

From the PIN Steering Committee

Conflict Resolution and Negotiation: Two Strategies, One Process

I IASA began essentially as a “problem-solving” institution. At the time the Institute was being negotiated and created, the Cold War and the rivalry, mutual suspicion, and lack of trust that existed between I IASA’s two cofounders, the Soviet Union and the United States, excluded any possibility of extended cooperation or of actual partnership. Both sides, as well as those who joined them later, when I IASA was finally launched as a part of a strategy of “accommodation” between the two superpowers, agreed that the problem-solving approach was probably the best way of discussing urgent global and regional problems, albeit without too much hope of a practical outcome. And for many years this approach fitted the needs of those who became the “I IASA community.”

Genuine ways to solve disputes

Times changed, as did external conditions. There is no more Cold War; there are no more global antagonists. The world community is open to dialog and is searching for genuine ways to solve disputes. What can and should be done is to work out a strategy to devise solutions and implement them. In that sense, “conflict resolution” has acquired a much more important role than in the Cold War years, when it meant keeping the most dangerous and volatile aspects of the competition under control. In the current situation, it means searching for opportunities to resolve disputes and negotiating different ways of ending conflicts—putting the goal of “conflict resolution” into a wider global policy spectrum.

The prevailing conditions are suitable. The normal human desire to produce a tool to resolve problems and to settle disputes is also to hand. What is needed, however, is to elaborate appropriate strategies and to set them in motion.

Changes in the Diplomatic Function and Their Impact on International Negotiations

Article 3 of the 1961 Vienna Convention on Diplomatic Relations (VCDR) mentions, *inter alia*, the conduct of negotiations with the government of the receiving state as one of the functions of a diplomatic mission. That function has been justly considered as one of the core tasks of diplomacy throughout the long history of international relations.

The art of negotiating is so closely associated with the profile of a diplomat that it has become commonplace to view the diplomatic representative of a state as a negotiator *par excellence*. This cliché is corroborated by the above-mentioned reference in the VCDR to the negotiating function of a diplomatic mission. However, it must be recognized that the average diplomat of today, when assigned to a typical bilateral embassy, very rarely acts as a negotiator in the traditional sense. As a general rule, the business of conducting negotiations in the bilateral relationship is left to experts or representatives from the capitals. The embassy and its diplomatic personnel are no longer the main instruments or conduits of bilateral negotiations, as they were in the past. This state of affairs is hardly surprising in a world of instant communication where direct contacts between the authorities concerned leave little room in the bilateral negotiating process for the diplomatic missions.

Transport and communications revolution

Another feature of modern diplomacy is the extraordinary ease of traveling in today’s world. Whereas, before World War I, participation in international conferences or bilateral negotiations was limited by the lack of affordable and speedy transport, at present, the venue of negotiations no longer matters. The transport revolution combined with the communications revolution has definitely changed the rules of the game of bilateral negotiations. Thus, the local diplomatic representative is no longer irreplaceable. In sum,

Contents

Conflict Resolution and Negotiation: Two Strategies, One Process	1
Changes in the Diplomatic Function and Their Impact on International Negotiations	1
New Caspian Dialog: Hopes for Problem-Solving Mind-Set	3
Negotiating Sustainable Development: The Role of Coalition	4
PIN Roadshow in Bologna, Italy	6
Practitioners, Academics, Trainers: The Chicken and The Egg	7
International Negotiation Learning Processes	7
French–German Official Meeting	11
New Negotiations Book Published	11
PIN Project on Negotiated Risks Concludes	12
The Climate Talks : COP 11/MOP 1, Montreal 2005	13
Buenos Aires Group on International Negotiation	14
Recent PIN Books	16





Source: Azerbaijan Tourism

Energy will be one of the topics on the agenda at the Caspian dialog.

Political maneuvering

The Caspian dialog will have immediate practical implications and direct interest for Turkey and the United States, as well as the five littoral states. The Caspian has been the subject of intense political maneuvering since the collapse of the Soviet Union because of the region's enormous oil resources and because its maritime boundaries are up for definition (depending on regional politics and its legal status as a sea or a lake being decided).

Brainstorming

As mentioned earlier, the proposal does not address the boundary issue. On the contrary, it calls for the creation of a forum for dialog among the five Caspian states with the largest oil contractor (United States) and possibly a few others (United Kingdom, Turkey) as observers on subjects of importance to the states—but not directly addressing the contentious issues.

Dialog and common brainstorming on various approaches to these topics can generate a problem-solving mindset, joint consideration of basic questions, and the creation of a spirit of dialog that can ultimately prepare the ground for constructive approaches to the more divisive issues.

PIN looks at the Caspian dialog as an important new venture in conflict management and indeed as the beginning of an effective and continuing series of meetings.

Tanja Huber

Negotiating Sustainable Development: The Role of Coalition

Sustainable development may be looked at from various perspectives, one such perspective being how this issue affects the global negotiations in the United Nations and other world bodies.

The term sustainable development is said to have been coined formally in 1987 by the World Commission on Environment and Development led by the Norwegian Prime Minister Gro Harlem Brundtland, as follows: "Sustainable development is development that meets the needs of the present without compromising the ability of future generations to meet their own needs" (Brundtland, 1987).

Three goals

The essence of sustainable development, as an international negotiator may look at it, is in the form of a triangle, the sides of which represent three separate goals: to promote economic development; to protect the environment; and to promote good social conditions, including ending world poverty. The basic meaning of the triangle metaphor is that no subgoal of the main goal of sustainable development can be achieved unless the two others are given satisfactory consideration. For example, trade negotiators primarily concerned with the liberalization of world markets need to consider environmental and poverty constraints. A special complication is that the three pillars of sustainable development, or two of them, often drive the same issue in opposite directions. Najam and Robins (2001) use the example of energy to illustrate this point. Seen in an economic perspective, energy is one of the strongest drivers of growth and development. From an environmental point of view, however, energy represents one of the most important causes of imbalances and destruction.

