PIN Points

From the PIN Steering Committee

PIN at IIASA: Its Research and Academic Value

Cooperation in international research comes in different shapes and forms. There are international projects where two or more groups from different countries unite in their efforts to study a specific problem of common concern. There are joint research centers and institutions, like IIASA, where researchers get together to study common problems. And there are also opportunities for individual researchers to apply—collectively or individually—to study a subject considered important by those who provide and receive support.

From the very beginning, the PIN Program chose a specific type of cooperation and joint research. The PIN Steering Committee, consisting of leading scholars on negotiations from Austria, France, Germany, the Netherlands, Russia, Sweden, and the United States, had several functions: it outlined a general research direction based on the opinion of the father of modern negotiation theory, Howard Raiffa, that IIASA is the most appropriate place to study international negotiation, and it organized book projects on individual subjects. Each book project was the result of an individual proposal by a group member and adopted collectively as a new "PIN project." The approach was always accompanied by brainstorming or an ad hoc seminar on the subject, plus a discussion as to what stage the study was at and which individual researchers in different countries would be interested in taking part in it.

The PIN Steering Committee also kept a large international audience (of up to 4,000 individuals or organizations) informed on the latest PIN developments and general negotiation research through conferences, seminars, and new publications. The connection was not one-sided, for it was from among them that the PIN Steering Committee found contributors for new book projects and people to participate in discussions on drafts of new papers.

Finally, the PIN Steering Committee developed the practice of "Roadshows." These bring interested audiences from as far apart as Japan and Argentina information on IIASA and its agenda on the one hand and state-of-the-art negotiation research on the other.

It was thus a very specific and productive scheme that grew up around PIN, with 17 books being published by PIN in its fewer than 20 years of existence. PIN has brought under IIASA's roof a series of theoretical and applied works that have made the Institute the leading international institute for negotiation research in the world. On the basis of this work, national PIN groups have been launched in France, Germany, Finland, and the Netherlands, giving PIN works a universal dimension (prompting some people to call PIN a "network," although this is only part of the whole picture).

The number of publications is not the only visible feature of PIN. Its books are translated into Chinese, Greek, Japanese, and Spanish. Its leading "state-of-the-art" monograph (two editions within 11 years) received the 2002 Book Award of the International Institute for Conflict Prevention & Resolution, New York, USA. Recognition of PIN's achievements also led Sage Publishers to choose the group as editors of a prestigious international volume on conflict resolution.

All this information must be borne in mind because PIN is still a new mode of international cooperation in applied scientific research. It has avoided large groups engaged in in-house research; instead, it is based on "homework" done by the members of the Steering Committee who regard IIASA as a friendly meeting ground that provides an appropriate "shelter" to this international effort. Generally, PIN has been an attempt to work out a promising scheme of international cooperation.

Understandably, there have been those who have doubted PIN's value and insist that a traditional "in-house" research scheme should be used in this case as in others. Conservative approaches in science, as in other areas of human activity, have every right to

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exist provided that such conservatism is balanced by innovative activities and that continuity in research strategies is accompanied by change. Otherwise, it is easy to destroy the delicate balance of positions, approaches, principles, and other elements of thinking that have allowed the birth of such a unique group as PIN.

Based on an analysis of the existing record, there appear to be no solid grounds for considering changes in PIN's organization to further the work of either PIN or IIASA. The fact that PIN has introduced a new mode of cooperation that has proven to be a success both for science and for international cooperation has made not only the product but also the path to it noteworthy.

We pledge to our network that we will continue to do everything possible to maintain the integrity of both in the future in order to keep the creation and the dissemination of practical and conceptual knowledge about negotiation both open and available.

Rudolf Avenhaus, *Franz Cede*, *Guy Olivier Faure*, *Victor Kremenyuk*, *Paul Meerts*, *Gunnar Sjöstedt*, and *I. William Zartman*
Article contributed by *Victor Kremenyuk*

Negotiating with Terrorists

Officially, the subject does not exist: we do not negotiate with terrorists.[1] Practically speaking, however, there are negotiations and negotiations—and there are terrorists and terrorists. Negotiating with terrorists is possible, within limits. Limits come initially in the distinction between absolute and contingent terrorists, between total and conditional absolutes, and between barricaders, kidnappers, and hijackers in the contingent category. Total absolutes are nonnegotiable adversaries, but even conditional absolutes are potentially negotiable, and contingent terrorists actually seek negotiation. The official negotiator is faced with the task of giving a little in order to get the terrorist to give a lot, a particularly difficult imbalance to obtain, given the highly committed and desperate nature of terrorists as they follow rational but highly unconventional tactics.

Terrorists

Terrorism is defined by United Nations Security Council Resolution (UNSCR) 1373 as violent or criminal acts designed to create a state of terror in the general public and by the United States government as premeditated, politically motivated violence perpetrated against noncombatant targets by subnational groups or clandestine agents, usually intended to influence an audience. The research questions raised by the negotiation issue are many. When do/can negotiations take place with terrorists? How does one negotiate with terrorists? Why negotiate with terrorists—what elements of tactics, morals, and purpose are involved? With which terrorists can one negotiate, and how are they categorized? And what does the fact of dealing with terrorists have to do with the negotiation process? These are the challenges of negotiating with terrorists that the next project of the PIN Group seeks to explore and elucidate.

The analysis begins by drawing distinctions within the broad concept, starting by separating *absolute* from *contingent* terrorists. Absolute terrorists are those whose action is noninstrumentalist, who commit a self-contained act that is completed when it has occurred and is not a step to a second action. Absolute terrorism is the demonstrative act of the weak; it expresses the frustration of the "suicider" with the situation and his inability to change it by any other means. Suiciders are absolute terrorists, and thus are beyond negotiation, even beyond dissuasion. Suiciders are the ultimate altruists, willing to give themselves up for a common good that they will not share or at least to protest a common ill that they do share—although, of course, they are also willing to involve others in their sacrifice.

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Absolute terrorists do not want society to be whole again; they want it wounded and bleeding. To be able to commit terror, they must believe in their own rectitude, whether the sense of justice that counterbalances their asymmetrical power position comes from revelation (as in the case of fundamentalists), from revolution (as in the case of social revolutionaries), or from revulsion against a world they feel owes them this right as a result of its own basic discrimination or corruption (nationalists and criminals, respectively). It is not only the suicidal tactics but the unlimited cause that makes for truly absolute terrorism. When the cause is world social and political revolution, it becomes an unattainable millennial dream used to justify totally indiscriminate tactics. Both revolutionaries and fundamentalists want to overthrow the given social system and build a new world in the image of their dreams, and terrorists are willing both to kill others and die

themselves to achieve their goal. The play *Les Justes* by French writer Albert Camus gives as important insights into religious as into ideological motivations.

Within the category, however, *total* (or revolutionary) *absolutes* can be distinguished from *conditional absolutes.* Total absolutes have nothing to negotiate about; they have nothing to negotiate with, and any attempt to negotiate with them only encourages them, as is often noted. As contact and communication are basic conditions of negotiation, inaccessibility is another component of absolute terrorists. It is notoriously difficult even to contact them and to talk them out of their act while they are up in the air or even on the street heading toward their target. However, even here a distinction needs to be made between the terrorists themselves (the suiciders) and their operatives or organizers. The organizers do not blow themselves up. They are not madmen but highly rational and strategic calculators.

Conditional absolutes are suiciders who use the same tactics but for finite, dividable, exchangeable goals, even though their act itself is as self-contained and absolute as that of any other suiciders. They do have something to negotiate about—territory, independence, conditions—even if their suicide tactics are absolute. Here the distinction between agent and organizer makes it possible to divide the terrorists, pulling the organizer as a conditional absolute away from the agent as a total absolute. Still, their purpose is so broad that it is unlikely to lend itself to negotiation, and indeed negotiation and the compromises involved in it are likely to be seen as damaging to the galvanizing purpose of the terrorist organizer in a desperate, asymmetrical situation.

