



CCHN Facilitator Handbook



FRONTLINE
NEGOTIATIONS

CENTRE OF COMPETENCE ON
HUMANITARIAN NEGOTIATION

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V 2.0 – November 2020

About this Handbook

This handbook serves as a guide to facilitators of CCHN peer workshops, in the form of a step-by-step approach to help workshop participants understand and apply the set of tools and methods developed by CCHN. The content of this handbook is drawn from the *CCHN Field Manual on Frontline Humanitarian Negotiation* (2nd edition).

For more information on the CCHN and its mission, please visit <http://frontline-negotiations.org>

WELCOME AND INTRODUCTION

About CCHN

- The Centre of Competence on Humanitarian Negotiation (CCHN) is a joint initiative of the World Food Programme (WFP), Médecins sans Frontières (MSF), Centre for Humanitarian Dialogue (HD), the United Nations High Commissioner for Refugees (UNHCR) and the International Committee of the Red Cross (ICRC). It was established in 2016 to enhance professional exchanges and peer learning among frontline humanitarian negotiators.

Workshop Content

- Introduction of the Facilitation Team
- Discussion about expectations: The workshop functions as a privileged space to bring colleagues together to reflect on humanitarian negotiations in complex environments and to learn from one another.
- What the workshop is/what it is not: The core goal of the workshop is to explore the challenges and dilemmas of current negotiation practices from the perspective of practitioners. CCHN does not aim to promote specific approaches to the challenges participants are facing, but to facilitate the sharing of negotiation experiences around field-tested methods and a set of tools to engage in humanitarian negotiation.

Methodology of the Workshop

- Build on the informal exchanges of experiences among peers.
- Propose tools to review negotiation experiences—not a training, as such.
- The success of the workshop depends on the level of engagement of participants in sharing their experience proactively and learning from one another.

Rules and Values of the Workshop

- **Devices:** CCHN events are screen-free workshops. Please make sure all electronic devices are put away and on silent mode.
- **Confidentiality:** Chatham House Rules apply; the objective is to learn from one another but not to be quoted. Decontextualize the stories shared as much as possible according to the circumstances.

ICEBREAKER



Duration:
15 min.

Objectives

- Participants get to know each other.

Process

GAME

Instructions:

Participants in pair:

Each participant makes three statements about him-/herself:

- 2 true facts
- 1 untrue fact (fake news)

*Example: I studied architecture; I have four children;
I used to run a restaurant (fake news)*

The other participant in the pair must guess which fact of the three is the untrue one.

Alternatively:

Each participant presents the statements of the other person she/he paired with.

SESSION 1

Challenges and Dilemmas of Humanitarian Negotiation

CCHN Field Manual on Frontline
Humanitarian Negotiation, p. 19-22



SESSION 1



Challenges and Dilemmas of Humanitarian Negotiation

Duration:
75 min.

Objectives

- Participants get to know their peers and discuss challenges and dilemmas.
- Participants understand the difference between challenges and dilemmas and how to respond to each and identify the most suitable actions.
- Participants learn about recurrent challenges and dilemmas based on CCHN research and identify enablers to address them.

Process

STEP

1

Introduction of the concepts – Help participants differentiate challenges and dilemmas



5 min

INSTRUCTIONS:

Explain the difference between the following:

Challenge: A fact that prevents you from negotiating as well as you would expect. We need to face these challenges, be aware of them, and try to define a long-term approach to find enablers and mitigation measures.

Dilemma: Two unsatisfying alternatives that require you to make a choice by weighing the costs/benefits of the two options. You need to make a decision, otherwise the operations stop.

ACTION POINTS:

- Draw 2 columns on your main flip chart and define:
 - A challenge
 - A dilemma
- Give examples from daily life:

Challenge: Not knowing the language of the counterpart.

Dilemma: Bringing a translator from outside the country or using a national staff person and exposing him/her to political/security pressure.