Last 50 years

The significance of sustainable development in global negotiations has gradually expanded during the last 50 years. In 1949 the UN Scientific Con-

ference on Conservation and Utilization of Natural Resources took place, a major theme of which was how efficient exploitation of natural resources can be combined with strict environmental consideration. The 1972 UN Conference on the Human Environment in Stockholm, though primarily addressing environmental problems, also dealt with the relationship between development and the environment. This theme dominated the UN Conference on Environment and Development in 1992 in Rio de Janeiro, which produced a program of action in the same spirit, Agenda 21. Ten years later the member states of the UN gathered to evaluate the implementation of Agenda 21 at the World Summit on Sustainable Development in Johannesburg. This top-level meeting emphasized that sustainable development is now a guiding norm for much of the work carried out in the UN system and needs to be implemented in the form of binding international agreements.

Sustainable development has been addressed in different ways in global negotiations. Two important approaches are, respectively, debates and bargaining on binding commitments.

Debates

Debates addressing sustainable development have been held regularly in the General Assembly and other central UN institutions. Debate is largely expressive diplomacy; parties articulate ideological or doctrinal views on major issues under the "umbrella" concept of sustainable development. In this type of power game, parties may take positions and defend them using a fairly general and politicized discourse. The costs of noncompliance with agreements reached here are comparatively low. The commitments made in this context are not binding in the strictest sense of international law. Weak developing countries have been able to participate in negotiations on the texts of resolutions and other instruments by making, for example, general statements about the ethical

right of developing countries to be excepted from various costly commitments (e.g., the dismantling of tariffs or reducing CO₂ emissions) that are negotiated in arenas other than the UN General Assembly. At decision points in such negotiations, weak developing countries have been able to act as members of large and powerful coalitions, such as the Group of 77.



Source: Encarta.msn.com

Gro Harlem Brundtland, former Norwegian Prime Minister, to whom the term “sustainable development” is attributed.

Effective coalition performance is a key approach to engaging poor developing countries in talks on binding commitments

Bargaining

Bargaining on binding commitments represents a quite different negotiation game, in which weak developing countries are much more disadvantaged than in UN debates. Talks in the World Trade Organization (WTO) on the liberalization of world markets by negotiating away protection of national home markets is one example. Another case, also pertaining to sustainable development, is the UN negotiations that aim to reduce concentrations of greenhouse gases in the atmosphere. In this kind of negotiation, ideological rhetoric is generally ineffective as

a negotiation approach and also tends to irritate other negotiating parties because it steals time and diverts attention away from more important tasks: understanding the issues, problem solving and position taking with regard to a draft agreement text in which difficult and complicated technical details are of crucial importance.

Because of these—and other—constraints, weak developing countries have had difficulties in expressing their concerns and promoting their interests in the WTO, in the climate talks, and in other similarly complex and technically difficult negotiations. They have simply lacked the necessary resources and capabilities to defend their positions and to promote their interests in this kind of negotiation game. A big problem for them is that participation in coalition, notably participation in the Group of 77, is not a viable alternative to individual performance, even if it represents the only realistic strategy available for many governments in the developing world.

Coalition problems

A weak developing country acting in the Group of 77 or other coalition will discover a host of problems that cannot easily be circumvented. Most of these obstacles fall into one of two main categories. On the one hand, the weak country has to negotiate with partners within the coalition on coalition goals, strategy, and tactics. These deliberations may be just as cumbersome for the weak country as negotiating individually in a global arena such as a UN institution. On the other hand, large coalitions have a strongly constrained ability to drive interests or defend positions in complex multilateral talks like, say, trade liberalization or climate warming, if the purpose is to attain binding and costly commitments. A list of important performance constraints can easily be assembled, for example:

- (i) Taking a position is usually a protracted process;
- (ii) This position typically tends to become comparatively general in character as well as somewhat diffuse;
- (iii) Once a position is taken, it is difficult to change;

(iv) The large coalition has difficulties in participating in informal creative meetings concerned with problem solving.

The norm or issue of sustainable development has seemingly contributed to enhancing the role of large coalitions like the Group of 77, and sustainable development has engendered a need for negotiation by debate, notably in the UN institutions. However, one also needs to consider that sustainable development, also conceived of as a general norm, is in the process of making negotiation on binding commitments in global institutions more cumbersome—and particularly for large coalition performance. There are numerous indications of a movement in this direction, with the norm of sustainable development also requiring linkages across firmly established issue areas (for example, trade, climate and poverty—sometimes called horizontal issues) to be considered in negotiation on binding commitments. This requires the kind of creative diplomacy that large coalitions like the Group of 77 find difficult to handle.

Effective coalition performance is a key approach to engaging poor developing countries in talks on binding commitments, where they have hitherto had a peripheral role, by seeking exception from agreements made by industrialized countries (for example, in trade talks and the climate negotiation). Capacity building in developing countries needs to concentrate more on coalition performance. In turn, capacity building needs to be supported by more research on coalitions in the analysis of international, multilateral negotiations.

Gunnar Sjöstedt

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PIN Roadshow in Bologna, Italy

The Johns Hopkins University Center School of Advanced International Studies (SAIS) Bologna Center hosted the spring 2006 PIN Roadshow in mid-February. Marisa Lino, former United States Ambassador and now director of the Bologna Center, and Alessandra Nacamù, Assistant to the Director for Italian Affairs, helped organize the event, which was held in the Center's auditorium.

The Bologna Center has a special meaning for the PIN group, not least because one of its members, William Zartman of Johns Hopkins University in Washington D.C., is a visiting professor at the Center and also because another PIN member, Ambassador Franz Cede, used to be a law student there. The city of Bologna is inspiring for its medieval beauty and extraordinary gastronomic attractions, as well as being highly renowned among students from all over the world as the basis for a sound international career.