Contingent or instrumental terrorism refers mainly to hostage taking and covers much of the literature of the past century on negotiating with terrorists. Its violence is not definitive or absolute; it is accomplished only in part by the act of hostage taking and is threatened or contingent in the rest, as in the fate promised for the hostages if the demands are not met. A distinction between barricade and kidnapping terrorists highlights an important

difference: the sustainability and vulnerability of the situation and, beyond that, the typical difference between the perpetrators—barricaders being more frequently mentally imbalanced and kidnappers being either extortionists (criminals) or militants. A third contingent type is the non-suicidal aerial hijacker whose situation is that of a barricader on the ground but more sustainable within limits in the air precisely because of the vulnerability of the hostages. Not all hostage taking is contingent. Airline suiciders are absolute terrorists; their goal is their own sacrifice as well as the sacrifice of their hostages, and there is no way of negotiating a compromise. Moreover, once the hostage taker has killed his hostage(s), he verges on the absolutist, for he has nothing more to negotiate about or with.

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"All terrorists are hostage takers and all are their own victims."

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Negotiations

Contingent terrorists seek negotiations, to exchange their victims for something —publicity, ransom, release of their friends. They use others' lives as exchange currency for other goals and want to get the full price for their hostages; for the most part, live hostages are better bargaining material than dead ones. Hostages are capital or, more precisely, bargaining chips, that is, items of no intrinsic value to the bargainer but created for the purpose of being bargained away. Contingent terrorists try to overcome their essentially weak position by appropriating a part of the other side and trying to get the best deal out of the other side's efforts to get that part back, to make itself whole again.

All terrorists are hostage takers and all are their own victims. The standard hostage-taking terrorist takes identifiable hostages; the suicidal terrorist holds the people around him hostage, adding to the terror itself by the fact that they never know when they will

become his chosen victims. Fear makes the whole population hostage to the terrorist, and some of the population are victims at any specific time. But the terrorists are all their own victims. The suicider kills himself along with his victims, just as the hostage taker has taken himself hostage; he cannot escape from the barricade, kidnap hideout, or hijacked plane any more than his captives can.

The problem in the case of contingent terrorists is not that they are not interested in negotiating but that the world does not accept their deal. But that is merely an extreme case of a typical negotiating situation. In that situation there are two appropriate negotiating strategies—either reduce or change their terms. Negotiators need to construct legitimacy for a negotiated agreement and build the terrorists' independent decision-making capabilities to think in terms of lowered expectations and thus of lowered demands. Treatment as equals, development of the legitimacy of a solution, and expansion of options are all ways of moving the hostage takers off positional bargaining and opening up the possibility of a fruitful search for mutually satisfactory solutions by newly defined standards.

Negotiators can also change the terrorists' terms of trade—the price demanded for hostage release—from their demands to their fate. Terrorists tend to focus on their original terms of trade—release of hostages in exchange for fulfillment of demands—and are not looking for alternatives, in other words, options that need to be developed if negotiations are to succeed. They need to be shown that there is no chance of their original demands being met but that their future personal situation is open for discussion; innumerable details then become available for negotiation. The two messages must be delivered in tandem, indicating that while one is closed to

the subject of negotiations is in order, whereas at other points parties can explore alternatives and options. Structurally, time is on the side of the negotiator, a point that the terrorist may seek to reverse by either killing or releasing some of his hostages.

All this is not to suggest either that terrorists' demands are to be considered legitimate in principle and only require some tailoring around the edges or that concessions do not encourage contingent as well as absolute terrorists. While the answer to the question of whether negotiations can be conducted with terrorists is that contingent terrorists are, in fact, looking for negotiations and that even conditional

pressure of the terrorism itself. If the negotiator should make concessions to the terrorist part of the negotiation process, so too must the terrorist, and the absolute terrorist organizer does have something to offer as payment—his choice of terrorist tactics. Thus, the answer of the negotiator to his public's fears of appeasing and legitimizing terrorism lies in the deal he is able to extract from the terrorist and in his need to focus on the fate of the victims.

In a word, negotiating with terrorists is possible, but only within limits. Limits come initially in the distinction between absolute and contingent terrorists, and then within these categories in the restrictions on strategies open to the terrorists' negotiating adversaries. But we need to know more about the subject. These are avenues that the papers for the PIN workshop in June 2006 will explore.

I. William Zartman

Notes

[1] The FBI says, "We do not negotiate with terrorists; we negotiate against terrorists."

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> "If negotiating leads the terrorist to a purely symbolic result—a radio broadcast or a newspaper ad presenting his position, he is more likely to decide that the result is not worth the effort rather than to feel encouraged to do it again."

discussion, the other is open and personally more compelling, giving them the prospect of something real and attainable. As in any negotiations, when the terrorists become convinced that a search for a solution is legitimate and acceptable to both sides, they become joint searchers for a solution to a problem rather than adversaries. To entice them into this common pursuit, they need to be convinced that the other side is willing to consider their interests and not just their actions, strategies, and tactics.

Both strategies depend on removing obstacles to creative negotiating, indicating the legitimacy and interest of both parties in finding a solution and developing a range of options. At this point, the problem returns to the other side, to the official negotiator who needs to lead the terrorist against his will into the give-and-take of negotiation. There is room for a wide range of tactics; at some point take-it-or-leave-it offers are useful, whereas at other times invitations to further refinement and creative thinking are appropriate; at some points firmness in

absolutes have something negotiable in mind, the answer to the next question of how much of their demands can be considered acceptable depends on their content and on the importance of freeing the hostages. It is not the matter of negotiation per se that encourages contingent terrorism but rather the degree to which the terrorists are able to achieve their demands by negotiation. If negotiating leads the terrorist to a purely symbolic result—a radio broadcast or a newspaper ad presenting his position, he is more likely to decide that the result is not worth the effort rather than to feel encouraged to do it again. Or, if negotiating leads the terrorist to a bargain for his escape and totally neglects his original demands, he is not likely to feel encouraged to have another try. Thus, in the case of contingent terror, any encouragement would come from the results but not from the act of negotiating itself.

Similarly, the negotiator needs to offer the conditional absolute terrorist concessions to his demands as the payment for abandoning his violent terrorism, not concessions to the

The Four Dimensions of Chairing

All negotiations in international organizations and all multi-lateral conferences are chaired by member state representatives or supranational officials who have mandates to manage the agenda, structure the deliberations, and broker agreements. Yet existing literature offers no coherent explanation of the sources of this institutional practice and its effects on negotiation outcomes (Tallberg, 2002, 2). It is indeed striking that literature on chairing negotiations is virtually absent, although some insights by Lang (1998), Kaufmann (1998), and Güggenbühl (2004) were mentioned in PINPoints 24 (Meerts, 2005,6)

The purpose of the comments in the present PINPoints, however, is not to look at the relationship between chairing and summing up. We will focus foremost on the role of chairpersons as managers of negotiation processes. *Four elements of effective chairing* can be distinguished, and chairs operate on each of these levels which run parallel during the whole process of negotiation: *procedure, managing substance, managing process,* and *managing behavior.* Although all four dimensions will have to be managed at any one time, there is a certain shift in intensity as the negotiation evolves.

Procedure is a main issue at the beginning of the meeting (what are the rules and regulations?) and at the end (are we deciding by unanimity, consensus, or simple/qualified majority voting?). Managing the process pops up at regular intervals, especially if the negotiation gets tense, for example, if crisis is imminent. While the management of procedure and process is mainly done in and around the plenary sessions, people management is very much a question of lobbying. Chairs will have to be available to negotiators before, during, after, and around the negotiation process. Issue management has to be done at all times, of course.

Managing substance is the aim of the negotiation process—the negotiations are conducted in order to achieve an outcome. For the chair it is essential to have a thorough knowledge of the dossier he or she is dealing with. The history of the issues has to be understood by the presiding officer who will have to be capable of explaining the background of the dossier to those negotiators who are new to the process. To acquire such a thorough knowledge, the chair will have to work closely with the Secretariat of the conference and/or working group he or she is in charge of.

