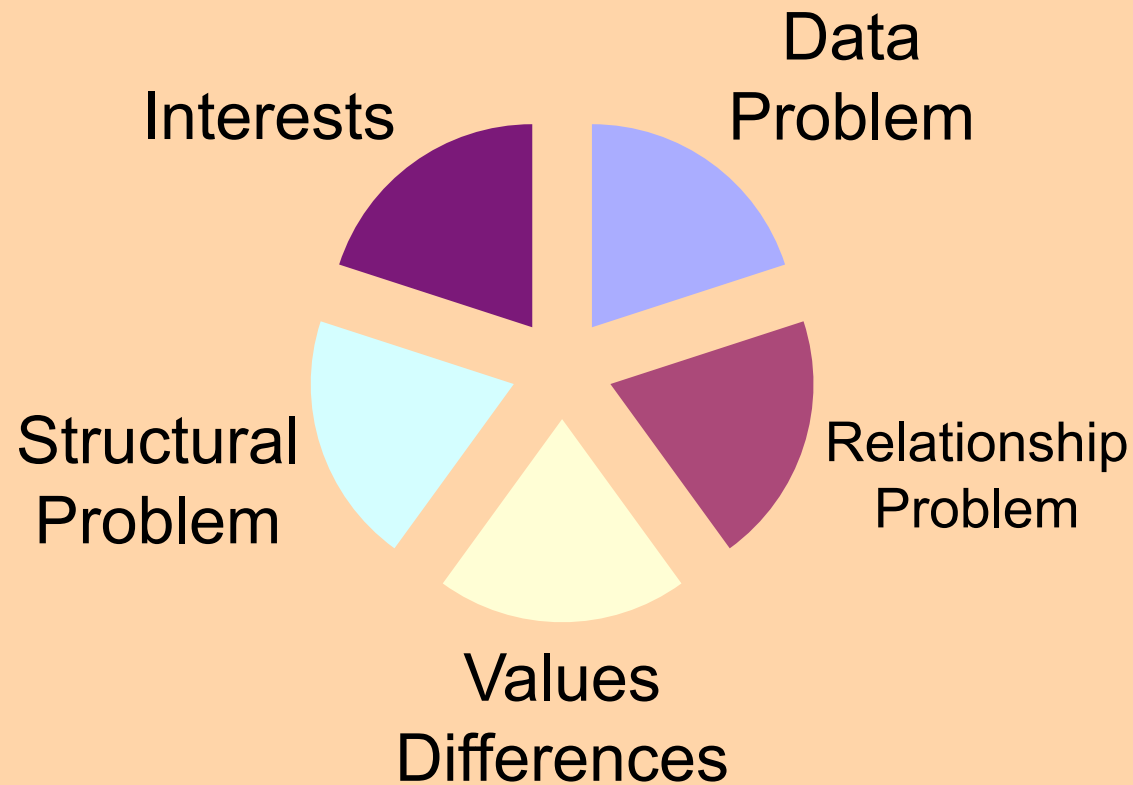
1. Emphasize shared values ●
2. Be specific in describing issues ●
3. Describe the consequences of the issues.
4. Be conscious of how you position yourself and the others ●
5. Use "I" messages in giving own opinion, comments or proposals
6. Seek for feedback by requesting him/her in a non-threatening manner for reactions and agreement/support. ■

Examples of Shared Values (what to emphasize)

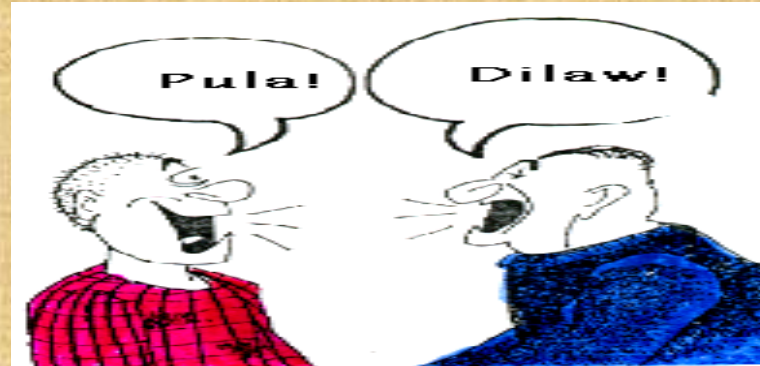
Market Justice Values	Social Justice Values
<ul style="list-style-type: none">• Self-determination and self-discipline• Rugged individualism and self-interest• Benefits based solely on personal effort• Limited obligation to collective good• Limited government intervention	<ul style="list-style-type: none">• Shared responsibility• Interconnection and cooperation• Basic benefits should be assured• Strong obligation to the collective good• Government intervention is necessary