STEP**2****Exercise to identify and sort challenges/dilemmas**

50 min

INSTRUCTIONS:

1. **Each participant** individually reflects and identifies a challenge and a dilemma she/he faced in a humanitarian negotiation. – **10 min**
2. **Each participant** explains to the table her/his challenge and dilemma and explains how she/he overcame the situation (guided peer). – **20 min**
3. **Each table group** briefly presents to the plenary three main challenges and/or dilemmas and three ways they have identified to overcome it. – **20 min**

ACTION POINTS:

1 flip chart per table.
Each group draws 2 columns on their flip chart:

- Challenges
- Dilemmas

Each participant writes down on a post-it ONE CHALLENGE, and, on a second post-it, ONE DILEMMA.

Each participant places each of the post-its under the appropriate column of the flip chart at their table.

Each table group chooses ONE rapporteur to the plenary.

**STEP****3****Plenary discussion and presentation of the results of CCHN's empirical work**

20 min

INSTRUCTIONS:

Highlight the main results of the surveys:

- Most typical challenges:
Dealing with difficult interlocutors and security constraints;
- Recurrent dilemmas:
Security rules vs. proximity of beneficiaries;
- Most common ways to overcome:
Consult with colleagues;
- Most efficient enabler:
Long-term presence.

Help participants understand that the object of the negotiation (e.g., lack of access) or the distrust of the counterpart are not per se challenges of the negotiation. They relate to the objectives of the negotiation (seek access and build trust). Example of physicians dealing with sick patients can be used: sick patients are not per se a challenge for the physician but the *raison d'être* of the profession.

ACTION POINTS:

Refer to the handout with the three graphs on CCHN surveys in this Facilitator Handbook,

Annex 1: CCHN Overview of Challenges & Dilemmas



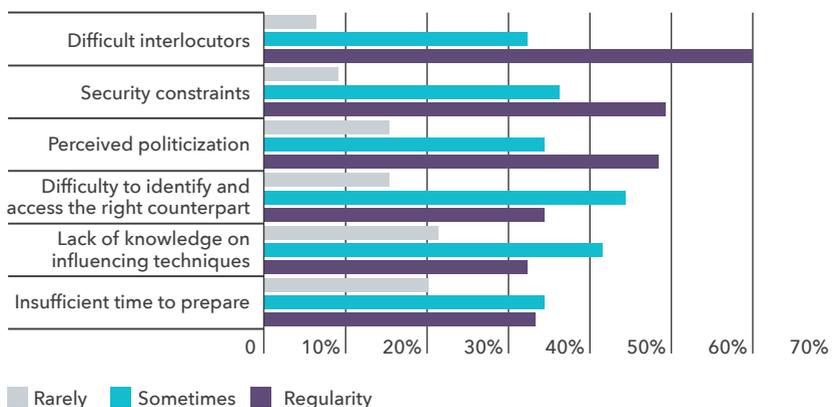
(below):

- Recurrent challenges of humanitarian negotiations;
- Recurrent dilemmas;
- How to overcome challenges? Enabling factors.

Annex 1: CCHN Overview of Challenges & Dilemmas

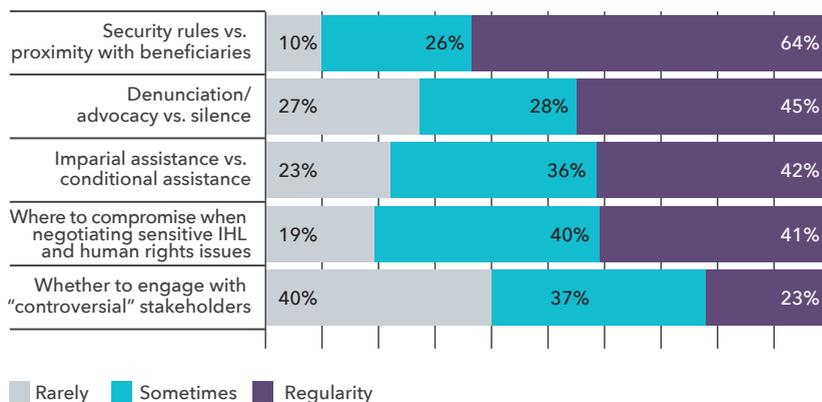
Recurrent challenges of humanitarian negotiations