Planning is of the utmost importance. It should be noted that effective planning can be done only if the chair is aware of the priorities of the countries involved and the possible concessions they will be willing to make. Without understanding the rank/order, the chair will never be able to set a relevant agenda. As the negotiation process moves on, the chair should divide the substance in digestible parts—put together bits and pieces into acceptable packages—and know what to throw out if certain sentences appear to be un…

Understanding the problems and possibilities regarding substance gives the chair a chance to do some "preventive" guidance. He or she should try to move unnecessary obstacles if possible, preventing any loss of face on the part of the national delegations on the substantive issues relevant to them.

One of the major issues here is the need to have a thorough understanding of the position and interests of the country to which the chair belongs. Chairs have to coordinate their own delegation but should not identify with its needs. The chair has to be fair. The complete neutrality of the chair cannot be expected. After all, the chair's own delegation should not be defenceless. But the delegation should also be aware that it cannot take a very outspoken position without undermining the legitimacy of a fellow compatriot who is chairing the meeting.

It is understood, however, that it is much easier for chairs to be impartial if the interests of their delegation are close to the common ground of the negotiation (Tallberg, 2002, 31). That is why chairs belonging to powerful countries are often not as effective as those from smaller countries that have less of a conflict of interests. Denmark, Finland, and Ireland did a much better job as presidents of the European Union than France, Germany, and Italy. It is difficult to strike a balance between the distance a chair should take from the position of its own government. Too far out weakens a chair's position, making it impossible for the chair to fall back on its own national delegation. But too close a relationship provokes interventions by its government, leading to micromanagement by the home front—bureaucrats meddling in the negotiation process and thereby hampering it, perhaps.

Mastering procedure means being very well aware of the rules and regulations of the organization and the conference over which the chair is presiding. Here the Secretariat steps in again; after all, its members have a thorough and continuous insight into the procedures and their effectiveness. The chair will have to be firm, especially at the outset of the negotiation process, in implementing the procedures that have been decided upon. But at the same time the chair has to be flexible in implementing them. Assertive, but not unnecessary bureaucratic.

Culture plays a role in adhering to a strict or loose procedure. The chair will have to take into account that in some cultures procedure is not considered to be a very important facet of the negotiation process; it might even be seen as an obstacle to a smooth process. In other cultures, however, procedures are essential for saving the face of the chair and the negotiators. Rituals play a role in avoiding risk, which is especially important in collectivistic societies.

The stronger the institution, the more outspoken its rules tend to be. But paradoxically, the more integrated the organization, the less of a need there is for strict rules. The continuity of the negotiating body, and the standards and values it develops, create mutual understanding among negotiators, making life easy for the chair. Negotiators then

"automatically" adhere to the rules. There is no need for the chair to impose them. Trust also plays a role here. The more trust, the fewer rules are needed to protect the negotiators and the negotiation process. On the other hand, the procedures can be seen as a tool for the chair to use to compensate for a lack of trust.

Finally, there is the point of the decision-making procedure, different from organization to organization. That procedure has a decisive impact on the outcome of the negotiation processes. If unanimity or consensus are the rule, then it will be difficult for the chair to reach substantive outcomes. If (qualified) majority voting is the decision-making procedure, then the minority can… Hence the chair can more easily push for substantive outcomes. But of course we also have mixed systems here, as applied in the United Nations Security Council, for example.

Managing process. One of the best tools chairs have at their disposal for reaching assured outcomes is the negotiation process itself. If the chair mismanages the process then fruitful outcomes are hard to reach. The chair will have to be conscious of the most effective sequence of that process. If certain issues are decided upon too early in the process, then more-effective package deals might be blocked. Suboptimal outcomes will be the result. Chairs will have to allow for a stage of exploration. Here, culture comes in again. In some cultures (e.g., Japan) the give-and-take is seen as a dangerous part of the process. The chair has a special task here to protect the face of the negotiators, to be aware of salami tactics and the development of an entrapment situation. The chair has to see to it that the process will be evenhanded.

The end-game management might be the most difficult job facing a chair. Chairs have to use insight, knowledge, and intuition. Is the time ripe for decision making, is there a "mutually hurting stalemate" (push) and a "mutually enticing opportunity" (pull)? It is essential for the chair to keep an eye on the context of the negotiation process. It is all a matter of timing, but political developments

may also further or hamper the progress of the process. Here again, the availability of the chair is essential, inside and outside the actual process of negotiation.

Managing behavior. The chair should have some psychological competence and therefore diplomatic skills. The style of the chair is important here. Does the chair have an action-oriented style, or maybe process-oriented, people-oriented, or idea-oriented? Can the chair adapt its overall style to the situation in which it finds itself? The same is true for the leadership style. Are we dealing with a dominant, avoidant, accommodative, compromising, or collaborative chair style? And again, can the chair adapt its leadership style to the circumstances? The chair will have to develop formal and, especially,

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informal relationships with the negotiators and also with his own delegation and the authorities back home. The atmosphere of the negotiations will have to be influenced by the chair in a way that will enhance the chances of a successful process. Being emotional is counterproductive, but not being empathic will not make for a favorable climate in the negotiations either. The behavior of the chair will be characterized by the different roles it performs. Tallberg (2004) distinguishes the roles of a chair as representing the negotiation group, as an agenda seller, and as a broker/mediator. The chair will have to be fully committed to its task, but overcommitment can be a burden for the group. Again, a balance will have to be struck.

And finally the *behavior* of the chair will have to be characterized by the ability to apply the most effective techniques. For example, a Dutch chair once applied the technique of writing a draft of his own as an informal alternative to the official text which was marred by thousands of brackets. He said that every change was welcome, but only after consensus. Brackets were not accepted. After a few weeks negotiators replaced the official text with the chair's informal draft as a final document. A less effective technique is the preparation of a final draft in consultation with only some of the negotiators. This raises suspicions among those left out, thereby lowering trust in the chair (Hauck, 2005, 8).

To conclude: the effectiveness of the chair is a decisive factor in international negotiation processes. Training chairs is an important feature of this, and to that end special exercises have been developed. The *Journal of International Negotiation* will hopefully publish a special issue on chairing negotiations at the end of 2006/beginning of 2007.

Paul Meerts

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The Young Scientists Summer Program (YSSP) at IIASA 2005

Every June about 60 graduate students from around the world come to IIASA for three months to participate in the Young Scientists Summer Program (YSSP). Like all the other research programs at IIASA, PIN hosts several YSSP students each year to work on individual research projects that relate to the program's general research areas. The YSSP experience is a fantastic opportunity for young academics to work on their own research projects in the proximity of a core group of senior scientists in their field. Further, because of the breadth of IIASA's research, it is an interdisciplinary environment where conversations around the lunch table can touch on everything from the evolution of dust mites to negotiating with terrorists.

"As a student, you benefit greatly from the opportunities, both formally and informally, to discuss your work and from the accessibility of senior researchers in your field."

Having been a YSSP student in 2002, I was invited to return for three months during the summer of 2005 to "cash in" my 2002 YSSP scholarship award. My "roommates" this past summer were three wonderful PIN students: Konstantin Rachev from the Institute for the US and Canada Studies of the Russian Academy of Sciences, Moscow, Simone Eysink from the Clingendael Institute in the Netherlands, and Dragica Fridl from the Johns Hopkins University School of Advanced International Studies in Washington D.C..

Trying to describe these three students with some abstract all-encompassing adjective seems meaningless. Although all three deserve stunning and flattering descriptions of their work and research, it is probably their individuality that

most comes to mind when I think back on the past events. Although all were equally diligent, their research projects were just as different as their personalities, the only link seemingly being the range that the PIN Group's work can fall into from *concept creation*, to *theory testing,* to *theory application*. However, this also made the summer extremely interesting and engaging as it led to many interesting discussions, demonstrations, even arguments, walks in the park, and scribbled models on chalkboards and notice boards.

