

## From the PIN Steering Committee

Sooner or later the academic analyst of international negotiation is bound to be asked by his friend the negotiation practitioner what theory-oriented research on international negotiation is good for. The analyst typically points out that such research contributes to the cumulation of knowledge about an extremely useful approach to collective decision making and conflict resolution among governments, businesses, and other international actors, and that, after all, what practitioners do is what analysts study. The practitioner, however, is not content with this answer, but pursues her query by asking about the practical use of such generalized knowledge of negotiation. After all, a true understanding of negotiation would come from training and practical experience rather than from research results. In this sense, negotiation is more an art than a science.

The analyst also has access to standard arguments along the line that "nothing is as practical as a good theory." Thus, generalized knowledge may help an individual actor to develop "intelligent" negotiation strategies, or it may contribute by facilitating a negotiation to the benefit of all parties involved.

The dialogue between the analyst and the practitioner is becoming increasingly important, but it should be channeled from a general discussion to one serving more practical purposes. The demand for negotiation support or facilitation of a whole process of negotiation is currently mounting in numerous

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## EU Enlargement Will Change the Rules of Negotiation

From the point of view of negotiation theory and practice, the forthcoming enlargement of the European Union (EU), soon to comprise 25 member states, will fundamentally change the rules of the game. It goes without saying that the European Communities, which started out with six member countries in the late 1950s, represented a much smaller and in many respects more cohesive entity than the current 15-member EU—not to mention the expanded 25-member EU, which will stretch from Portugal to the border of the Russian Federation.

It is not only the geographic expansion of the EU that poses difficult questions; the ever-widening sphere of community matters falling within the sole competence of the EU is also making the negotiation process in the EU an extremely complicated undertaking. Both the deepening of the Union's integration and the widening of its geographic expanse constitute momentous challenges that the EU has not yet met in a satisfactory manner. The Treaty of Nice, which entered into force on 1 February 2003, sought to lay the institutional foundations for the imminent enlargement. However, it was generally judged to be partial and insufficient in its answers to the questions involved with the enlargement process. For this reason, a new advisory body was created in the form of a European Convention assembling, among others, representatives of governments, the European Commission, the EU Parliament, and national parliaments. The current divisions within the European Convention, established with the mandate to draft proposals on the future of the EU, give ample evidence of the difficulties ahead.

The Treaty of Nice provided a majority vote for some additional

subject matters; enhanced the position of the Commission president in some respects; and offered a mathematical key to a new weighing of the votes in the EU Council taking into account the 10 new member states. The present debates on the preliminary results of the European Convention's work under the leadership of former French President Valéry Giscard d'Estaing bear witness to the fact that the whole edifice of the EU is at stake in the reform process that has been triggered by the inescapable necessities of enlargement. It has become obvious that more ambitious proposals aimed at redefining the role of the Council, the Commission, and the European Parliament will be required to secure a more efficient negotiating framework

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in a wider EU. Some of the proposals have run into serious difficulties as they touch upon the raw nerve of where governments stand in their vision of the EU. In this reform debate, we are witnessing a profound conflict of interests between the small and the big member states. The stakes are high not only in terms of power and influence at the EU negotiating table, but also in terms of the larger picture. The enlargement poses basic questions about the very concept of the future shape of the EU as the center of gravity of European integration. The integrationist approach to the EU, supporting an ever-closer union of member states and going as far as creating a sort of "United States of Europe," stands in stark contrast to the more nationalist approaches stressing the importance of maintaining the sovereign rights of member states.

We do not need a prophet to predict that within the EU, soon to be enlarged by a great number of quite diverse countries, different negotiating styles and cultures will be brought to bear.

We can also expect that new alliances and ad hoc coalitions will emerge. A frontline can already be seen

between the smaller states and the larger ones in a negotiating pattern that is totally different from that of the past. Whereas traditionally the combined French–German political will was considered the driving force of the EU, the Union's mostly eastward enlargement ahead promises changes in this pattern. Poland alone, a country with more than 40 million inhabitants and a crucial geopolitical situation in Central Europe, will certainly bring its weight to the balance. It seems obvious that unless the EU is able to quickly make its key institutions leaner and more efficient, the negotiating processes in the enlarged EU will become extremely cumbersome. One of the practical consequences of the EU's eastern enlargement is already making itself felt at the negotiating table: in spite of the Union's complex official language regime, for all practical purposes English appears to have become predominant in the new Europe, and the relatively strong position of French appears to be diminishing.

Another casualty of enlargement most probably will be the cohesion of the EU. The more difficult it becomes

to garner the consent of all member states in the enlarged format, the more likely a core group of interested countries will push ahead their own initiatives, leaving behind those other member states that choose to take a different position. Such a trend may well lead to less cohesion of the EU as a whole, offering a general picture of Europe advancing at different speeds and maybe in different directions. The code word "flexibility" can hardly serve as a fig leaf for such corrosive forces.

The phenomena described above are already tangible, even before the imminent wave of EU accessions. What makes the upcoming enlargement essentially different from previous ones is the sheer number of new members. It is generally felt that the absorption of 10 new member states cannot occur in a purely mathematical way, but will instead exert a big bang effect, leading to qualitative changes that will also dramatically affect the negotiating processes of the EU.