About 50 students and scientists gathered together on the morning of 20 February to hear PIN Committee members give talks on topics such as "Negotiation as a Tool of International

Governance," "Hostage Taking," "Terrorism," "Facilitation of the Climate Talks," "Chairing Negotiations," and "Language in International Negotiation." After a brief introduction by Ambassador Lino as well as by Tanja Huber on behalf of IIASA and the PIN Group, the session continued in the traditional way. Each PIN member gave a talk on a current research topic, and the floor was opened for discussion on the presentations. The afternoon schedule comprised group discussions in separate rooms with individual speakers.

Guy Olivier Faure's group investigated the dynamics and aspects (such as money and logistics) involved when hostages are taken. The group hosted by William Zartman analyzed when and why negotiations take place with terrorist groups. The discussion brought up the importance of patience and timing when moderating between the terrorist group and the terrorized party. Paul Meerts' workshop was structured as a negotiation game, with students being given specific roles and tasks to gain an understanding of the facets of multilateral negotiation as

The city of Bologna is inspiring for its medieval beauty... highly renowned among students from all over the world as the basis for a sound international career.



Rooftops of the medieval city of Bologna.

well as the strong influence of cultural differences in negotiation.

Franz Cede, the Austrian Ambassador to Brussels, addressed the students at a personal level and stressed the importance of a solid knowledge of the English language as the basis of an international career, as this is key when drafting texts and thus provides the first point of reference when negotiating. He also drew attention to often-used terms and words in negotiation which have no (United Nations) definition or whose original meaning has been completely changed, such as "terrorism," "minority," and "nation." Professor Rudolf Avenhaus presented a number of examples of the use of game theory in analyzing negotiations.

After the discussions, representatives of each group again met in the auditorium to present their findings, and after a good hour of comments and questions another successful Roadshow came to an end.



The PIN Roadshow panel hard at work during "question time" in the auditorium at SAIS.



Practitioners, Academics, Trainers: The Chicken and The Egg

International Negotiation Learning Processes

Entering the International Institute of Applied Systems Analysis (IIASA) for the second conference on international negotiation processes at the end of the 1980s, I wondered how anything substantial could come out of a conference with so many people from so many different backgrounds. Still, the meeting had quite an impact on me. For a start, the building: who could fail to be impressed by a former palace of Maria Theresa? Who could fail, also, to be influenced by the presence of so many learned people from all over the world?

Several things struck me at that time. First, the differences in thinking between east European (mainly Soviet) academics and academics from Europe and the United States. Second, the number of my fellow countrymen present, all of them unknown to me. It was at that moment that my present-day negotiation network, and hence the Dutch PIN Group, was created. But my most important observation was that practitioners, researchers, and trainers do not communicate at the same level. Forget the fact that many researchers are also teachers of international negotiation at universities and that they use their discoveries of the “secrets” of negotiation to enhance their students’ insight—teaching is not training; teaching is about “the literature.” And although simulation games are used to illustrate theory, teaching is still a far cry from real training.

Charismatic trainers

Trainers are—in the best-case scenario—capable of providing participants with experience of negotiation processes. However, unlike teachers/researchers, trainers are often unaware of the bulk of modern literature. They often copy something that has been copied from somebody else who once developed a practicum on the basis of academic insights. Trainers can be charismatic people who often know more about private-sector manage-

ment than about negotiation and have the empathy to influence the thinking and framing of course members. They radiate strength. Participants will often remember their personalities many years afterward, but forget what they taught about negotiation.

Academics go for substance, trainers for money

One would expect a natural life cycle to consist of practitioners helping researchers to understand the soul of the negotiation process and trainers using the insights from research to train effective (future) practitioners. One would expect a mutual understanding to grow, just as has happened within PIN over the past 20 years—that the three groups would come together in joint forums. While there is somewhat more communality today, however, on average the cleavages between practitioners, academics, and trainers have not been bridged. Why? And what’s the remedy?

Old-fashioned diplomats

First of all, many practitioners, especially those in the interstate negotiations arena—mainly diplomats—do not really believe that negotiation is a science. To many, especially the old-fashioned diplomats, it is an art: inborn, something that cannot be learned. One might hope for a change as time goes by, but for the moment these senior diplomats hold the most important diplomatic posts and dominate the scene. Apart from their perception—and perception determines reality—they are often handicapped by not understanding their own behavior. They are effective diplomatic negotiators, but they are not really aware why. What am I doing in order to be effective? How are we negotiating? They are so caught up in their routine that they do not have the insight to understand what it is about their behavior that made them effective negotiators.

Losing face?

Frequently, practitioners have a certain *dédain* for negotiation research and academic education. They do



Indonesian diplomats at a training course at the Netherlands Institute of International Relations, Clingendael.

not really believe in training as a tool for becoming a better negotiator. Of course, I am stereotyping here, but many negotiation practitioners do not want to waste time by conferring with academics. And they also do not want negotiation “experts” looking into their kitchens, first because this might harm the “national” interests of their country (secrecy of negotiation in order to maintain room for maneuver) and second, because they might lose face if consultants observe that mistakes are being made and opportunities lost. We should keep in mind here that even diplomatic negotiators are human beings. They sometimes show emotions and nonverbal leaks (e.g., unconscious body language), and they do not want this to be revealed to the outside world. The principle of “open covenants, openly arrived at” has never worked.

And then there is the problem that practitioners, that is, civil servants, are

not by definition effective teachers. Actually, they are often boring and have a problem putting a message across to their audience. Of course, there are notable exceptions, but on the whole it is a bad idea to ask (former) ambassadors to teach negotiation. Their accounts of the past do not raise awareness; we need exercises to do that.

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Simulation games

Those ambassadors who are ready to work with simulations, and at Cling-

endael Institute we have a 40-year-old tradition of inviting (former) ambassadors to chair our major games, still pose problems for the staff. They look too one-sidedly at the reality level of the games and criticize them for not being correct in detail. However, this kind of realism stops good simulation games from working smoothly. It creates unnecessary complications, hampering the dynamics of the exercise and thus causing participants to lose the plot. After all, good role play only works well if the substance and procedure of the simulation exercise are easy to understand and the process and implementation are complicated—and thus interesting. If the game is too realistic, course members will have problems experiencing the processes. Balancing reality and fiction is one of the major dilemmas in games designed for learning processes. This is the first “reality dilemma.” The game must be realistic, but does not—and should not—need



Body language (“nonverbal leaks”) in evidence on the Clingendael course.