When I arrived at IIASA I was immediately whisked off by an eager Konstantin, who explained his theory of negotiation to me while we walked around the inner courtyard of the Laxenburg *Schloss*. First, thinking that my initial confusion was due to jet lag I listened patiently, only to realize that what he really wanted was someone who would argue back, scratch out his models and draw new ones on top, fill his abstracts with comments and red ink and "happy faces," and suggest alternative literature. "Kosta" would then go home, revise his whole theory or rework his PowerPoints, only to come back the next day and start the whole process from the beginning.

Then there was Simone, so immersed in her papers and literature on Myanmar and multilateral negotiations that most of the time we only saw the nape of her neck. Amazingly productive and extremely diligent, she managed to crank out her 71 pages safely within the margins of the summer and seemingly, because of her many smiles and cheerful personality, with very little effort. Finally, there was Dragica, somewhat like a whirlwind, her work on the Belgian peace process appearing almost magically while she was shuttling between IIASA and the University of Vienna library. Not to forget that most of the time, all four of us sat at our desks, staring into our computers and books, leaving very little else to the imagination.
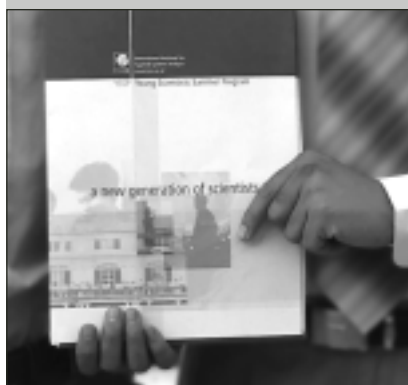
Young Scientists Summer Program participants pictured in the Schloss at Laxenburg.

As none of the PIN Steering Committee members are based full-time at IIASA, the PIN students of the Young Scientists Summer Program are comparatively independent in their research, something that naturally has both advantages and disadvantages. Visits by Victor Kremenyuk and Gunnar Sjöstedt at different points during the summer are valuable, as they provide deadlines and structure. The high point, however, comes when the whole PIN Steering Committee descends on IIASA for a few days in the middle of the summer for committee meetings and for author conferences on PIN-edited anthologies. The discussions and networking during this time is not only encouraging and inspiring for the PIN students but can be absolutely decisive in terms of the success of their research.

As a student, you benefit greatly from the opportunities, both formally and informally, to discuss your work and from the accessibility of senior researchers in your field. Further, the more each individual student is involved in the activities during the conferences, the more he/she will feel part of the PIN project as a whole. Ideally, all the PIN students should be recruited as authors for chapters in future PIN books as well as used as discussants at the authors' conference. Steps such as these would greatly benefit their work and enhance their academic experience at IIASA.

The summer of 2005 went smoothly because of a wonderful group of YSSP students but also because of Tanja Huber, who kept spirits high and supplied birthday candles, cake, and strawberry champagne whenever there was a reason to celebrate. Without those moments, and without the bars in nearby Mödling and the *Heurige*, where we went to drink wine, the volleyball tournament, the triathlon. and all the ethnic parties, the summer would have been much duller and certainly less productive.

In this PINPoints issue, Konstantin and Dragica tell us briefly about their research and findings during the summer of 2005 at IIASA. Konstantin's report, *Negotiation as a Means versus Negotiation as an End*, is still being polished and will be published by IIASA as an Interim Report; Simone Eysink's report, *The Interaction between State and Non-State Actors: The Role of Human Rights within the ASEM Dialogue,* likewise, and Dragica Fridl's report, *Incomplete Negotiations: The Belgian Case* has now been published as Interim Report IR-05-041. Dragica's work will also be included as a chapter in the upcoming PIN book project dealing with "Lessons from Negotiations That Do Not End in Agreement."

Tova Norlen

Roadshow at PRIO, Oslo

The 2005 PIN Roadshow was held at the International Peace Research Institute, Oslo (PRIO) on 11 October. Scott Gates, the Director of the Centre for the Study of Civil War (CSCW) at PRIO and Marit Moe, Managing Editor and Research Assistant of the Institute, helped organize this popular event. More than 60 students and scientists joined the PIN Group to discuss topics such as the *Ripeness of Negotiations* (I. William Zartman); *Negotiating the Middle East: The Entrapment Phenomenon* (Paul Meerts); *The Three Dimensions of Negotiation* (Victor Kremenyuk); and *Problems of Negotiating Ecological Conflicts* (Gunnar Sjöstedt).

The session started with an introduction by the CSCW Director, followed by a short overview of PIN's work at IIASA and the PIN Group's network function. The talks each lasted 30 minutes. In the afternoon, individual plenary sessions with all four speakers were held in different rooms. Paul Meerts' group explored the meaning behind "negotiation" as well as the topic of experienced negotiators versus inexperienced negotiators. Most important, however, was the question of how to start a negotiation process in the first place.

Pictured at the PRIO Roadshow in Oslo are, *left to right*: Victor Kremenyuk, Scott Gates, I. William Zartman, Tanja Huber, Paul Meerts, and Gunnar Sjöstedt.

The second group, hosted by I. William Zartman, broadly discussed the issue of hurting stalemates and the various meanings behind the word "ripeness" (e.g., ripeness of a situation versus the ripeness of certain individuals). Another differentiation was made between the role of a facilitator (communicator) and a mediator (formulator).

Gunnar Sjöstedt's group concentrated on the difficulties of negotiating ecological conflicts as well as how to involve weaker states in the negotiation process. The participants tried to analyze the various actors of ongoing climate talks, with special attention being given to the role of the United States.

The fourth group, hosted by Victor Kremenyuk, took a closer look at Russia's current situation as a negotiator and her relations with China and the United States. Another important topic was the differences between US- and European-style negotiations.

After the individual sessions, the chosen rapporteurs of each group stepped up to the podium to present their findings, which sparked yet another interesting round of discussions. The event ended with words of appreciation for the help of everyone involved in the Roadshow and a concluding remark by Victor Kremenyuk who emphasized that in a world where policy has moved from being based on national states to being based on international regimes, the discussion of negotiation should be understood as "touching something on which the future of the world depends."

Tanja Huber

Negotiation as a Means versus Negotiation as an End

In the science of negotiation, a unified understanding of negotiation, however extensively practiced, has not been formed. As a great amount of information on this question has been gathered over the last 10 years, it is possible to define negotiation science as a dynamically developing one. However, changes currently taking place in the developing world, including the globalization process, are substantially amending established opinions regarding negotiation. This has become sharply apparent in the sphere of negotiations on global climate change, resource conservation, and natural resource development.

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"This latest sphere of international relations has engendered new forms of international cooperation that are more dynamic and effective as regards the implementation of decision making."

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Absence of formal procedures

This latest sphere of international relations has engendered new forms of international cooperation that are more dynamic and effective as regards the implementation of decision making. At the root of this form of cooperation is negotiation established on quite novel principles: negotiations from which protocols—principles with their own defined procedures—have been excluded, thus adding to the "arsenal" of negotiations an interactive element that includes trust, fairness, and the absence of formal procedures. The world community (or, at least, participants in

the negotiations) has benefited from this development; for example, the G8 summits, a "club of informal negotiations" has demonstrated vitality, flexibility in its work, effectiveness in its wide-ranging discussions, and legitimacy in the implementation of established common opinion. In examining G8 activity, I presume to define, however simplistically, the essence of such a negotiation, namely, that it is "negotiation as an end."

By analyzing the effectiveness of informal environmental negotiations, as well as the structures based on them, we can use their positive experience to create a model for the system of international cooperation. The goal of establishing such a system is to try to avoid the problems that have arisen, for example, in the way the United Nations functions and that have given rise to demands for a reform of that organization.