*Franz Cede*

issue areas and organizational contexts. *Capacity building* is more and more frequently highlighted in this connection. Multilateral negotiations on complex issues—for example, the Doha round within the World Trade Organization (WTO) or the IPCC talks on climate change—are becoming increasingly difficult to cope with for many developing countries with limited resources. This asymmetry of competence is in itself an obstacle in the negotiation. Institutions within the United Nations have therefore developed capacity-building programs for the benefit of weaker parties. Dialogue between academic negotiation analysts and practitioners and issue experts is needed to improve these capacity-building programs. Such programs typically focus on two things. The first is the issue itself, for

example, the causes and effects of greenhouse gases in the climate talks or tariff escalation in the WTO. The second focus is on the implementation of negotiated agreements, which in many countries remains a capacity problem. While some countries do not comply with international agreements because they do not want to, other countries do not comply because they cannot.

Generalized knowledge from negotiation analysis is also highly relevant for capacity-building programs. When many actors negotiate complex issues, the negotiation process itself becomes complex. It is not sufficient for the weaker parties within the negotiation to learn only about the issues framed in terms of the understanding of the natural scientist. They also need to fully comprehend how more resourceful parties frame the issues in order to

promote their own interests or world outlook. They need to better understand how the process works and how it may be influenced or manipulated. Negotiation analysts have the important task of bringing process knowledge into capacity-building programs. This is not easy, as it has to be undertaken in cooperation with practitioners and issue experts. Process is only clearly visible for those who put on special analytical "spectacles" developed in negotiation analysis. This is why the dialogue between the analyst and the practitioner is so important and why the process needs to be improved.

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## Terrorists or Freedom Fighters? Peacemaking in the Middle East

The current crises in the Middle East contain three challenges to peacemaking: relations with al-Qaeda, relations with Iraq, and relations within Israel/Palestine. All three pose the question of the requirements for negotiations, and the third also poses the question of third-party actions to get a difficult negotiation started.

Negotiation is a preferred way of resolving a conflict—a clash of incompatible positions—rather than the use of force. Negotiation seeks a middle way, a compromise, between two (or more) opposing positions; an exchange, compensation, or trade-off of preferred positions; or a redefinition or reframing of incompatible positions. It requires that there be something between the two parties to compromise or to exchange, or that communications be open enough to allow a constructive reframing of the problem. Compliance with a decision, a law, or an order is generally considered to be non-negotiable.

The conditions for negotiation do not appear to exist with regard to al-Qaeda, nor did they exist in regard to Iraq, by these parties' own statements. On 11 September 2001, al-Qaeda declared its war on a variously defined enemy—the United States, the West, globalization—which it seeks to eliminate or humiliate and dismantle. It does not have a negotiable list of demands, even if its target were to offer to negotiate. But there is an enormous mass of people—the water in which Mao's fish swim—that is up for grabs between the two poles of enmity, potential terrorists and their supporting population that the West must not leave to the organizers of hate. This means above all continuing the Middle East peace process that we invented and that has been responsible for the return of much Arab land to Arab states. (More on this below.)

The same can be said for the former regime in Iraq. It is not fully clear what Saddam Hussein's goals were, but it is likely that there were two aims at their core: to stay in power at home and to play a dominant role in the leadership

politics of the region. While a limited exchange on this basis might have been conceivable—a trade-off of remaining in power against giving up weapons of mass destruction—and was implicit in the inspection strategy of the United Nations (UN), it did not seem attractive to Hussein or to the United States. The weapons appeared to be integral to Hussein's goal of remaining in power. Of course, either side could have adopted the strategy and called the other's bluff—again the UN inspection strategy. Once the bluff is called, the conditions for further negotiation collapse. The United States, the United Kingdom, and others were obliged, by the failure of the other UN Security Council members to fit deeds to their oft-repeated words, to call closure to a series of 17 resolutions in 12 years and to put them into effect. The coalition forces acted to save the UN. In so doing, they gave themselves a far greater challenge, that of returning—or for the first time handing over—the government of Iraq to the people of Iraq and living with the results.

In contrast, the conditions for peacemaking in Israel/Palestine appear to be present, at least in the abstract. There is a salient outcome—the two-state solution based on 1967 borders—that can be regarded as either a dual concession or a trade-off, and at one point there was even a reframing notion, Shimon Peres' New Middle East of economic cooperation after political separation. There was even a path to this goal, the steps set out in the 1993 Oslo Accords, and now set out more clearly in the 2003 "road map" to peace. The problem with the path-breaking Oslo agreement was not in the Accords themselves but in their non-application and in the two parties' unwillingness to undertake an active campaign to sell the Accords to their own people and to each other's home constituencies. The condition that made Oslo possible—secrecy—was the condition that made it fail when the negotiators returned home.

But these conditions no longer exist. Implementation of the Oslo Accords

halt. Israel continues to extend its de facto annexation of bits and pieces of the West Bank through the implantation of settlements, locking itself into ever-greater difficulties to make the required concessions to attain a viable two-state solution. Israel continues to impose conditions on the Palestinians without any indication that any equivalent concessions will be offered in exchange—most notably the call for a halt to violence and terror while it continues its own violence and terror of occupation, and the replacement of President Yasir Arafat while the equally intractable Ariel Sharon remains in power as prime minister. A new prime minister and new government have been installed in Palestine, without any equivalent concessions or confidence-building mechanisms from the Israeli side.

This represents a familiar situation in negotiation, or non-negotiation, a situation where the outcome is evident but the process of getting there is not. In addition to the conditions already discussed, what is required in such a situation is a strong mediator, who will identify compromises and trade-offs, suggest reframings, and create the incentives for movement to the evident outcome and the disincentives for not moving, while keeping the prize in clear view. The most prominent mediator is, of course, the United States, which has played the role with some success in the past. The current road map has the European Union, the UN, and Russia joining the United States in playing that role. Whoever plays it, the role is as obvious as the need for it. It would involve forcing the two parties into an agreement against their wishes and their nature at the present point. The United States has thrice previously—under Presidents Eisenhower, Nixon, and Bush senior.—pressed Israel into reversing its decisions by using threats, but these were not final decisions on issues as close to home as a Palestinian solution. Positive opportunities, such as the Abdullah plan for Arab recognition and normalization with Israel in exchange

for the creation and recognition of a Palestinian state, have been neglected by potential mediators; the road map now offers firm steps, firm deadlines, and a clear outcome—a Palestinian state within the 1967 boundaries, with both sides committed to an end to terrorism and violence.