Definition and Diagnosis of Issues



Data Problem



- Lack of information
- Conflicting information/data
- Different analysis of information
- Lack of credibility of information

Relationship Problem



- Past unresolved misunderstanding and quarrels
- Strong emotions
- Incompatible personalities

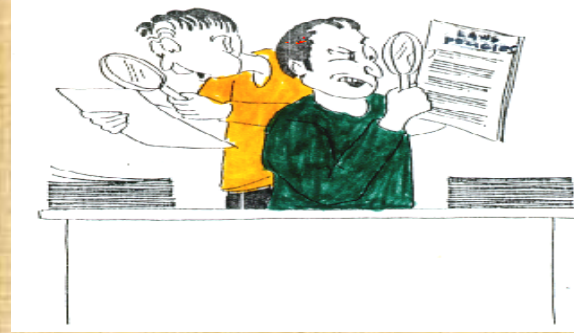
Values Differences



Differences in beliefs and attitudes towards the issue and the parties

- Own rights and duties as far as the issues in conflict are concerned;
- Rights and duties of the other parties
- How conflict should be resolved

Structural Problem



Problems caused by external factors, which cannot be resolved through negotiation between/among disputing parties.

Example:

- The law and its requirements

Interests

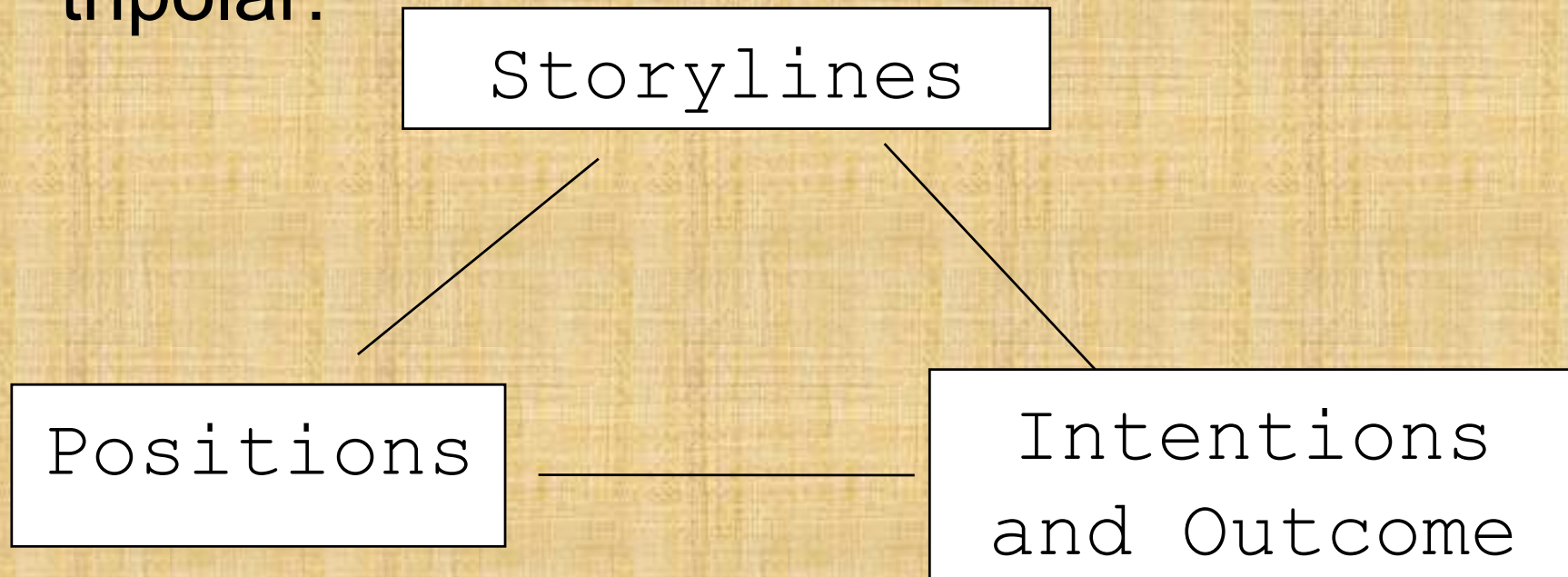


- Substantive (tangible needs, access to services, income, etc.)
- Psychological (respect, acceptance, sense of ownership of decision, etc.)
- Procedural (participatory decision-making, clarity of process, etc.)



Positioning Analysis


The structure of people's messages in social exchanges are viewed to be tripolar:



Elements of Positioning Triad

- Storylines are subjective scripts or narrative convention of speakers
- Positions are description of the characteristics of the speakers during the specific setting and time of the exchange (e.g. powerful, powerless, aggrieved, victims, confident, etc.) and their rights and duties.
- Social meaning, function and outcome of statements

Episodes

- The “positioning triad” is dynamic in that it transforms if its elements change, such as when the people depicted in the storyline reject the way they are being positioned and thereby push for their repositioning.