Absence of legitimacy

The problems associated with the existing system of international cooperation lie not only in its superfluous bureaucracy, and sometimes in an absence of legitimacy in its decision making, but primarily in its delays in reaching a decision and in the incongruity of decisions reached, as clearly indicated by examples of the political constituent in international relations (examples range from the Kosovo problem to Iraq). In the analysis I carried out as part of the Young Scientists Summer Program at IIASA, I contrasted the traditional and still very actively applied "negotiation as a means" approach with that of negotiations as an end. Research shows that, when negotiations are a "tool" established temporarily to solve a single group of problems, actors are uncertain about applying this "tool," irrespective of whether it is the only tool available for problem solving or whether it is the most effective. Historically, negotiations have not always been applied, and even when

they were, they were not always seen as the best of tools for problem solving. This, however, holds only for the "negotiation as a means" approach, which opened up possibilities for serious international conflict.

Tie-not-required meetings

Collaboration that has a long-range outlook, on the other hand, has become possible only since the alternative approach to the system of international cooperation—which found its true expression in the era of globalization—was established. This was the system of relations—the world concert—that began to form only when permanent communication between states, informal meetings of heads of states ("tie-not-required" meetings), became an everyday occurrence. It was in this atmosphere of informal negotiations that those structures of international cooperation best suited to deal with a challenge to international order arose.

The G8 experience is demonstrative, but not unique. When more states establish and participate in such structures, the system of international cooperation will be qualitative. Essential subjects that affect the entire world community without exception, such as natural resource use and environmental protection, can provide the incentive for their development.

Role of NGOs

At the same time, for such a model to have a stable existence, continued consideration will need to be given to making serious changes in the status of states participating in the international structures, beginning with limiting sovereignty in a number of questions and ending by forming new groups of legal (quasi-legal) structures, similar to G8. Involvement of nongovernmental organizations (NGOs) in the process of informal international negotiations as participants with equal rights would be an important first step.

Konstantin Rachev

Incomplete Negotiations: The Belgian Case

One of the most fascinating aspects of international negotiations, and perhaps greatest contribution to humanity, is their ability to provide opportunities for the parties involved to come to the table and negotiate successful agreements that may either prevent conflicts from erupting or put an end to existing ones, thus saving millions of lives. Most of the literature on negotiation theory focuses on the examination of lessons learned from successful cases of negotiations. While this remains a valuable way of broadening the field of research and learning more about different strategies and approaches to negotiations, there are a large number of negotiations that have not arrived at a satisfactory conclusion within the envisaged time frame and that remain unexamined. The causes for non-agreement are often complex and are usually the product of a combination of factors. By analyzing the factors that contributed to negotiations that did not reach an agreement, one can infer invaluable lessons to convert into effective tools for future negotiations. This is precisely the goal of the book on incomplete negotiations envisaged by the PIN Steering Committee.

Belgian Declaration of Independence

It is possible to extract the factors that contributed to nonagreements by utilizing theoretical lenses to analyze case studies. One such example is a chapter of the book that analyzes the case of nineteenth-century Belgium, a country that, as a result of the strategic planning of the Great Powers (Austria, Great Britain, Prussia, and Russia) after the Napoleonic Wars, found itself incorporated into the Kingdom of the Netherlands (Belgium, Luxembourg, and the northern Netherlands). While this amalgamated kingdom looked like a great masterpiece on paper, in reality, the cultural, religious, economic, and language differences between the two

peoples were only exacerbated by the poor, biased rule of King William I. This ended in riots by the Belgian population that led to a declaration of independence in 1830 and ultimately to the London Conference, called by the Great Powers to decide the fate of Belgium. The goal of my summer research during the Young Scientists Summer Program 2005 at IIASA was to analyze the reasons why the London negotiations of 1830 between the Dutch and the Belgians in London were suspended in 1833.

> "There was an apparent lack of effort to discover the needs of the parties, which impeded the process of negotiations and limited the opportunities for an agreement."

Perceived assymetries

The research that I conducted at IIASA points to there being no single reason for the outcome. Rather, the end result of nonagreement was a complex combination of many factors that played a role in the final outcome. One of the main reasons for this was the issue of perceived power asymmetry. In negotiation theory, perceived asymmetries, whatever their basis may be, produce different attitudes and strategies in the exercise of power by the strong. The party perceived as the strong one tends to adopt the take-it-or-leave-it strategy toward its negotiation partner.[1] When King William I

King William I of the Netherlands by Jean Augustin Daiwaille

realized that the Great Powers were unwilling to abide by the decision they made at the Congress of Vienna, he saw himself as powerless to affect change and influence negotiations. He failed to recognize that he did possess power and that he needed to adopt an appropriate counterstrategy to borrow sources of power and move the Great Powers in the direction in which he would like the negotiations and their outcome to go.

Role of mediator

Another reason was the demonstration by the Great Powers of a very limited degree of flexibility with respect to the formula they proposed to the parties, and this brings into question their role in the negotiations. There was an apparent lack of effort to discover the needs of the parties, which impeded the process of negotiations and limited the opportunities for an agreement. The Great Powers also failed to influence the process of negotiations and balance the parties by producing a mutually hurting stalemate or creating a mutually enticing opportunity to move the parties toward an agreement. This leads us to question their role as mediator in the negotiations. Can one truly label a party with an enormous stake as crucial as security and the preservation of balance of power on the continent as impartial and fair? All the evidence points to the Great Powers having their own agenda and

stake in negotiations and that they were too focused on achieving their own desired outcome as opposed to the outcome that was in the best interest of the parties in conflict. This only deepened the already existing mistrust among all parties involved, which is one of the most important impediments to reaching and upholding an agreement.

In negotiations theory, forward-looking outcomes seek mechanisms to prevent future violence, as they look for outcomes that "reach beyond the conflict to opportunities for cooperation and problem solving, and try to prevent the resurgence of the old conflict in a new, later form by resolving its underlying causes."[2] King William I was hanging on to a notion of his past-based rights and ignoring the new present-based claims to rights that were based on feelings on nationality. By constantly looking backwards to the time when he was the ruler of the whole kingdom, he was not able to rid himself of the perception that any agreement that did not entail his reacquisition of the territories he had once possessed would be a loss.

As the above demonstrates, the reasons why negotiations do not end in agreement can be many and complex. In the Belgian case a combination of different factors contributed to the outcome, and the reasons can be found in the perceptions and actions of the actors and in the process itself. The good news is that all these factors can be controlled; and with the benefit of hindsight, it would be possible to utilize the toolbox that this case study provides and, at the very minimum, increase the chances of an agreement in future negotiations.

Dragica Fridl

Notes

[1] Zartman and Rubin (2003, 275).

[2] Zartman and Kremenyuk (2005, 3).

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Workshop on Systems Analysis at IIASA

To enhance interactions among the different IIASA programs, in particular between the applied and methodology programs, a series of in-house workshops and presentations took place as part of IIASA's Methodology Forum.

Director of IIASA, Leen Hordijk, organized a Systems Analysis Workshop on the suggestion of the PIN Program and invited other IIASA programs to participate. The biggest response was from IIASA's DYN (Dynamic Systems) and FOR (Forestry) Programs which immediately prepared presentations and suggestions for future collaboration with PIN. The workshop was held on the afternoon of 12 July 2005, starting with individual talks and concluding with a more general discussion with representatives of all IIASA programs.

Workshop participants had the opportunity to present their notions of systems analysis as a way of facilitating communication between PIN and other IIASA programs. Each presenter showed how the systemic concepts were used in his/her program's work. One goal was to assess how systems analysis could serve as a bridge between PIN and other IIASA programs and how to develop methodological implications of systems analysis for work within and among programs.

The workshop was opened by Leen Hordijk (who also chaired the session). This was followed by a presentation by I. William Zartman on the Analysis of Negotiation Systems. His talk sparked an interesting discussion with representatives of IIASA's Adaptive Dynamics Network (ADN) and Risk, Modeling and Society (RMS) Programs on the different meanings of the term "models." Victor Kremenyuk then spoke about the Three Dimensions of Negotiation (negotiation as a decision-making tool, as a means of communication, and as a strategy). This was followed by an attempt by Gunnar Sjöstedt to identify how systems analysis could clarify the best ways of communicating scientific knowledge to a multilateral negotiation.