The other requirement is the contextual condition of ripeness, another necessary but insufficient condition for negotiation. The parties need to feel that they are in a mutually hurting stalemate and that there is a way out of it through negotiation. These perceptions also offer an opportunity for the mediator; if they are not present, the mediator's role is to ripen the conflict (and if that is not possible, the mediator can at least position itself for the moment when they are present). Objectively, the Israel/Palestine conflict is more than ripe, but subjectively—where it matters—the parties do not see it. They take refuge, respectively, in the curse of the strong and the curse of the weak.

In the former, the stronger party thinks it can brave the pain and win by outlasting the weaker party; in the latter, the weaker party merely sets aside any thought of negotiation and settles down for victory in the long run, beyond our lifetime, because it feels the strong will never negotiate anyhow. These perceptions offer a further challenge to any potential mediator.

The mediator's role in the Israel/Palestine conflict continues to offer a significant opportunity, not only with regard to that conflict, but also in the context of the two non-negotiatory situations. A positive and active role with regard to Israel/Palestine would give the mediator the high ground against the claims of al-Qaeda. It would restore the role of leadership to the mediator and the position of preference for the negotiatory approach to international conflict. It would be strengthened by insistence on compliance with UN resolutions in all situations, not just by Iraq. That opportunity has been allowed to slip

by, gradually but perhaps not irrecoverably, making it more and more difficult to exercise it. The advantages of mediation and negotiation in this conflict are obvious. The reason why they have not been seized upon to date is not, but a last great opportunity—for Israel, for Palestine, for the reputation of the United States—is here.

The road map to peace, which has suddenly engaged the highest-level attention of the US government, presents a crucial opportunity to save the situation and mediate a true final settlement. Parties willing to negotiate and the mediator itself need solid, constructive support from the international community, and those not willing to make peace need to be firmly sidelined. It is only by making certain that the willing parties receive their just portion in the final settlement that the spoilers can be effectively marginalized.

*I. William Zartman*

## Results of IIASA's Research and Negotiation

Interest in negotiable solutions to the issues typically studied at the International Institute for Applied Systems Analysis (IIASA) was present almost from the moment the Institute was created (Raiffa, 1982). The idea was that, since the declared purpose of IIASA was the study of important international “nonpolitical” problems, it would only be logical to extend that research to include negotiable proposals that could be brought to the attention of the interested governments and international institutions. To achieve this, two things were needed: first, a research methodology that would bring the conclusions from the problem-solving stage to the stage of direct negotiations; second, something like a “universal” negotiation approach that on the basis of the existing knowledge would reflect, not so much the specifics of individual national or professional approaches, but some standard cosmopolitan procedures as they were worked out to solve specific problems in the United Nations, the

World Trade Organization, and other international regimes.

The PIN Project was started at IIASA in 1986. Since then, finding standard negotiation procedures has been the constant focus of PIN researchers. No doubt, had there existed some reliable and universally accepted rules on how to turn a research problem—for example, the distribution of water resources, the distribution of food, or dealing with the consequences of the growth of human population—into an agenda for appropriate negotiation, it would have been much easier to work out something like an “IIASA research style” combining both substantial problem solving and procedural conflict resolution. But there have never been any ready solutions or ready prescriptions.

A sustained international effort to study international problems began only in the late 1960s and early 1970s, mainly after the Club of Rome's *The Limits to Growth* was published (Meadows et al., 1972). The effort was

based on two premises: first, there is a category or class of problems that urgently need to be studied because unless they are solved they may block the prospects of human development; second, that this research should be pursued internationally. This viewpoint received broad support at the United Nations Conference on the Human Environment held in Stockholm in 1972 and at other related conferences.

This alert led to a rapid and sound response, mainly from the scientific communities, who agreed that this class of problems, labeled as “international” or “global,” must be studied. The relevant effort was undertaken at IIASA and elsewhere. But a wide gap persisted between the research community and governments and policy makers. Very often, the conclusions and pleas of analysts were either ignored or overlooked by those with the power and responsibility to make the necessary decisions.

The policy makers' response to the analysts' warnings was twofold. At the

national level, some important decisions were made and implemented to help preserve the environment, limit pollution, and develop new resources. But at the international level, these approaches very often either failed completely or required decades before a negotiable solution was found (e.g., the United Nations Convention on the Law of the Sea).

So, in the area of managing international problems, whether of a conflictual nature or not, the research problem was how to integrate the findings of systems analyses and the negotiable solutions that could be regarded as internationally agreed strategies. The decision sciences aspect could be helpful only in a limited way here, because mathematical applications to the study of negotiations and negotiable solutions are still extremely undeveloped.

It should also be acknowledged that negotiation research has not produced much that is tangible for systems analysts. Negotiation research has had to go its part of the way by trying to identify and study some important areas, such as the impact of power and culture on negotiations, multilateral negotiations, escalation and prevention as subjects and elements of negotiations, and many other issues that have not yet been the subject of sustained systems analysis at the international level. Moreover, negotiation research has also had to try its findings in different areas, like trade and finance, nuclear security, environment, and so on.