Learning to be an effective negotiator.

to fully mirror reality, for in that case the game will fail to accomplish what it is aiming for: training the (potential) international negotiator.

For academics and trainers this poses a problem. Practitioners sometimes spoil simulation games by openly commenting in a negative way, undermining the legitimacy of academics and trainers and their exercises in the eyes of the students. More serious is the second “reality dilemma” where practitioners do not allow researchers (and trainers) to observe real-time negotiations. Negotiation “experts” are sometimes invited to watch bilateral negotiations, but in multilateral interstate bargaining especially, the closed session is the rule. The result of this is twofold. First, practitioners do not profit from the insights of negotiation research, and serious mistakes are made on matters like timing and trust, strategy and tactics, skills and styles—indeed, in many consultations, we know that obvious mistakes were made and that process experts would probably have noticed them and helped the process stay on track. Second, the practitioner’s attitude seriously hampers academics and trainers: not being able to observe real negotiation processes means that alternative methods, such as observing mock communication and studying *mémoires* and other written accounts, have to be used to approximate the real processes. Interviews and surveys might help a bit, but

interviewees have a tendency to leave out the things they did wrong and to stress their moments of glory.

Videos and DVDs

A good alternative to watching international negotiation processes would be to be able to videotape them. This has been done in some rare instances. One famous example is the film *Space Between Words* from 1971 (sic!) on the negotiation process that created the United Nations Disaster Relief Organisation (UNDRO), of which a detailed account will be given in the next PINPoints. In general, there is a real need for more openness on the side of governments in order to help “negotiationists” uncover the underlying forces and dynamics of the international negotiation process. There are many tapes revealing negotiation processes and actor behavior, but they are simulations. Negotiators are actors, and all these videos and DVDs focus on the private sector. Not being real and not being public-sector seriously limits their value as training tools.

Commercial trainers

The private sector is relatively more open. Researchers have been given the chance to observe and measure labor negotiations, for example, and some boast that they can prophesy the outcome of this kind of one-dimensional bargaining with 90 percent precision. But this does not help us much in the international sphere, where issues like sovereignty play a major role and where multilateral processes are abundant. An interesting question, of course, is why companies are i) more open about having negotiations observed and ii) show more willingness to spend much more money on negotiation training than governments and international organizations. Money is the clue here. Firms are in real need of effective negotiators, as ineffective representatives can mean poor business results and therefore loss of revenue. It is no coincidence that real training devices on negotiation were developed in the private sector by commercial trainers long before diplomatic negotiation seminars were launched.

At Clingendael Institute in the early eighties, we transformed the findings of private-sector seminars into public-sector practica. Interestingly enough, commercial trainers used these transformed concepts to train civil servants, to whom business workshops were of little interest, given the different nature of public-sector and private-sector negotiations caused—inter alia—by different stakeholders. In the meantime, the question is to what extent mixed seminars would be useful for training business people in their dealings with civil servants and vice versa.

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It is no coincidence that real training devices on negotiation were developed in the private sector long before diplomatic negotiation seminars were launched

Characters versus culture

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For the same reason, business is also ready to invest in intercultural seminars, while governments often see this as unnecessary. Ministries of foreign affairs, in particular, feel that their diplomatic mores overarch cultural differences and that culture is therefore not a real factor in negotiation processes. Research done at Clingendael Institute showed that EU Council working group negotiators see characters, rather than culture, as an obstacle to negotiations. However, the research also showed that the Dutch ministries (transport, social welfare, agriculture) that do pay attention to building relationships with fellow ministries of other EU member states have had fewer problems with culture than those (notably the Ministry of Economic Affairs) that did not invest in networks. Prioritizing on issues, neglecting people.

Second-hand knowledge

As has been stated, we also see an abyss between academics and trainers for several reasons. One reason might be that academics feel that trainers—

especially those from private-sector companies—do not really deliver anything worthwhile. Their knowledge of the literature is often scarce, second-hand, and confined to pieces of “academic” work that are long past their sell-by date—literature passed on to them by others who often translated it into relevant exercises. Trainers also have a problem understanding the more complicated academic findings and, even if they do understand, the complexity of the scientific findings often prevents the transformation of these findings into practical tools. Trainers will thus have to create their own tools. And just as practitioners often do not believe in the value and relevance of the academic findings, so too the academics mistrust the added value and correctness of the training devices. Academic programs on negotiation analysis are on the whole very different from training modules and are judged by many trainers—and practitioners, by the way—to be too theoretical and therefore not applicable to the education of new practitioners.

Costly

Academics go for substance, trainers for money. There are many exceptions to this “rule,” but that the fact is

that trainers are often in the service of a company—or self-employed—and train for a living. They find it just too costly to invest time in academic conferences and writing book chapters and articles, and they are always in a hurry so that training programs will often be “routinized” into formats that can be applied to any situation. Tailor-made seminars are quite rare; seminars balancing good content and good exercises even more so.

Anglo-Saxon world

It may be because of this perception of negotiation as a “mere” technical tool that non-Anglo-Saxon universities are—with the exception of a few like Mannheim and the College of Europe in Bruges—not willing to accept negotiation research and teaching as a viable academic study. An academic branch of the study of international relations? In the Anglo-Saxon world, negotiation studies are increasingly accepted as a useful adjunct to political and other sciences—often in the context of *conflict studies*—but this is not so much the case in Europe, Asia, Africa, and Latin America. A study of and training in negotiation studies reveal one of the major vehicles of international politics. It is thus worthwhile partly

because of the importance of (future) practitioners and scientists knowing how to deal effectively with the issues affecting our world and partly because it is one way for a country to build a more effective international policy. It is vital for diplomatic academies around the world to have interstate negotiation on their agenda, and not just by asking (former) ambassadors to speak about it. That is why the International Institute for Applied Systems Analysis is supporting the Processes of International Negotiation Project: while comprehensive knowledge about issues is undeniably important, so too are the ways of implementing it.