Gunnar Sjöstedt explains the importance of systems analysis as a source of scientific knowledge in multilateral negotiations.

The second half of the workshop focused more on the natural science aspect of systems analysis with presentations by Alexandre Tarasyev from the Institute of Mathematics and Mechanics in Ekaterinburg (Modeling Negotiations and Searching Market Equilibrium in Games with Uncertainties) and Rudolf Avenhaus, who spoke about Formal Models of, for, and in International Negotiation (one of the latest PIN book projects). Alexey Kadiyev (FOR) and Arcady Kryazhimskiy (DYN) concluded the session with a presentation of a Model of Trading with Interactive Software. The subsequent round-table discussion with extra comments and questions by the director showed that there still is much more to be said and more information to be exchanged to get natural and social scientists speaking the same basic language (despite their different programmatic accents) and to find niches where one can help the other. The Systems Analysis Workshop of 12 July was certainly a good start for such a venture.

In future, a Working Paper in the IIASA series is planned containing the papers of the various presentations and a discussion summary from both the epistemological (IIASA, July 2005) and methodological (IIASA, May 2005) workshops (and perhaps more).

Tanja Huber

The Role of Information in Conflict Escalation

Rational explanations for the causes of conflict escalation have been discussed many times in the political science literature. The role of information has been particularly stressed. For example, among the five principal reasons he gives for conflict escalation, Fearon (1994) explicitly mentions rational miscalculation due to lack of information.

Moreover, in the course of recent PIN work, various conflicts have been shown to have escalated only because of a lack of appropriate information on the part of at least one of the parties to the conflict (see, e.g., Avenhaus *et al.* [1999]; Güner [2003]). This tendency has already been shown elsewhere (Morrow, 1994) but typically with the help of rather involved mathematical models that make it difficult to understand why it has occurred. The purpose of this article is to demonstrate and explain the special role of information in escalating conflicts with the help of a rather simple game theoretical model. (Of course, a conflict may escalate because one side possesses reliable information on the moves and intentions of the other—a more obvious situation that will not be discussed in detail here.)

As an example not too far from present-day reality, consider a state deliberating reneging on the provisions of an arms control treaty it signed some years ago. The state knows that a group of other states, say, from the Western world, will simply not accept such a treaty violation and would consider the possibility of armed conflict if the state did not give in. The first state is not well informed as to how seriously it should take that possibility. It does not know with certainty if the group of states is of a *hard* or a *soft* type. This conflict situation is modeled with the help of a noncooperative game with incomplete information in extensive form, the graphical representation of which is given in *Figure 1*. Let me explain this game.

Nature decides with probabilities p and $1-p$ that the group of states is hard and soft. With this information the single state has to decide either to give in, which means continuing to obey the rules of the treaty, or not to give in, which means violating the treaty. In the latter case the group of states has to decide whether to accept the treaty violation or to fight.

According to Harsanyi (1967) this conflict situation between the state and the group of other states is modeled as a *three*-person game, the players of which are the state, the hard group of states, and the soft group of states. At the endpoints on the left-hand side of the game, the payoffs to the single state and the hard group of states are given as components of vectors, the upper one for the state and the lower one for the hard group of states. The same holds for the right-hand side, where the soft group of states is playing. Zero payoffs represent the status quo; furthermore, we assume $0 < b < 1 < a$, which means that for the hard group the payoff from accepting the violation is
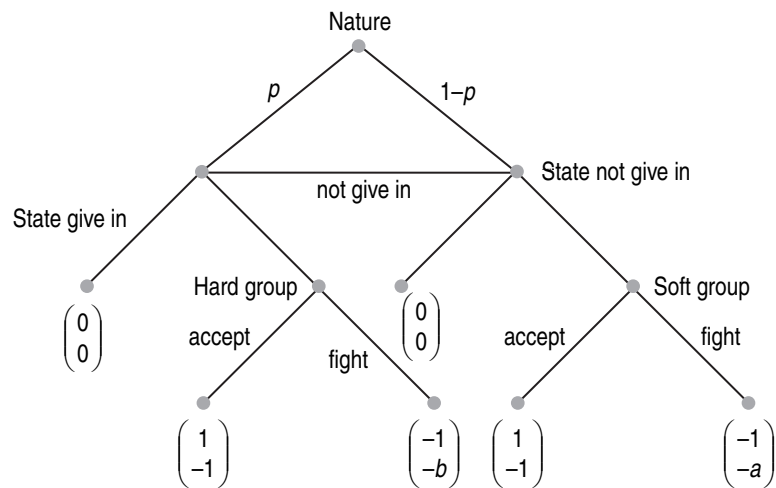

Figure 1. Extensive-form game of the conflict described in the text. The dashed line indicates the information set of the state $0 < b < 1 < a$.
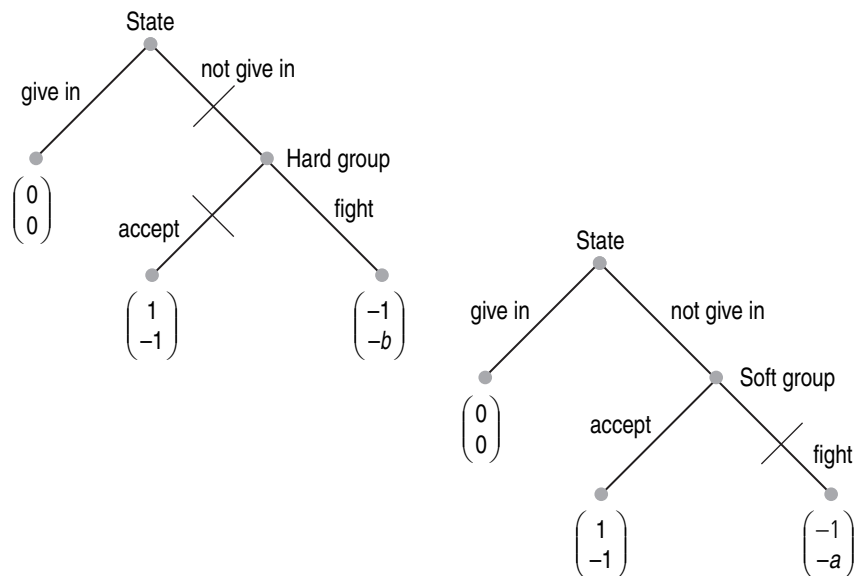

Figure 2. Partial games. Crossing of branches describes the backward induction procedure.
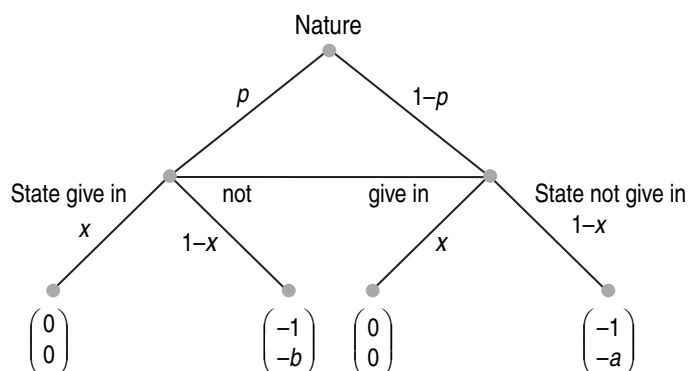
Figure 3 Reduced game. *x* and 1 − *x* are the state's probabilities of giving in or not giving in, respectively.

worse than the payoff from war, whereas for the soft group it is the other way round. The state's payoffs 1 and –1 in the case of accepted treaty violation and war are like the other payoff utilities, which basically means that it is only important to know which payoffs are larger or smaller than the other ones.