The idea of merging problem solving and negotiation as a possible conflict-management strategy has come from international quarters. Basically it demands both that an effort

be made to develop the science of solving important international issues and that the two sides of the problems studied at IIASA be put together: the substantial knowledge of the problems of food, environment, energy, population, etc., and the procedural knowledge of how to frame these issues as subjects for negotiations and decisions and how to achieve durable and fruitful solutions.

Victor A. Kremenjuk

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## Why It Is Important to Study “Negotiated Risks”

As reported in a previous issue of *PINPoints*, a new PIN project, coordinated by Rudolf Avenhaus and Gunnar Sjöstedt, has recently been initiated concerning the problems of dealing with “negotiated risks.” In September 2002, a workshop was organized at the International Institute for Applied Systems Analysis (IIASA), where outlines for chapters for a forthcoming book on this topic were discussed. Finalized draft chapters were reviewed in June 2003 at another meeting at IIASA.

By “negotiated risks,” we mean issues that attain the character of a risk when they are constructed at the negotiation table. The notion of negotiated risk is somewhat difficult to specify. Climate change and other transboundary, environmental issues are good illustrations. In a typical environmental negotiation, parties try to agree among themselves on the cost distribution of measures that will accrue emission reductions immediately or in the short run in order to attain long-term benefits that are not only diffuse but also uncertain (e.g., the elimination of an acidification problem or the avoidance

of climate change). In a PIN book on environmental negotiations, we labeled this situation, or syndrome, “negative perceptions of the immediate outcome” (Sjöstedt, 1993). In the book project on negotiated risks, we will make comparisons by addressing a set of similar issues from the environmental sector as well as from other areas such as business talks or negotiations on arms reductions.

The early stages of the project on negotiated risks have generated lively discussions among participants that have highlighted the importance of this research activity for theory as well as for practice. For example, one school of thought has demanded a clear and generalized definition of risk to be accepted and employed by all participants in the project. Proponents of this view claim that it should be normal procedure for key concepts to be specified and generalized as far as possible so that they can be employed by all project participants in exactly the same way. How can case studies otherwise be carried out in a systematic way for aggregation or comparison purposes?

In contrast, another school of thought holds that risks have to be conceived of as social constructions that differ across critical background factors such as ethnic or professional culture. According to this outlook, it would be misleading to present risk as a phenomenon with a given and unique meaning that should be accepted by everyone—both academic analysts and practitioners. Rather, we should expect individuals to have diverging views of what risk is, unless a configuration of external circumstances has conditioned them to a more unitary understanding of risk.

In fact, divergences across individuals with regard to how risks are perceived, understood, and assessed represent a principal motive behind a book project on negotiated risks.

Gunnar Sjöstedt

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## The PIN Steering Committee at Iran's School of International Relations

The Diplomatic Academy of Iran organized a successful Road Show with five members of the PIN Steering Committee. On the morning of 13 January 2003, the Committee spoke to around 100 students of the School of International Relations (SIR) of the Ministry of Foreign Affairs in Tehran. The program began with introductions by Masoed Eslami, director of the SIR, and Paul Meerts, coordinator of the PIN mission to Iran. The Committee members then gave individual talks. Victor Kremenyuk highlighted PIN and IIASA's history and background. I. William Zartman discussed the state of the art of negotiations in the Middle East, while Guy Olivier Faure focused on China as a negotiation partner for Iran. Rudolf Avenhaus analyzed negotiation modeling, and Paul Meerts

spoke on negotiations between Iran and the European Union.

That afternoon, all five PIN members delivered workshops on different aspects of Caspian Sea negotiations, some of which are described in the articles that follow. The workshops focused on sources of power in the Caspian (Zartman), models of power in the Caspian (Avenhaus), the structure of Caspian Sea negotiations and Russia's role in them (Kremenyuk), the impact of culture on Caspian negotiations (Faure), and simulating a negotiation on a Caspian agreement (Meerts).

On the morning of January 14, the workshops continued with new audiences, followed by an overall discussion on the outcomes of the workshop.

That afternoon, I. William Zartman and Paul Meerts gave introductory talks on peace processes and possible strategies. These were followed by an in-depth discussion with the department heads of the Iranian Ministry of Foreign Affairs about Iran's negotiation options with the outside world, and with the Caspian Sea littoral states in particular. Among the conclusions were that Iran has to be more proactive and assertive in bilateral and multilateral Caspian bargaining and that time is running against Iranian options in the Khazar (Caspian) Sea region.

The PIN group then traveled to the city of Isfahan for two days of internal discussions on books under review, future activities, and internal administrative matters.

### Negotiating a Caspian Sea Agreement

The workshop on Caspian negotiations had the form of a simulation exercise, which is to say that it had an extremely interactive character. After a short introduction, participants negotiated for 90 minutes in an attempt to reach an agreement among the five littoral states. Each participant represented one country, and two participants acted as chair and secretary. Altogether 30 students worked in four parallel negotiation processes, thereby reaching four different conclusions, being debriefed in collective sessions.

The exercise gave the participants some 40 different issues to negotiate, clustered in five major sets of possible concessions: territory, energy, ecology, fisheries, and navigation. Each issue contained an indication of its relative priority between +30 value points for very attractive gains and -30 for very unattractive losses. The game was constructed so that negotiations could never reach an agreement on any individual topic unless several concessions were wrapped into a package deal. Thus negotiators who did not risk

conceding on certain issues in order to obtain substantial gains at a later stage failed to win major concessions in the exercise. Two groups explored extensively before beginning real bargaining on specific issues. By going through this formula phase, they obtained a helicopter view and thereby identified possible packages and were able to negotiate the most effective ones. Two other groups got stuck in the first phase as they started bargaining very early in the process, thereby missing an important package deal and ending up with low scores.