New life cycle?

Finally then, can we expect practitioners, academics, and trainers to bridge the gaps that exist among them? Can we hope for a life cycle in which diplomats help professors to provide consultants with the tools to rear new and effective state representatives who will be useful informants for university people? Perhaps, but as we have seen, it will not be easy. Each group has its own focal point, works in its own sphere, on its own wavelength, with its own perceptions, own reality, own goals, own interests. However, PIN might be useful. PIN could bring practitioners together, as we bring academics together on just a regular basis. We could ask for permission to—sometimes—be present at real negotiations; we could ask for permission to videotape some sessions. But this will only work if we can convince civil servants about the value of scientific negotiation analysis and if we can deliver the tools for evaluating the processes. Furthermore, PIN could set up a series of train-the-trainers seminars and workshops, both to convince practitioners and to draw more trainers into our network. Why not organize a conference on training methodology and another one on evaluating real-time negotiation processes so as to bring more trainers and practitioners in our realm? And maybe—maybe—the twain will meet. One of these days.



Timing and trust, strategy and tactics, skills and style—there is much to learn on a negotiation course.

French–German Official Meeting

I am indebted to Guy Olivier Faure for the following story.

At the beginning of the nineties, two delegations from France and Germany met in Paris to discuss cultural issues of mutual interest. The meeting was held under the aegis of the Franco–German Friendship Treaty signed by French President Charles de Gaulle and German Chancellor Konrad Adenauer at the Elysée Palace in Paris on 22 January 1963. Guy Olivier Faure was part of the French delegation.

On the morning of the first meeting, which was scheduled for 9:00 A.M., the French delegation, of which Guy Olivier Faure was part, entered the conference room at 9:00 and the German delegation entered at 9:15. The next day, the same thing happened again. How was this situation to be interpreted by the French and German sides?

Obviously, each delegation wanted to show respect to the other. The French, assuming that Germans always arrive on time, did not want to make them wait. Conversely, the Germans, assuming that the French are traditionally late, did not want to embarrass them by arriving early.

Of course, had each side taken the opportunity to guess what the other side was thinking, the French would have come at 9:15 and the Germans would have come at 9:00.

Thus, if the each had taken the same number of guesses about what the other side was thinking, neither would have arrived at the same time.

Game Theory Interpretation

How does the game theorist interpret this situation retrospectively? First, he describes it with the help of a two-by-two noncooperative game in normal form, as shown in the figure.

Both players, F and G, have two (pure) strategies, namely, to arrive early or late. Although both players prefer to arrive at the same time rather than at different times, the French prefer to arrive late and the Germans early.

		←	
		G	
F	Early	⊗ 2	-2
	Late	1	-1
		↑	↓
		→	

The game theorist's interpretation of the situation.

The idealized payoffs for both players, which describe the preferences for all four possibilities, are given in the figure: in all boxes, the lower-left one for F and the upper-right one for G.

Second, the theorist looks for the so-called Nash equilibria of the game, which are defined by the property that any unilateral deviation of one player from an equilibrium does not improve the deviator's payoff. In general, such equilibria are not unique. For our game, the Nash equilibria are found with the help of arrows indicating the preference directions, which is also shown in the figure. As a result, we obtain two equilibria, indicated by stars in the figure, namely, to arrive together, whether early or late. (In fact, there is a third equilibrium involving so-called mixed strategies that does not interest us here.)

That is the theorist's explanation of what happened in Paris: as the two delegations did not confer about the exact arrival time, they entered into a non-cooperative game with two equilibria, and had no opportunity to select one of them. In other words, they entered into a game without solution; thus, a joint arrival time could not be expected.

Rudolf Avenhaus

New Negotiations Book Published

After the first *Biennale de la négociation*, jointly organized by the French PIN Group and NEGOCIA, a business school that is part of the Paris Chamber of Commerce and Industry, a new series of books on negotiation has been launched. The first book of this series, edited by Guy Olivier Faure, professor of sociology at the Sorbonne University, Paris, and member of the PIN Steering Committee, has just been published: *La négociation: regards sur sa diversité*.

The book addresses scholars, teachers, students, trainers, and negotiation practitioners. Eighteen chapters, in French or English, have been selected from among the most significant and innovative papers presented during the *Biennale*. The book is organized along four themes: negotiation systems, conflict resolution, concepts and their implementation, and positions and debates.

Publibook Web site: www.publibook.com.



PIN Steering Committee members at work at a recent meeting in the *Schloss* at Laxenburg.

PIN Project on Negotiated Risks Concludes

International negotiation among states involves *risks*: taking risks, using risks, avoiding risks, managing risks. Risks may become an obstacle in a negotiation; frequently, they are an extra burden for those who are conducting a negotiation or are responsible for its outcome. In multilateral talks—always unwieldy because of the technical difficulty of the questions being addressed and the large number of issues and actors engaged in the process—risks increase the degree of complexity. The need to consider risks makes communication among parties more cumbersome and time-consuming. Diverging perceptions of risk can impede the search for a common understanding of an issue under negotiation and cause pseudo-conflicts. Parties may find it harder to reach an accord that is not only technically feasible, but also acceptable to a sufficiently large number of delegations. The uncertainty that is an inherent part both of a risk and of measures undertaken to cope with a risk will make it more difficult for responsible policy makers to justify a costly commitment in an international negotiation—special procedures may thus be required when risks are addressed in such a forum. Effective approaches using risk avoidance or risk management may become critical to a successful negotiation outcome.

Diverging perceptions of risk can impede the search for a common understanding of an issue

However, risks do not necessarily have a negative impact on a negotiation. Risk taking by a leading actor may help negotiating parties to get the process out of an impasse. One leadership strategy may be to make a stalemate more hurting to some parties than to others. It may be meaningless or completely counterproductive to take steps to avoid parties being confronted by

a serious risk if the whole purpose of the negotiation is to find a way to cope with the given risk. How to understand and cope with risky issues in international talks is an important topic in its own right in the context of negotiation analysis.