Before analyzing this game we consider separately the conflict between the state and the hard group of states on the one hand and the conflict between the state and the soft group of states on the other (see *Figure 2*). With the help of a simple backward induction we exclude the decisions that will not be taken by the players (crossed-off branches). Because of the payoff structure we see that the state will give in when confronted with the hard group, but it will not give in (i.e., violate the treaty) when confronted with the soft group, and the soft group will accept this. In no case, and this is important here, is fighting an equilibrium strategy to be interpreted in the sense of Nash (1951).

Now let us return to the original game as given in *Figure 1*. Here, too, we can perform a backward induction for the two groups of states, leading to the reduced form of the game, as given by *Figure 3*. Now, as the state only knows with probabilities *p* and 1–*p* that its adversary is hard and soft, it has to decide to give in or not to give in with probabilities *x* and 1–*x*. Thus, its expected payoff is:

$$p \cdot \left(x \cdot 0 + (1-x) \cdot (-1) \right)$$
$$+ (1-p) \cdot \left(x \cdot 0 + (1-x) \cdot 1 \right)$$
$$= (1-x) \cdot (1-2p) \ .$$

For *p* < 0.5 this payoff is maximized for *x* = 0, which means that the state decides not to give in (i.e., to violate the treaty), which in turn leads to war if the state is confronted with the hard group of states.

As a result, and quod erat demonstrandum, lack of appropriate information may lead to a war that would not have happened had there been complete information. This result can be understood intuitively in the simple game that follows. The state, assuming with high probability that it is confronted with the soft group, does not give in, as it expects the group of states to accept its decision to violate the treaty. But with probability *p* it is wrong, and the hard group, with which it is instead confronted, will not accept its decision and will go to war.

Rudolf Avenhaus

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Caspian Dialog

As a result of its Roadshow in Tehran in January 2003, the PIN Group is preparing a new venture by organizing dialog sessions among representatives from the five littoral states of the Caspian Sea—Azerbaijan, Iran, Kazakhstan, Russia, and Turkmenistan.

The project was suggested by Dr. Howard Raiffa, IIASA's first director and godfather of the PIN Program. The aim of the sessions is for Caspian states to engage in dialog about issues of common concern other than the contentious border and mining matters, such as air and water pollution, tourism, economic development and land use, biological resources, and transportation. PIN Group members will facilitate the discussions, which will begin with presentations involving scientists from other IIASA programs.

The meeting is sponsored by the new Center for Cultural Dialog or Hollings Center in Istanbul, Turkey, and is scheduled for 13–15 May 2006. Victor Kremenyuk, Paul Meerts, and I. William Zartman from the PIN Group are organizing the sessions. Further meetings are expected to follow at regular intervals.

I. William Zartman

Upcoming Roadshows in Bologna and Islamabad

In 2006 PIN will hold two Roadshows in very interesting and greatly differing locations. The first will be held on 20 February at the Bologna Center of the Johns Hopkins University in Italy. The second is planned for October in Islamabad, Pakistan.

Both events will focus on topics of immediate interest to the hosting country, with talks given by each member of the PIN Steering Committee, followed by individual plenary sessions and a final round-table discussion. More information will be given in the next issue of PINPoints.

Tanja Huber

Protecting Human Rights in Southeast Asia, Especially Myanmar

The role of state and non-state actors in the negotiation process

The issue of human rights is a delicate one, especially in the relationship between Europe and East Asia. This relationship became more structured in 1996, when the Asia–Europe Meeting (ASEM) was founded. The idea behind this informal dialog was to develop and fortify the relationship between Europe and the East Asia region. The ASEM Dialog is based on two principles: multilateralism and regionalism. The principle of multilateralism, which specifies that all member states should take part in the Dialog on their own account, distinguishes the ASEM Dialog from the meeting between the Association of Southeast Asian Nations (ASEAN) and Europe (the ASEAN–Europe Meeting), established in 1978. The multilateral character of the Dialog has influenced the complexity of the process, and this affects the likelihood of reaching an agreement. On matters of mutual interest, which are mainly economically oriented, reaching agreement is not difficult. On more controversial, political matters, however, agreement can be far away, which was clearly shown in the case of the participation of Myanmar (formerly Burma) in the ASEM Dialog.

One important reason for the difficulty in reaching agreement on political matters like human rights is that the European and East Asian states approach the Dialog on very different levels. While the European side is focused mainly on increasing its collective role in East Asia, the Asian states are more interested in reaching economic cooperation on a bilateral level. This also has an impact on negotiation styles: the European states tend to deal with matters in an official, multilateral setting, while the East Asian states focus more on informal, bilateral negotiations to reach a common view. This, combined with the fact that both continents have a totally different view on the implementation of human rights,

produces an adverse effect on mutual relations, despite the issue hardly ever being discussed during official summits—or perhaps because of this.

The most recent clash on the matter was the inclusion of Myanmar, which became a member of ASEAN in 1997, in the ASEM Dialog. Various European states were strongly against this, while

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most East Asian countries stated that all new member states to the European Union (EU) or ASEAN should be included. With the recent expansion of the EU, this controversy flared up again. A solution had to be found before the start of the Fifth Summit in October 2004. After the appointment of an EU special representative, who was sent to China, Japan, Thailand, and Vietnam to renegotiate the matter on a bilateral level, the decision was taken to allow the Myanmar representative to sit at the Dialog table, but not at the presidential level.

Has this solution led to a change in the human rights regime in Myanmar? No, of course not. The strong fist initially made by several European states was weakened in the end because too many other interests were at stake. Therefore, the conclusion must be that while states are the main actors protecting the human rights of those

present on their territory and even the universal human rights of anyone, anywhere, at any time, they are often not the right actors to appeal to fellow states that fail in this important task. In this regard, civil society actors have an important role to fulfill, especially nongovernmental organizations (NGOs). Besides their "monitoring role," which includes the practice of naming and shaming of states, NGOs are important providers of relevant information in the field of human rights, being involved in education, advocacy, and standard setting. In negotiations, state representatives frequently lack specific knowledge, and NGOs can fill this gap.

However, the importance of NGOs in the protection of human rights is not expressed in the ASEM Dialog. They are not a part of the official negotiation process, and their parallel meetings to the Summits are strongly opposed, mainly by the East Asian states. On the Asian continent, however, the role of NGOs is growing, albeit slowly. Economic development is an important factor in this respect; the working middle class will start to demand their rights once their prosperity grows. Yet, as states are still the main actors in the East Asian region, they will slow this process down.

Despite this difficulty I argue that European states have to use NGOs to try to put the matter of human rights, especially the case of Myanmar, on the international agenda. The European states will not succeed in this alone, not only because of a reluctance on the part of the Asian states to put the matter on the official agenda but also because of the lack of consensus on the issue among their own member states. It is only by involving NGOs that sustainable change—from the inside—can be generated. This process will be slow but more effective than the method of pressure used for so long.

Simone Eysink

Language and Negotiations

The Encyclopedia Britannica Online defines language as "a system of conventional or written symbols used by people in a shared culture to communicate with each other." *Merriam-Webster's* Dictionary gives a similar definition of language as "a systematic means of communicating ideas or feelings by the use of conventionalized signs, sounds, gestures, or marks having understood meanings."

Both definitions point to the essence of language, namely, that it is a system of communication. The concept of negotiations is inseparably linked to the notion of language. In other words, no communication, no negotiations.

The nexus between language and negotiations may be examined from a multitude of viewpoints and may lead to very abstract, even philosophical considerations. The purpose of this short contribution is anything but grandiose. It aims rather to draw attention to some very down-to-earth and practical aspects of this obvious connection between communication and negotiation.

The command of English in negotiations

Everybody would agree that in the world today English has become the universal language. International negotiations, both between governments and business partners, are increasingly being conducted in English, more often than not without the "interference" of interpreters. An excellent command of English has thus become a prerequisite for anyone who has the ambition of being a successful negotiator at the international level. A native speaker of the language that Shakespeare once used or a person who has benefited from higher education in the United States or the United Kingdom will thus have an enormous advantage, often even a decisive edge, over the negotiator on the other side of the table who struggles with basic English or who does not speak English at all.