The game was constructed such that Commonwealth of Independent States (CIS) countries were allied against Iran on questions of territory and energy, while Russia and Iran were allied on ecology, fisheries, and shipping. In other words, Iran could only score if it was ready to give in on the first two categories, provided the gains on the last three amply compensated the losses suffered at the beginning. As the exercise was based on power distribution along the lines of the length of the respective coastlines, Kazakhstan was in the best position to win substantially, followed by Russia, Turkmenistan, Azerbaijan, and finally Iran. However, as consensus had to be reached on any

negotiable outcome, it was impossible for the more powerful coalition to reach a conclusion without the consent of the less powerful one, in this case the Islamic Republic of Iran.

The simulation contained an optimal outcome: the highest possible score for the five together, thereby determining optimal outcomes for each individual state supporting the highest collective score. While the least effective groups reached only 15 percent of the highest possible collective score, the most effective groups reached a level of 45 percent. Why not the highest score? Because the participants, all of whom are Iranian, favored high Iranian scores that went well beyond the Iranian optimum score. As a result, the collective score suffered substantially. In sum, the workshop taught the importance of exploration, transparency, managing complexity, trust, and coalition building, as well as integrative behavior.

The overall lesson is that Iran should not wait any longer in initiating a multilateral negotiation process on the Caspian. The longer it waits, the more cohesive and powerful the coalition against it will become. Negotiation time is running out ...

*Paul Meerts*

## Structure of Caspian Sea Negotiations and Russia as a Caspian Sea Negotiator

In the workshop on the structure of Caspian Sea negotiations and Russia's role in them, two major issues were discussed:

- How to build up a structure of negotiations on the Caspian Sea that would align the multilateral dimension of this negotiation with its multi-issue nature
- Russia as a major player in the Caspian Sea negotiations: An asymmetrical case

The purpose of the first part of the workshop was to decide which type of negotiation would be better suited for the solution of the Caspian Sea problem: multilateral or bilateral. Each type has its positive and negative sides. Bilateral negotiations are more flexible because, unlike a multilateral conference, they do not require a long preliminary period once actors agree to start something. As soon as any pair

of nations feels ready to negotiate, they can start the negotiation process irrespective of what other countries say. Thus, using a "salami" tactic, the sides may go from a subject to a subject and solve whatever depends on them.

The multilateral approach is much more complicated because it requires a lengthy period of preliminary contacts. However, if this work were done, the outcome would be much more coherent because of the possibility to negotiate comprehensive solutions that put together agreements in different areas, such as borders, security, resources, environment, fisheries, and navigation.

Among the major actors in the Caspian area, as well as among those nations that perceive the Caspian Sea as a zone of interest, there are two main views. One of them maintains that bilateral talks on issues related to security, oil, fisheries, and other issues are preferable to multilateral talks. Bilateral negotiations allow the parties to face their issues directly. The other point of view stresses that, since border issues cannot be solved bilaterally but

only multilaterally, the whole process of the negotiation should be made multilateral, with the aim of creating something like a Caspian Sea regime, preferably in the form of a regional organization.

In this regard, the second part of the workshop, concerning the position of Russia, acquired importance. Russia is the only nation in the area that is able to carry out negotiation on all issues with full capacity, and also the only nation that can become a guarantor of a fair solution. Even when some outsiders are involved in the negotiations (i.e., the United States), Russia still has all the means to fence off undesirable solutions and promote decisions that suit its own interests.

From this point of view, it is also preferable to make Russia a sponsor of a regional organization in the Caspian Sea, but with some reliable mechanisms to avert the possibility of Russian domination in the area (foreign countries, United Nations control, strong legal mechanisms).

*Victor Kremenjuk*

## Culture and Caspian Negotiations

The workshop on culture and Caspian negotiations started with a presentation of *Culture and Negotiation* (Faure and Rubin, 1993), with a summary of the book's content and an explanation of the research methodology used and how the conclusions were reached. Culture was defined as "a set of shared and enduring meanings, values, and beliefs that characterize national, ethnic, or other groups and orient their behavior." It is more a way of thinking and acting than a matter of substance, as illustrated by Herriot's definition of culture as what remains when one has forgotten everything. A discussion then followed on the types of culture negotiators may come across at the negotiation table, such as national-ethnic, professional, organizational, religious, family, etc. Concerning the Caspian Sea, three basic cultures are represented: Iranian,

Russian, and Turkish. The different levels of influence of culture and how they apply to the Caspian negotiations were then considered:

### Behaviors

Behaviors are the visible part of the various elements impacting the negotiation process.

There is well-defined basic cultural advice, such as the "dos and don'ts" found in books for businesspeople working in a foreign context. This advice tells what rituals should be followed and what is considered to be polite (or impolite) in a given country.

It is also essential to resort to decoding techniques concerning the words, gestures, and facial expressions of the foreign counterpart in order to grasp additional information and avoid misunderstandings.

### Values

Values are the invisible part of the social and personal "iceberg"—the

deepest part of the personality. They are at the origin of many behaviors but cannot be observed as such. They have to be inferred from these behaviors. They shape the personality of the negotiator and explain a large part of what happens at the negotiation table.

People are guided by their values, for they draw a line between what is desirable or acceptable and what is not.

Values are rather stable over time. We can only expect changes if a negotiation lasts long enough to allow an evolution. In addition, values cannot be fractionated. They simply are met or not met.

### Problem framing

Problem framing concerns the cognitive aspects of the negotiation: how a negotiator sees the problem he or she is confronted with. For instance, is the negotiator involved in a zero-sum game or in a positive-sum game?