- Each phase of the transformation of the positioning triangle is called an episode. A new episode ushers in when storylines change, repositioning of people happens, and new meanings and intentions emerge. 

Exercise 1: Framing and Delivery of Messages

1. Give the assigned two groups 10 minutes to prepare for the exercise (multi-stakeholder dialogue)
 - What is the case (subjected to stakeholder analysis the previous day?)
 - What roles to play? Including facilitator
 - Who will play each role?
 - What and how messages will be framed and delivered during the dialogue?

Exercise 1: Framing and Delivery of Messages

2. Ask the other participants to agree on the observation guide and tasks:
 - What to observe – questions to answer?
 - Who will observe who and what?

II. Effective Communication

- Active listening ●
- Non-intrusive probing ●
- Non-threatening feedback ●

Active Listening



Active listening is the capability of one person to demonstrate and prove his/her understanding of the substantive and emotional messages of the speaker

Procedures of Active Listening

- Use conducive listening posture;
- Use appropriate eye contact;
- Paraphrase or repeat in own words the message of the speaker to check understanding;
- Reflect the core feelings expressed verbally and non-verbally by the speaker;
- Ask clarifying questions if necessary;
- Give statements of understanding (e.g. I understand; I see...)
- Ask or welcome clarifications and corrections
- Summarize the speaker's core message

REFRAMING



Translating toxic comments (not nice to hear) into neutral, useful comments that focus on interests.

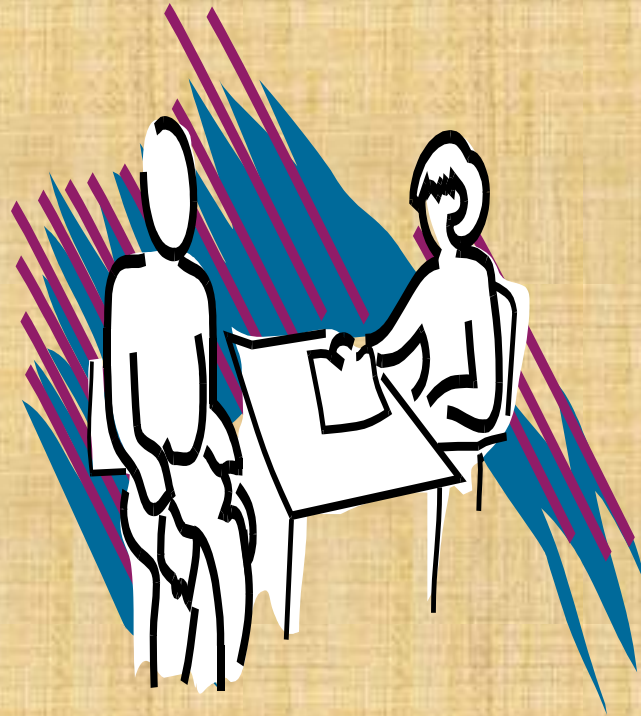
Tips in Reframing

- Listen
- Ignore “garbage”
- Work to understand interests;
- Restate in neutral, positive words that capture the speaker’s interests (So, what is important to you is ...”)