Formulating the first draft

Whoever drafts a proposal can determine the framework of the negotiating situation. Let us take an example: written text properly communicated is something your partner can hardly ignore. The language used sets the terms of reference of the proposal which, unless it is rejected in its entirety, must be examined on its merits and on the basis of the language in which it has been drafted. The expressions used—and here we are back into linguistics—will influence in one way or another the opposite number, who has no choice but to respond on the basis of the text submitted.

The content of words

A good illustration of the meaning of expressions in international negotiations can be made by examining legal definitions. For agreement to be reached on a specific formulation for inclusion in an international treaty, it is of paramount importance for there to be a precise and common understanding of the term under consideration. Frequently, there is no such shared understanding. Sometimes the lack of common ground on a given formulation is papered over by vague compromise formulae that leave room for diverging interpretations. Such creative compromises may have positive as well as negative effects. On the one hand, reaching a settlement even at the cost of equivocal language in some provisions of the agreement may be in the overall interest of the parties involved and may indeed lead to a future common understanding of the expression at issue. International Human Rights documents may be cited to support this thesis. On the other hand, unclear formulations in treaties may exacerbate a situation and lead to an escalation of differences. In some instances the battle over the meaning of words can lead to an impasse that becomes intractable. For example, to date, it has been impossible to come to an agreement on the exact definition of terrorism for the

purposes of international judicial cooperation and prosecution. Even the latest spectacular terrorist attacks have not changed this state of affairs. Another difficult term to define in legal terms at the international level is the notion of national minority which so far has been circumlocuted in treaty language only within the European regional framework. At the United Nations level the expression *national minority* has still not found a generally acceptable definition.

Negotiating means communicating

Any negotiating process can be described as an exercise in which the parties engage in some sort of verbal interaction. This interplay requires a shared system of communication such as, for instance, the English language. Obviously, a shared language used for the purpose of negotiating entails the mutual acceptance of the "conventionalized signs, sounds, gestures, or marks having understood meanings" in the English language (see *Merriam-Webster's* above). To engage in a meaningful negotiation, acquisition of the same, preconceived understanding of the words used by the negotiating partner is indispensable.

The role of translations

In the case of international agreements that have been drafted and signed in several languages, it may be difficult to ascertain the correct meaning of the words used in the different language versions. For instance, the Charter of the United Nations exists in five authentic versions (Chinese, English, French, Russian, and Spanish). This "Babylon of official treaty texts" often leads to differing interpretations of the expressions used in one or other of the languages. Such differences of interpretation are seldom harmless, as they disclose divergent views on the substance at issue. To facilitate a "correct interpretation" of international agreements, it is therefore advisable to convene on a single language as the authentic one. In this way the quarrel about the different meanings of expressions used in the

various language versions may be avoided from the beginning. On the other hand, it puts the other texts of the agreement in a subordinate position, as, when the chips are down, the authentic version only (mostly English) takes priority over all the others.

Concluding remark

The relationship between language and negotiations is a fascinating topic which, in the view of the author, deserves a more thorough and systematic examination. Astonishing as it may seem, there is relatively little literature on this matter in the universe of learned writing on international negotiations, as a Google search will corroborate.

Franz Cede

PIN Presentation in Lima

PIN gave a presentation to the 33rd Annual General Meeting of Deans and Directors of Diplomatic Academies and Foreign Service Institutes which took place at the Diplomatic Academy of Peru, Lima, from 26–27 September 2005. This was the second presentation of its kind, the first having taken place at the 29th Meeting at the Diplomatic Academy of Vienna, Austria, in September 2001.

The presentation, the purpose of which was to update the directors on the aims and goals and the work of PIN, was given by PIN Steering Committee Member Paul Meerts and consultant John Hemery, Director of the Centre for Political and Diplomatic Studies in Oxford. They discussed their findings from the 35 seminars organized to prepare UK civil servants and diplomats for their various roles during the EU Presidency.

An analysis of this series, looking at chairing in four chronological stages, can be found in this issue of PINPoints. At the end of 2006/beginning of 2007, the *Journal of International Negotiation* will be edited by Hemery and Meerts and will focus entirely on the subject of presiding over international/multilateral negotiation processes. Case studies from experienced diplomatic chairs and an insight into how academics view the subject will be provided.

Paul Meerts

PIN Books

Escalation and Negotiation in International Conflicts, I. William Zartman, G.O. Faure, editors, 2005, Cambridge University Press, Cambridge, UK.
ISBN 13-978-0-521-85664-5

Peace versus Justice: Negotiating Backward- and Forward-Looking Outcomes, I.W. Zartman, V. Kremenyuk, editors, 2005, Rowman & Littlefield Publishers, Inc., Lanham, MD, USA.
ISBN 0-7425-3629-7

Negotiating European Union, P.W. Meerts, F. Cede, editors, 2004, Palgrave Macmillan, Basingstoke, UK.
ISBN 1-4039-4161-0

Getting It Done: Post-Agreement Negotiations and International Regimes, B.I. Spector, I.W. Zartman, editors, 2003, United States Institute of Peace Press, Washington, DC, USA.
ISBN 1-929223-42-0

How People Negotiate: Resolving Disputes in Different Cultures, G.O. Faure, editor, 2003, Kluwer Academic Publishers, Dordrecht, Netherlands.
ISBN 1-4020-1831-2

Professional Cultures in International Negotiation: Bridge or Rift? G. Sjöstedt, editor, 2003, Lexington Books, Lanham, MD, USA.
ISBN 0-7391-0638-4

Containing the Atom: International Negotiations on Nuclear Security and Safety, R. Avenhaus, V.A. Kremenyuk, G. Sjöstedt, editors, 2002, Lexington Books, Lanham, MD, USA.
ISBN 0-7391-0387-3

International Negotiation: Analysis, Approaches, Issues, 2nd Edition, V.A. Kremenyuk, editor, 2002, Jossey-Bass Inc. Publishers, San Francisco, CA, USA.
ISBN 0-7879-5886-7

Preventive Negotiation: Avoiding Conflict Escalation, I.W. Zartman, editor, 2001, Rowman & Littlefield Publishers, Inc., Lanham, MD, USA.
ISBN 0-8476-9894-7 (cloth) ISBN 0-8476-9895-5 (paper)

Power and Negotiation, I.W. Zartman, J.Z. Rubin, editors, 2000, The University of Michigan Press, Ann Arbor, MI, USA.
ISBN 0-472-11079-9

International Economic Negotiation. Models versus Reality, V.A. Kremenyuk, G. Sjöstedt, editors, 2000, Edward Elgar Publishing Limited, Cheltenham, UK.
ISBN 1-84064-167-3

Negotiating International Regimes: Lessons Learned from the United Nations Conference on Environment and Development (UNCED), B.I. Spector, G. Sjöstedt, I.W. Zartman, editors, 1994, Graham & Trotman Limited, London, UK. (Now a subsidiary of Kluwer Academic Publishers.)
ISBN 1-85966-077-0

International Multilateral Negotiation: Approaches to the Management of Complexity, I.W. Zartman, editor, 1994, Jossey-Bass Inc. Publishers, San Francisco, CA, USA.
ISBN 1-55542-642-5

International Environmental Negotiation, G. Sjöstedt, editor, 1993, Sage Publications, Newbury Park, CA, USA.
ISBN 0-8039-4760-7

Culture and Negotiation. The Resolution of Water Disputes, G.O. Faure, J.Z. Rubin, editors, 1993, Sage Publications, Inc., Newbury Park, CA, USA.
ISBN 0-8039-5370-4 (cloth) ISBN 0-8039-5371-2 (paper)

Processes of International Negotiations, F. Mautner-Markhof, editor, 1989, Westview Press, Inc., Boulder, CO, USA.
ISBN 0-8133-7721-8