Source: International Atomic Energy Agency

The Temelin nuclear plant in the Czech Republic is one of the case studies in the new PIN book project.

The need to consider risks makes communication among parties more cumbersome and time-consuming

A recently concluded IIASA/PIN book project coordinated by Rudolf Avenhaus and Gunnar Sjöstedt addresses one aspect that has hitherto been somewhat neglected in the literature, namely, that many negotiated issues in various areas are, by their very nature, risks and this, in turn, places those who are engaged in such talks in a special situation. The IIASA/PIN project was organized as a cross-sectoral, comparative case study looking at environment, economy, and security. The cases included in the analysis cover radioactive spills from the Kola peninsula, the continued operation of the Temelin nuclear plant, the talks on climate change, water pollution in the Danube, the siting of an incinerator, joint ventures in China, confidence building in the relationship between the two superpowers during the Cold War, disarmament in the biological

weapons sphere, development of a collective regional security regime in the Baltic area, and preventive diplomacy. The purpose of the study was to assess what is special for, or typical of, international negotiation in negotiated risks of this kind.

Although negotiated risks are issue-conditioned, they are in essence constructed by the actors participating in a negotiation and thus tend to vary across actors or categories of actors when a negotiation starts. A negotiated risk is likely to be perceived and assessed differently by different parties, depending on their interests, knowledge, culture, and other background factors. For example, a natural scientist, an African diplomat, and an ordinary layman would probably have different “takes” on the problem of climate warming. It is usually difficult to fully determine and understand the impact and implications of cultural differences such as those that affect whole countries and professions.

The comparison of cases in the book indicates various basic approaches that may be used separately or in combination to deal with the special problems of negotiated risks. A general observation is that, regardless of what approach is applied, policy makers and negotiators must realize that handling risks is conditioned by the current stage of an ongoing multilateral process of international talks: prenegotiation, agenda setting, negotiation on formula, negotiation on detail, agreement, and postnegotiation.

One approach to coping with negotiated risks strives to harmonize **risk perceptions**, for example, by means of continuous consultations that include technical experts.

Institutional measures may be taken to ease **risk communication**.

Trust building by means of regular meetings in contact groups is one possible way of supplementing, or even substituting for, actual **risk assessment**.

The IIASA/PIN book on negotiated risks will come out later this year.

Gunnar Sjöstedt

The Climate Talks : COP 11/MOP 1, Montreal 2005

The year 2005 represented an important transition stage in the history of the United Nations negotiations on climate change, which had begun some 20 years earlier.

With the 1997 Kyoto Protocol entering into force on 18 February 2005, COP 11/MOP 1 closed on 10 December 2005 with the adoption of some 40 decisions that, together, reinforced the climate regime in various ways.¹ Among other things, the clean development mechanism was strengthened by increased funding from developed countries (US\$13 million in 2006–2007), the joint implementation mechanism came into operation, and a governing body was established; agreement was also reached on the compliance system under the Kyoto Protocol and a compliance committee was elected. COP 11 accepted a five-year work program on adaptation to the harmful impacts of climate warming and also established a procedure to set up an operational adaptation fund.

The implementation of the Kyoto Protocol and the start of negotiation pertaining to the “second commitment period” were thus major issues at COP 11. The discussions about post-Kyoto talks that had also taken place at COP 10 in Buenos Aires the year before had essentially failed, with no agreement being reached on post-Kyoto negotiations—although a decision was taken to discuss this issue further at a UN seminar scheduled for May 2005.

Post-Kyoto negotiation continued to be a difficult and controversial topic in Montreal, the main reason being



Source: <http://www.congresmtl.com/>

Palais des congrès in Montreal, venue for COP 11/MOP 1.

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Post-Kyoto negotiation continued to be a difficult and controversial topic in Montreal

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the firm position taken by the United States and other countries against the Kyoto Protocol. Only on the last day of COP 11 did the negotiating parties manage to determine a procedure for post-Kyoto negotiation—a compromise solution put forward by the COP/MOP president, the Canadian environmental minister, Stéphane Dion, who proposed a three-track approach that still did not eliminate the underlying bones of contention. Negotiations were to be continued under both the Kyoto Protocol (track I) and the United Nations Framework Convention on Climate Change

(UNFCCC) (track II) to keep the United States engaged in the overall process of post-Kyoto climate talks within the UN system. Negotiation on track I will deal with the development of the Kyoto Protocol. Track II, favored by the United States, can be described as a kind of dialog within the context of UN-

FCCC between the nations involved without any objective of establishing schedules for cutting greenhouse gas emissions. On track II the focus was instead set primarily on development and the spread of “green” technology. Third-track negotiation was meant to be a review under Article 9 of the Kyoto Protocol with the main aim of facilitating the engagement of a larger number of developing countries in the subnegotiation of the climate talks on binding mitigation measures. Another function of track III will be to serve as a link between tracks I and II pertaining to the Kyoto Protocol and UNFCCC, respectively.

The difficulties of starting the post-Kyoto negotiations on climate change have forebodings for the future. These talks need to be carefully planned so as to avoid unnecessary procedural friction and inefficiency. It is against this background that PIN is now finishing a book project, *The Strategic Facilitation of the Climate Talks*.

Gunnar Sjöstedt, Tanja Huber

Notes

¹ Recall that formally the 2005 meeting in Montreal was essentially two conferences running in parallel: first, the Eleventh Conference of the Parties to the Framework Convention on Climate Change (COP) and, second, the First Conference of the Parties serving as the Meeting of the Parties to the Kyoto Protocol (MOP). In this article, a distinction is made between COP and MOP, as necessary. Otherwise the Montreal meeting is referred to as COP 11.

PIN organizes side event at COP 11/MOP 1

An IIASA/PIN side event was held during the United Nations two-week Climate Change Conference—COP 11/MOP 1. Joanne Linnerooth-Bayer of IIASA's Risk and Vulnerability Program spoke on Insurance Mechanisms for Climate-Related Risks and Gunnar Sjöstedt of International Negotiation spoke on Facilitation of the Climate Talks.