Source: CCHN Survey (2017), completed by 158 frontline staff and senior managers



Recurrent dilemmas

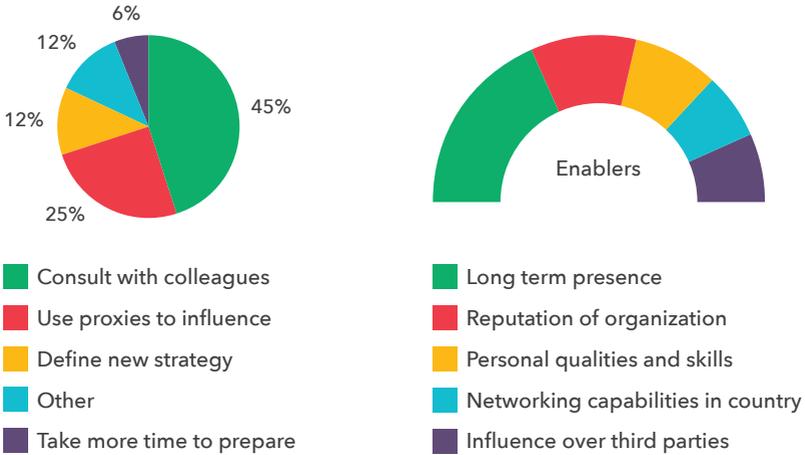
Source: CCHN Survey (2017)



Annex 1: CCHN Overview of Challenges & Dilemmas

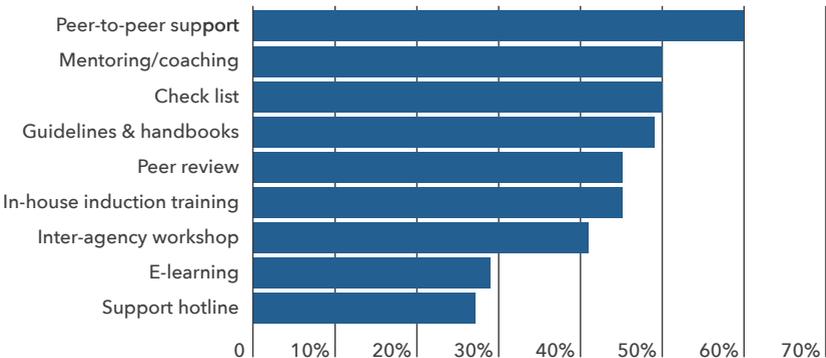
How to overcome challenges? Enabling factors

Source: CCHN Survey (2017), from 44 interviews with negotiators



What is needed to improve negotiation skills?

Source: CCHN Survey (2017)



NOTES

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SESSION 2

Planning Humanitarian Negotiation: the Naivasha Grid

CCHN Field Manual on Frontline
Humanitarian Negotiation, p. 29-36



SESSION 2



Planning Humanitarian Negotiation: the Naivasha Grid

Duration:
60 min.

Objectives

- Participants discuss and establish with their peers a negotiation framework/grid based on commonly used tools.
- Participants understand the logical framework, various components, steps and correlations of the Naivasha Grid based on CCHN research.

Process

STEP

1

Introduction – Objectives and background

Where does the Naivasha Grid come from:

The Grid was designed as a result of in-depth consultations among senior humanitarian negotiators to address four questions:

- How do we sort information about a context?
- What methods and tactics do we use?
- Why do we negotiate?
- What are our objectives and red lines?



5 min

STEP

2

Exercise on the design of a process

INSTRUCTIONS:

In groups:

1. Participants reflect on how they plan a negotiation. They identify three tasks and order them along a timeline. – **5 min**
2. Then, participants play with the predesigned pieces to design their own grid. – **20 min**
3. Participants walk around to look at each group's grid. – **5 min**

ACTION POINTS:

Facilitate an exchange of views about negotiation tasks using the table to order whatever tasks participants come up with.

Clear the table. Distribute the pieces of the Naivasha puzzle to each group. – 9 tasks

Participants can draw additional tools/steps on post-its.