The role of language is also crucial in the definition of the problem. One can only deal with what has been

expressed through categories. Categories contribute by structuring problems and favoring certain types of solutions.

Thus, every negotiator works according to his or her own negotiation metaphor. One of the first initiatives for a negotiator is to identify the dominant metaphor from which he or she is working. This exercise should then be completed by addressing the same question regarding the negotiation counterpart. Metaphors for the negotiation process are numerous; negotiation has been described as a game, a fight, a joint project, an

adventure, a human relation, a technical problem, etc.

### Identity

Identity is the last but most difficult level to deal with. Identity issues cannot really be negotiated because betraying the elements that make up one's identity is a denial of oneself. Knowing the magnitude of the challenge, the best way to avoid falling into the identity trap is to anticipate the risks in this domain before taking any action and not to resort to arguments that could be viewed as an attack on the counterpart's identity.

The workshops went very well. I was very pleased to have a large audience that listened carefully and raised a number of intelligent questions.

*Guy Olivier Faure*

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Faure, G.O., and Rubin, J.Z., 1993, *Culture and Negotiation*, Sage, Newbury Park, CA, USA.

## Negotiation Power in the Caspian Sea Council

The basis of the discussion in the workshop on negotiation power in the Caspian Sea Council was the idea of using the so-called Shapley value for measuring the negotiation power of the five independent states bordering the Caspian Sea—Russia, Kazakhstan, Turkmenistan, Iran, and Azerbaijan—all of which are represented in the Caspian Sea Council. This idea was initially laid out in a contribution to *PINPoints* (No. 19, 2002) and was introduced in the first plenary session of the Professional Workshop.

Two questions were to be answered: first, which criteria should be used to determine each member state's allotment of seats on the Caspian Sea Council, and, second, what would the resulting negotiation power of the individual states be if it were assumed that decisions should be made with a quorum of, say, more than 50 percent of the members of the Council?

In addressing the first question, it was proposed that the smoothed coastal length of each state should be taken as a criterion for allocating seats. The smoothing was suggested since the forms of the coasts are very different at different parts of the Caspian Sea, and the negotiation power should not depend on these special forms. After the resulting member distribution had been presented, the Shapley value concept for measuring the resulting

negotiation power for parties in a committee was introduced with the help of simple examples and was subsequently applied to the case of the Caspian Sea Council.

The introductory presentation was concluded by once more emphasizing that the Shapley value concept was not a constructive device for allocating to each member a given number of seats on a committee or council, but rather as a measure of negotiation power within the committee. Thereafter, the allocation criterion was discussed in detail. In addition, criteria very similar to that of the coastal border length were proposed, namely, the shares of the water surface and of the water volumes. Furthermore, quite different criteria were proposed, such as population densities in coastal areas and history.

It became clear that selecting a generally acceptable criterion for allocating seats to the member states of the Caspian Sea Council—or an appropriate combination of several criteria, which would be another nontrivial problem to be solved—represents the real negotiation problem for the independent states bordering the Caspian Sea if all states were to agree to the general approach. The Shapley value concept, as was repeatedly stressed, is just a measure of the resulting power of each state; however, it might be used as a tool for some kind of iterative procedure, thus alleviating the difficulties of negotiations concerning Council member distribution.

*Rudolf Avenhaus*

## First International *Biennale* on Negotiation

An international conference on negotiation will be held in Paris at NEGOCIA on 11–12 December 2003. This conference is jointly organized with NEGOCIA, a French business school affiliated with the Paris Chamber of Commerce, The Laboratory for Applied Studies and Research on Negotiation (LEARN) at the Advanced School of Commerce (ESC) at Lille, and the French PIN group. The main topic is the “Universality of Negotiation.”

Individuals wishing to present a paper on this or any related subject are asked to visit the conference Web site at [www.negocia.fr/biennale\\_eng](http://www.negocia.fr/biennale_eng)

Information can also be obtained from Dorothee Tokic (e-mail: [transnego@negocia.fr](mailto:transnego@negocia.fr)).



## Negotiation Research in the United Kingdom

At first glance, the United Kingdom (UK) will not strike those interested in negotiation as an exciting place. In a country that has a leading role in international affairs and is a major trading nation, with some of the world's most distinguished universities and research centers in the areas of international relations, peace studies, conflict research, and diplomacy, the little attention paid to processes of negotiation is astounding. In the UK there are no research centers, and few people, that focus on negotiation in its own right. For example, the University of Bradford's Department of Peace Studies is the largest university peace studies center in the world, and yet not one of its faculty members studies negotiation per se. Those engaged with the larger matter of conflict and conflict resolution have thus somehow managed to avoid paying any concentrated attention to the processes of negotiation. Those few individuals who do work on negotiations tend to do so in a particular issue area or in relation to some larger subject, and are seldom interested in advancing knowledge about negotiation as such. Moreover, there is no network or regular meeting point to bring them and their work together.

But many individuals conduct work of great interest and current relevance. Perhaps in line with the British taste for the understated, this work is often done without fanfare and with little effort at self-promotion (as one noted scholar said, "It is ever so kind of you to express an interest in my work"). This short piece is meant to give a sense of the range of that work and its importance, with no claim to comprehensive coverage. It begins with the field of diplomacy, where many UK scholars and analysts touching on negotiation can be found. It then moves on to the extensive work done on peacekeeping and conflict resolution,

which includes some consideration of negotiation. Third, it points to work on or relating to negotiation in particular issue areas, ranging from international trade and the European Union (EU) to arms control and ethnic conflict. Finally, it turns to those very few in the UK who focus on the study of negotiation as a distinct activity.