Probing

Probes are statements or questions designed to elicit relevant data from another person



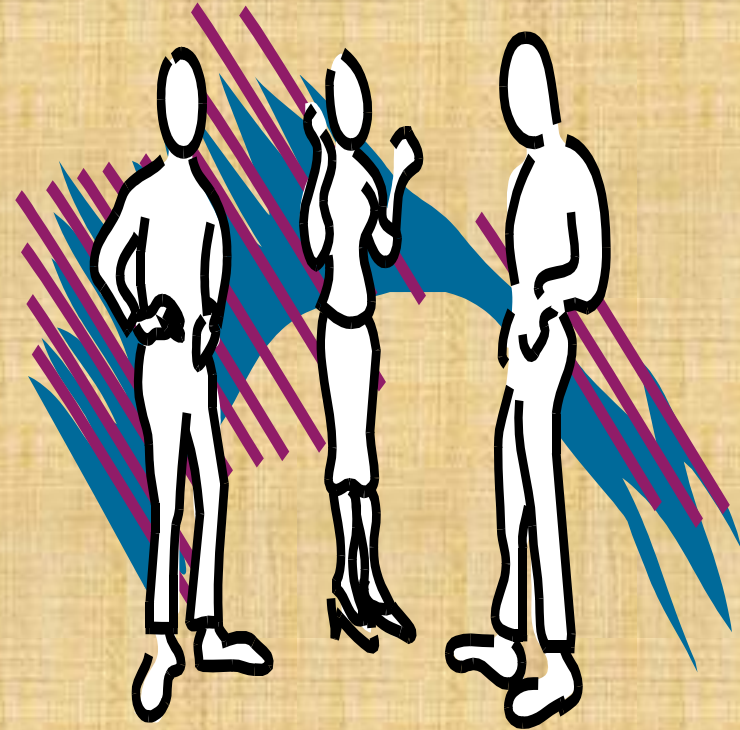
Procedures of Probing

- Ask open-ended questions, such as, what, why, how, where, when, who.
- It will help to organize questions. The ORID framework can help: Objective (situation/facts), Reflective (feelings/values), Interpretative (analysis), Decisive (Actions)
- Ask one question at a time;
- Give the other person time to answer. Don't immediately fill up the silence;
- Reinforce answers verbally



Feedback Giving

An invitation to another person or group to continue peace-enhancing behavior or to change inhibiting or conflict-creating behaviors.



Procedures of Feedback-Giving

- Start with positive feedback (as much as possible, if there is any);
- Be specific in describing the behavior
- Describe the consequences of the behavior.
- Use "I" messages in giving own opinion, comments or suggestions
- Seek for feedback by requesting him/her in a non-threatening manner for reactions.