This event followed in the footsteps of the 2004 side event held by IIASA/PIN at COP X sponsored by the Austrian Ministry of Environment.

Side events are usually organized by Parties, observer states, the United Nations, and observer organizations (such as IIASA) for the sole benefit of COP participants.

SAGE Handbook on Conflict Resolution

The PIN Program has been invited to organize and edit the latest in the series of handbooks by Sage Publishers, on conflict resolution.

As usual, a few PIN members will take on the editing task, with the others serving as the review committee. The editors will be Dr. Victor Kremenyuk of the Russian Academy of Sciences and Dr. I. William Zartman of The Johns Hopkins University working with Dr. Jacob Bercovitch of the University of Canterbury, New Zealand. The associate editors will be the remaining members of the PIN Group, with an additional list of notable authorities serving as the international advisory committee. The publication will draw in the participation of 36 scholars from around the world to produce an authoritative review of the state of the art (and science) of the field and identify new areas needing further research. Draft chapters will be arriving in the course of the year, and the project will be the subject of the summer 2007 PIN workshop. Below is the list of the authors with their affiliation:

I. W. Zartman

Introduction: Victor Kremenyuk, Jacob Bercovitch, and I. William Zartman

History: Louis Kriesberg, Syracuse University

Methods and approaches: Daniel Druckman, George Mason University

Case Studies: Jack Levy, Rutgers University

Quantitative approach: J. David Singer, NYU/U Michigan

Game Theory: Barry O'Neill, UCLA

Experimental issues: Dean Pruitt, Yale University

Constructivism: Richard Jackson, University of Manchester

Ethnics/Identity: Don Rothchild, UCLA

Economics/Resources: To be decided

Territory/Boundaries: John Vasquez, University of Illinois

Religion: Mark Gopin, ICAR/CRDC

Ecological Aspects: Gunnar Sjostedt, Swedish Inst. of Intl. Affairs

Conflict Prevention: Michael Lund, USIP

Negotiation: I. William Zartman, The Johns Hopkins University

Mediation: Jacob Bercovitch, University of Canterbury

Arbitration: Franz Cede, Austrian Ambassador to Brussels

Diplomacy: Christer Jonsson, Lund University

Problem Solving: Tamara Pearson D'Estree, University of Denver

Dialogue: Harold Saunders, Kettering Foundation

NGOs: Andrea Bartola, Columbia University

UN: Constance Peck, UNITAR

Regional Organizations: Max v.d. Stoel, John Packer, OSCE

Terrorism: William Donohue, Michigan State University

Media and Conflict: Eytan Gilboa, University of Southern California

Democracy: Bruce Russett, Yale University

Intractable Conflicts: Fen Hampson, Norman Paterson School of Int. Affairs

Culture and Conflict: Guy Olivier Faure, University Rene Descartes

Peacekeeping via CR: Paul Diehl, University of Illinois

Post-Conflict: Valerie Rosoux, University Catholique de Louvain

Durability: Scott Gartner, University of California, Davis

Peace versus Justice: Cecilia Albin, Uppsala University

Civil War: Kristian Gleditsch, University of Essex

Development and Conflict: Paul Collier, St. Anthony's College

Human Rights: Eileen Babbitt, Tufts University

Force and Arms Control: Victor Kremenyuk, Russian Academy of Sciences

Training and Education: Paul Meerts, Clingendael

Buenos Aires Group on International Negotiation

The Buenos Aires Group on International Negotiation (GBANI) was formally established on 7 July 2004 at the headquarters of the Argentine Council for International Relations (CARI) after consultations among scholars and corporate practitioners with a particular interest in the current development of international negotiation and its promotion. The Group of 10 members—for the time being a *numerus clausus*—will exchange ideas and information, promote knowledge, make that knowledge available to the public, and liaise with like-minded groups abroad. Five members are well-known scholars either teaching or researching in the field of international negotiation, and five have long experience in the practice of international negotiation. Details of the aims of the Group and the names and positions of its members appear in its Newsletter 1/2004.

In its meetings to date, the Group has considered organizational matters and substantive questions such as Argentina's external indebtedness and ethics in international negotiating processes. In these exchanges and discussions, the members' contributions, in the form of personal viewpoints on and approaches to the many structural and dynamic aspects of international negotiation, were judged to be useful, if not indispensable—a necessary complement to theory and practice.

Zartman lecture

On 1 and 2 September 2005 a Symposium was held by members of the Group at CARI headquarters entitled "Current Requirements and Trends of International Negotiation," and the Group was privileged to hear a lecture by the distinguished professor, Dr. I. William Zartman. Subjects for discussion, related to general aspects of

international negotiation, trade, and other matters, were chosen by each participant. Less ambitious than a similar event held in 1995, under the same heading and with the participation of PIN members, the Symposium was the first public activity of the Group. A second is envisaged for later this year on a subject to be decided.

Second Biennale

On the occasion of the Second International Biennale on Negotiation, held in Paris on 17 and 18 November 2005 at the Paris Chambre de Commerce et d'Industrie, a paper by J.C.M. Beltramo, entitled "Ethics, Justice, Equity, and Fairness in International Negotiation" was presented and should be also considered a contribution by the Group to this important event.

Juan Carlos M. Beltramo,
Coordinator of GBANI

PIN  *Points*

The Processes of International Negotiation Program

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Netherlands, Norway, Poland,
Russian Federation, Sweden,
Ukraine, United States of America.