### Diplomacy and negotiation

The work done in the UK on diplomacy comes the closest to systematic research on negotiations generally. There is a long tradition of the study of diplomatic history and particular diplomatic conferences, with ample use of personal memoirs. The Centre for the Study of Diplomacy at the University of Leicester was established in 1994 to integrate and advance knowledge about the overall practice, tools, and channels of diplomacy through research, teaching, and training. It has published many interesting pieces on diplomacy and negotiation by scholars and practitioners worldwide in its "Decision Papers in Diplomacy" series (now co-edited with and produced by the Netherlands Institute of International Relations—Clingendael).

The Leicester Centre's work touches upon or connects to negotiations in several areas, partly through the work of Professor Geoffrey Berridge, a prolific writer on diplomacy. He is the co-author, with Maurice Keens-Soper and T.G. Otte, of *Diplomatic Theory from Machiavelli to Kissinger* (Palgrave, 2001; second edition 2002). This work seeks to establish diplomatic theory as an area of scholarly inquiry and traces its development with essays on François de Callières, Harold Nicolson, and Henry Kissinger, among many others. Berridge's book *A Dictionary of Diplomacy* (with Alan James;

Palgrave, 2000) highlights how far those studying or practicing negotiation share the same terminology as those engaged with the diplomatic profession generally. Much of his other published research also points to the close linkages between diplomacy and negotiation, such as *Talking to the Enemy: How States without "Diplomatic Relations" Communicate* (Macmillan, 1994), "The UN and the world diplomatic system: Lessons from the Cyprus and US–North Korea talks" (in D. Bourantonis and M. Evriviades, eds, *A United Nations for the Twenty-First Century*, Kluwer Law International, 1996), and "The role of the diplomatic corps: the US–North Korea talks in Beijing, 1988–94" with Nadia Gallo (in J. Melissen, ed., *Innovation in Diplomatic Practice*, Macmillan, 1999). Berridge is currently researching the changing roles and priorities of the resident mission, and the impact of multi-lateral diplomacy and other factors on them.

There is a particular interest in summit diplomacy, which, of course, is to a large extent about negotiations. A key person here is Dr. David Dunn at the University of Birmingham, editor and co-author of *Diplomacy at the Highest Level: The Evolution of International Summitry* (Macmillan, 1997, and St. Martin's Press, 1996) and author of "Summitry Revisited" (paper presented at the BISA Annual Conference, London, December 2002).

### Peacekeeping and negotiation

Peacekeeping is the second area in which much work touching upon or covering negotiation can be found in the UK. A group at the Centre for Conflict Resolution in the Department of Peace Studies at Bradford works on peacekeeping, humanitarian intervention, and conflict resolution (including mediation) in

conflict zones. Activities range from academic research of theoretical importance to practical skills training for international peacekeeping personnel and the design of a correspondence course in “conflict resolution for peacekeepers” for the United Nations Institute for Training and Research (UNITAR). Two of the Centre’s professors, Tom Woodhouse and Oliver Ramsbotham, are the authors of *Peacekeeping and Conflict Resolution* (Frank Cass, 2000), “Hawks and doves: Peacekeeping and conflict resolution” (with W. Hansen in *The Berghof Handbook for Conflict Transformation*, 2000), and *Contemporary Conflict Resolution*, with Dr. Hugh Miall of Lancaster University’s Richardson Institute for Peace Studies and Conflict Resolution (Policy Press, 1999), among many other studies.

One strong focus is the relevance and increased use of conflict-resolution theory and tools in new doctrines of peacekeeping and peacebuilding, and in the training of peacekeepers. An underlying assumption is that the conventional doctrine of peacekeeping as an instrument of conflict management no longer applies to the post-Cold War world of civil wars and collapsed states. It needs to be revised and widened in scope to comprise a wide variety of conflict-resolution and consent-promoting techniques. Among these, negotiation and mediation are seen as essential for peacekeepers to achieve their objectives in all stages of their work—when senior commanding officers confront opposing armed militias, when peacekeeping soldiers confront a road block or hostile crowds, when relief supplies are to be delivered among warring factions on the ground, when aid with reconciliation and reconstruction is to be given in post-conflict, war-torn societies. Dr. Deborah Goodwin at the Royal Military Academy at Sandhurst demonstrated in “Words and weapons: The nature of tactical

level military negotiation in a context of violence” (Ph.D. dissertation, University of Reading, 2002) how these encounters differ from other negotiation situations. She also designed a new, sophisticated negotiation training model for peacekeepers, on the basis of which she provides training to personnel from the United Nations (UN), the North Atlantic Treaty Organisation (NATO), and the US Army.

### Negotiation in other issue areas

Like other countries, the UK has its share of research centers and individuals whose interest in a particular area brings them in contact with ongoing negotiations within that sector. Until its recent relocation to Canada, the Institute for Disarmament Diplomacy in London long provided detailed first-hand accounts of and commentaries on the progress of arms control negotiations worldwide, both bilateral and multilateral, and efforts to implement and monitor compliance with concluded agreements. Directed by Rebecca Johnson, the Institute published this valuable material in reports, in its journal *Disarmament Diplomacy*, and on its Web site. A new long-term research program at the International Institute for Strategic Studies in London focuses on ways to strengthen existing non-proliferation regimes, and negotiate new effective instruments, in the face of the growing threats posed by the spread of weapons of mass destruction. At the University of Sussex, Dr. Helen Leigh-Phippard researches nuclear non-proliferation, currently with a focus on the management of the 1995 Non-Proliferation Treaty Review and Extension Conference in collaboration with, among others, the UN Institute for Disarmament Research.