Exercise 2: Effective Communication

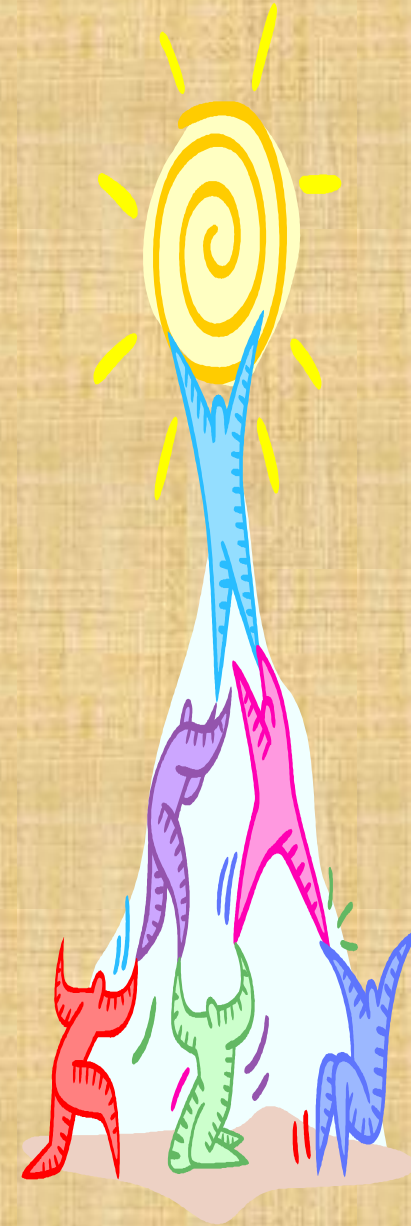
1. Give the two groups 10 minutes to prepare
 - What case to role play (same case)?
 - What roles to play?
 - Who will give message, give toxic statements, actively listen, reframe toxic statements, probe, and give feedback?

Exercise 2: Effective Communication

2. Ask the other participants to agree on the observation guide and tasks:
 - What to observe – questions to answer?
 - Who will observe who and what?

III. Negotiation

- Negotiation is a dispute resolution where two or more parties jointly search for a solution to their problem.
- Essentially, negotiation involves communication and a problem solving strategy



Negotiation Approaches

- Power-based Negotiation
- Interest-based Negotiation



Power-based Negotiation

POWER-BASED NEGOTIATION APPROACH focuses on the proposed solutions to the problem and exertion or withdrawal of power to reach solution.

Power-based Negotiation

There are two types of power-based negotiation:

- The hard or competitive negotiators, who seek to win by defeating the other party at all costs; and
- The soft negotiators, who easily give in to the demands of the other side for the sake of the relationship.

Soft Negotiators

How the Other Side is Regarded	People whose power the soft negotiator cannot match, or whom the negotiator depends on or would like to maintain relationship with.
Goal of Negotiation	Any agreement is better than severing the relationship.
Negotiation Posture	Be soft on the people and the problem <ul style="list-style-type: none">• Be willing to accept one-sided losses to reach agreement and maintain relationship• Search for an answer that the other side will accept.

Hard Negotiators

How the Other Side is Regarded	Adversaries
Goal	Victory = Defeat of the Other Party
Negotiation Posture	Be hard on the problem and the people: <ul style="list-style-type: none">• Insist on own proposed solutions• Apply power (pressures and make threats)• Search for the answer that the HARD NEGO will accept (without consideration of the other party)

Interest-based Negotiation

INTEREST-BASED NEGOTIATION

focuses on the reasons behind proposed solutions, and searches for mutually acceptable and beneficial solutions.

Power-based vs. Interest-based Negotiation

I want you to stop working so you can take care of our children full time.

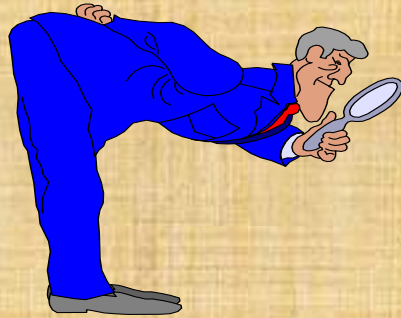
Husband

I don't want to stop working because your salaries are not enough for our needs and I also want to have my own source of income.

Wife

Interest-based Negotiation

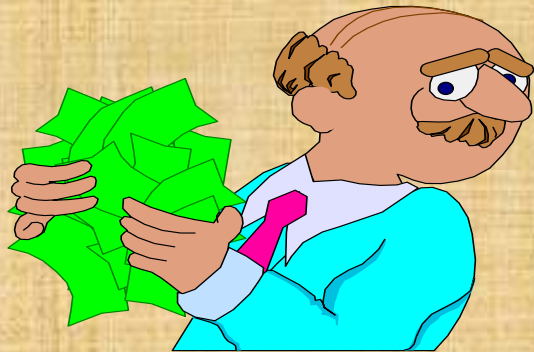
How the Other Side is Regarded	<ul style="list-style-type: none">• A co-stakeholder• A co-problem solver
Goal	A wise outcome reached efficiently and amicably.
Negotiation Posture	<ol style="list-style-type: none">1. Make a sound diagnosis of the problem.2. Work to understand the reasons behind positions.3. Invent options for mutual gains.4. Seek the use of objective criteria in the selection of the best option5. Develop own BATNA and understand BATNA of other parties.