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.
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Negotiating European Union, P.W. Meerts, F. Cede, editors, 2004, Palgrave Macmillan, Basingstoke, UK.
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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.
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How People Negotiate: Resolving Disputes in Different Cultures, G.O. Faure, editor, 2003, Kluwer Academic Publishers, Dordrecht, Netherlands.
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Professional Cultures in International Negotiation: Bridge or Rift? G. Sjöstedt, editor, 2003, Lexington Books, Lanham, MD, USA.
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ISBN 0-8476-9894-7 (cloth) ISBN 0-8476-9895-5 (paper)

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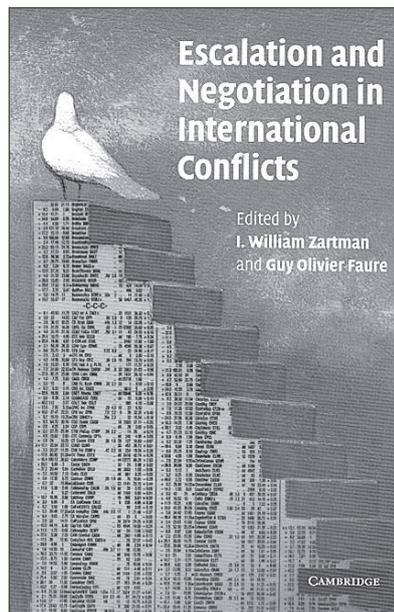
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International Environmental Negotiation, G. Sjöstedt, editor, 1993, Sage Publications, Newbury Park, CA, USA.
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Culture and Negotiation. The Resolution of Water Disputes, G.O. Faure, J.Z. Rubin, editors, 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

Recent PIN Books



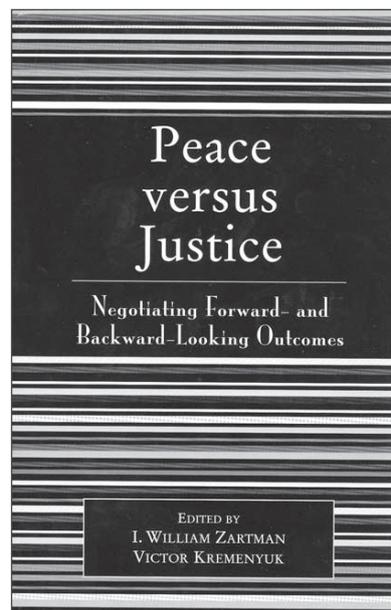
Escalation and Negotiation in International Conflicts, edited by I. William Zartman and Guy Olivier Faure

How can an escalation of conflict lead to negotiation? In this systematic study, Zartman and Faure bring together European and American scholars to examine this important topic and to define the point where the concepts and practices of escalation and negotiation meet. Political scientists, sociologists, social psychologists, and war-making and peace-making strategists, among others, examine the various forms escalation can take and relate them to conceptual advances in the analysis of negotiation. They argue that structures, crises, turning points, demands, readiness, and ripeness can often define the conditions under which the two concepts can meet. The authors take this opportunity to offer lessons on theory and practice. By relating negotiation to conflict escalation, two processes that have traditionally been studied separately, this book fills a significant gap in the existing knowledge and is directly relevant to the many ongoing conflicts and conflict patterns in the world today.

Contributors

I. William Zartman, Guy Olivier Faure, Patrick M. Morgan, Rudolf Avenhaus,

Juergen Beetz, D. Marc Kilgour, Paul W. Meerts, Sung Hee Kim, Daniel Druckman, Lisa J. Carlson, Dean G. Pruitt, Karin Aggestam.



Peace versus Justice, edited by I. William Zartman and Victor Kremenyuk

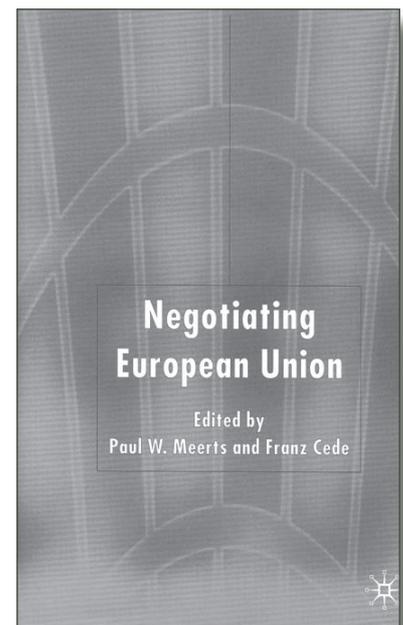
This book examines the costs and benefits of ending the fighting in a range of conflicts, and probes the reasons why negotiators provide, or fail to provide, resolutions that go beyond just “stopping the shooting.” What is the desired and achievable mix between negotiation strategies that look backward to end current hostilities and those that look ahead to prevent their recurrence?

To answer that question, a wide range of case studies is marshaled to explore relevant peacemaking situations, from the end of the Thirty Years’ War and the Napoleonic Wars, to more recent settlements of the late 20th and early 21st centuries—including large scale conflicts like the end of World War II and smaller-scale, sometimes internal conflicts like those in Cyprus, Armenia and Azerbaijan, and Mozambique. Cases on Bosnia and the Middle East add extra interest

Contributors

Patrick Audebert-Lasrochas, Juan Carlos M. Beltramino, Franz Cede, Daniel

Druckman, Christophe Dupont, Janice Gross Stein, Victor Kremenyuk, Robert B. Lloyd, Terrence Lyons, Paul W. Meerts, Vitaly V. Naumkin, James C. O’Brien, Marie-Pierre Richarte, Valérie Rosoux, Beth A. Simmons, I. William Zartman, and Irina D. Zvyagelskaya.



Negotiating European Union, edited by Paul W. Meerts and Franz Cede

The European Union can be perceived as an enormous bilateral and multi-lateral process of internal and external negotiation. This book examines negotiations within member states, between member states, within and between the institutions of the Union and between the EU and other countries. It also analyzes processes, actors and interests. This book is, therefore, a unique probe into the relatively unknown arena of negotiation processes in the European Union.

Contributors

Franz Cede, Rinus van Schendelen, Mendeltje van Keulen, Pieter Langenberg, Derek Beach, Dorothee Heisenberg, Ole Elgström, Leendert Jan Bal, Peter van Grinsven, Alain Guggenbühl, Alice Landau, and Paul W. Meerts.