In the area of ethnic-sectarian conflict, there is naturally much work done on the Northern Ireland conflict. Following work on political

negotiations and on links between official and unofficial peace initiatives there, Dr. David Bloomfield at Bradford is now examining official mediation roles in the current Northern Ireland peace process. In the area of trade, Dr. Donna Lee of Nottingham University, among others, works on multilateral trade negotiations. Among her publications focusing on the Kennedy Round of the General Agreement on Tariffs and Trade (GATT) is “Endgame at the Kennedy Trade Round: Political and economic risk in multilateral trade negotiations” (*Diplomacy & Statecraft*, XII 3, 2001). The extensive work done in the UK on the EU—its policies, enlargement, and consolidation—has interested some in processes of negotiation. At the University of Reading, Dr. Jonathan Golub works on environmental negotiations within the EU, among other topics, and is the author of *Hard Bargains: Britain, the Environment, and European Integration* (Pinter, forthcoming). On wider international negotiations over climate change and other environmental issues, the Royal Institute of International Affairs in London does excellent research on a continuous basis.

### Negotiation as a distinct field

Those who work on negotiation as a field of study and an activity in its own right, to advance knowledge about how it functions or ought to function more generally, are few and far between in the UK. The field is a hodgepodge of interesting themes and projects. Dr. Colin Irwin, of the Centre for the Study of Ethnic Conflict at Queen’s University Belfast, pursues his work on how public opinion polls can be used to help make negotiations succeed. In *The People’s Peace-Process in Northern Ireland* (Palgrave, 2002), he discusses how he devised and conducted such polls to help party negotiators to define realistic policy

options and proposals on difficult issues that their respective constituencies would accept. This work has since been applied to Macedonia, Israel and Palestine, and Cyprus.

The broader subject of third-party intervention and mediation in ethnic and other protracted conflicts has attracted considerable interest. Dr. Oliver Richmond at the University of St. Andrews, author of *Maintaining Order, Making Peace* (Palgrave, 2001) and *Mediating in Cyprus* (Frank Cass, 1998), works in this

area. So, too, do Dr. Vivienne Jabri, among others, with reference to Africa at the Centre for Conflict Analysis (founded by John Burton) of the University of Kent at Canterbury, and Mark Hoffman at the London School of Economics (LSE). Also at the LSE is Dr. Matthew Mulford, who conducts research on judgment, decision making, and individual choices in negotiations (e.g., consequences of choices for information acquisition in pre-negotiations), and Dr. David

Stasavage, whose most recent work analyzes the costs and benefits of transparency in international negotiations.

In my own work at the University of Reading, I have extended the research presented in *Justice and Fairness in International Negotiations* (Cambridge, 2001) to new areas and issues, among them global public goods in collaboration with the United Nations Development Programme (UNDP) in New York (published as articles by Oxford,

## Recently Published by PIN

# Containing the Atom

Edited by Rudolf Avenhaus, Victor Kremenjuk, and Gunnar Sjöstedt

### Foreword

*Hans Blix*

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*Rudolf Avenhaus, Victor Kremenjuk, and Gunnar Sjöstedt*

#### 2 Strategic Arms Control Negotiations: SALT and START

*P. Terrence Hopmann*

#### 3 Comprehensive Nuclear Test Ban Negotiations

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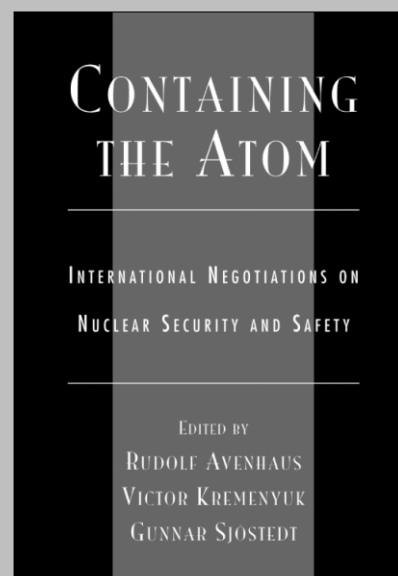
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#### 12 Peculiarities of Nuclear Negotiations Seen from the Point of View of a Plant Operator in the Federal Republic of Germany

*Rudolf Weh*

#### 13 Conclusions and Recommendations

*Rudolf Avenhaus, Victor Kremenjuk, and Gunnar Sjöstedt*



Cambridge and "Clingendael" in 2002 and 2003). I continue to work on distributive obstacles in multilateral negotiations over cooperative ventures, and on the impact of information and communication technologies on international negotiations. New collaborative projects, also on international negotiations, are under way.

Although the work done on negotiation in the UK is very interesting, it is quite limited for a country with such weight and involvement in international affairs and with such leadership in

academic research. Put differently, there should be enormous potential and opportunity for the field to take root and flourish here. But is there? As a Swedish columnist noted, the British like to follow their own crooked path. To go with the flow is a suspicious deviation. When somebody reviews negotiation research in the UK in a few years' time, one hopes nonetheless that the great strides taken by the field internationally will not have left this country completely untouched.

*Cecilia Albin*

## PIN Books

**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, Rowan and 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



## CPR Book Award

PIN Steering Committee member Victor Kremenyuk and his co-authors have been awarded the 20th Annual CPR Book Award for 2002 for the second edition of *International Negotiations: Analysis, Approaches, Issues* published by Jossey Bass. The president of the Institute for Dispute Resolution (CPR), Thomas Stipanowich, called the book "nothing less than outstanding."

**PIN Points**  
The Processes of International Negotiation Project

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