1. Make a **SOUND** **DIAGNOSIS** of the **CONFLICT**

- Identify **PEOPLE PROBLEM(s)** and **SUBSTANTIVE PROBLEM(s)**
- People problem refers to problems related to perceptions/beliefs, emotions & communications.
- Substantive problem refers to tangible issues which the parties want to resolve through negotiation.

2. Work to understand REASONS behind PROPOSED SOLUTIONS or ACTIONS



- There can be **multiple reasons** behind one's proposed solutions.



Exercise: Identify reasons behind proposed solutions

We cannot ban commercial fishing in the municipal waters because they help us raise our municipal revenues

Vice-Mayor

You have to ban commercial fishing in the municipal waters because they affect our fish catch and destroy our coral reefs.

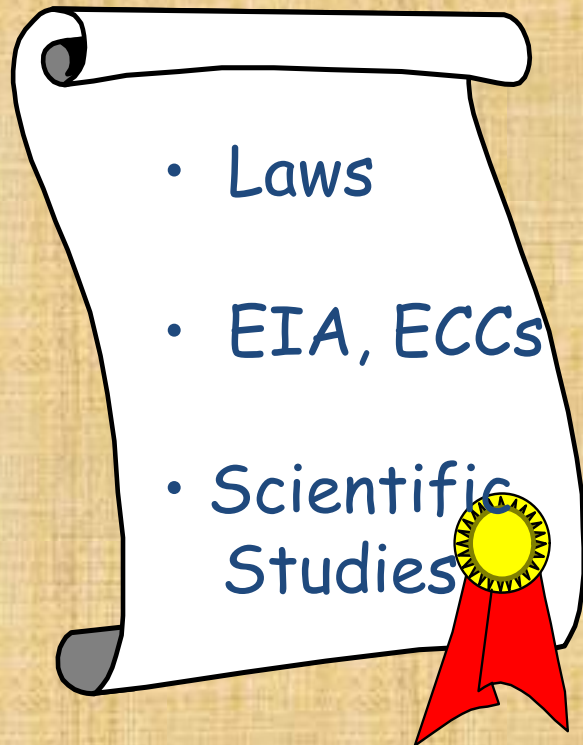
Small Fishers' Association

3. Invent Options for Mutual Gains



- Options are our alternative proposals if the proposed solutions are in conflict
- Options seek to address reasons or interests behind proposed solutions.
- Options aim to benefit both parties.
- Done in a brainstorming manner.
No outright rejection of proposals.

4. Seek for Use of Objective Criteria in the SELECTION OF BEST OPTION



- Objective criteria refers to the negotiators' standard of fairness.
- Possible basis: cost effectiveness, market, efficiency, experts' advise, tradition, etc.

Importance of the Use of Objective Criteria

- Leads the negotiators to make decisions based on merits and not on pressures.
- Nobody feels taken because the decision is based on a mutually acceptable standard of fairness.
- Gives the negotiators a common framework for evaluating the generated options.

5. Develop BATNA and Understand the BATNA of other Parties

- BATNA means Best Alternative to A Negotiated Agreement
- It refers to alternative course (s) of action if the negotiation fails.



The Values of BATNA

- Addresses power imbalance;
- Can change the rules of the game from hard negotiation to interest-based negotiation
- Brings the hard negotiators to their senses.
- Shows the consequences of a no agreement

Exercise 3: Negotiation

1. Give the assigned two groups 15 minutes to prepare:
 - What case? What is the conflict (an issue where proposed solutions/actions are conflicting)?
 - What are the roles? Who will play these roles?

Exercise 3: Negotiation

2. Let the other groups prepare their observation guide:

- Questions to ask
- Review feedback form

References

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Thank you!