STEP

3

Plenary discussion and introduction of the Naivasha



25 min

WHAT IT IS:

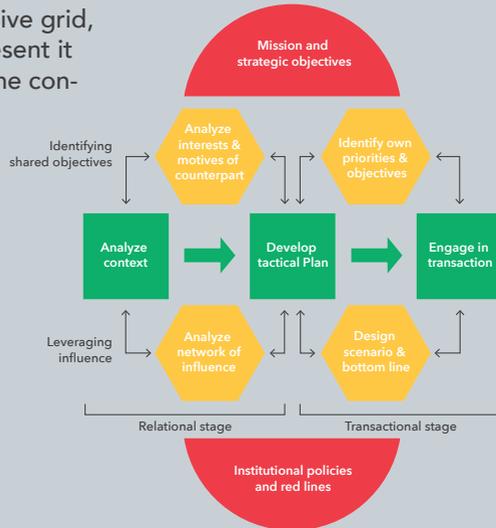
The Grid is designed to reflect a common practice in terms of negotiation processes in humanitarian negotiations.

There is not one exhaustive grid, but it is important to present it to generate and frame the conversation.

ACTION POINTS:



Distribute Annex 2: The Naivasha Grid handout – one per participant



HOW TO USE THE NAIVASHA GRID:

The Naivasha Grid is:

- A planning tool to organize the work ahead of your negotiation;
- An analytical tool to determine what might be blocking the negotiation process.

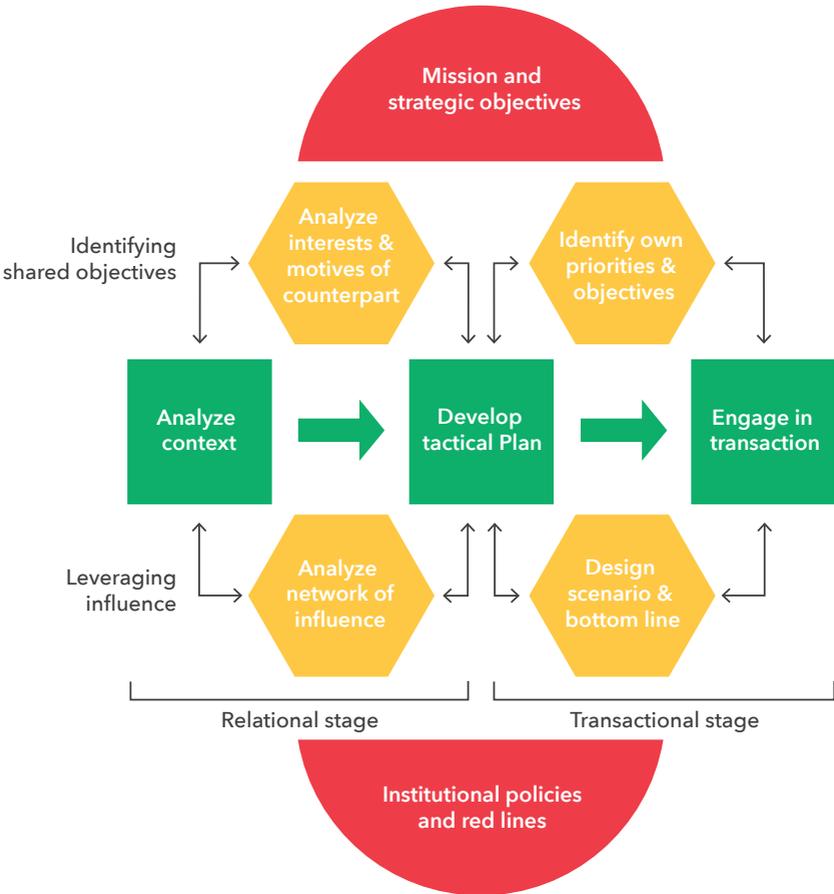
Explain the distribution of the tasks between:

- Green section: The Negotiator – Core functions;
- Yellow section: Negotiator’s Team – Support functions;
- Red section: Framing and guidance of the mandator & institutional hierarchy of the organization.

Explain the relational and transactional stages

Annex 2: The Naivasha Grid

Naivasha Grid: Planning a Negotiation Process



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NOTES



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SESSION 3

Context Analysis: Facts & Norms

CCHN Field Manual on Frontline
Humanitarian Negotiation, p. **46-84**



SESSION 3



Context Analysis: Facts & Norms

Duration:

90 min.

Objectives

- Participants develop a critical understanding of the negotiation environment in which they operate.
- Participants understand the difference between negotiating facts and negotiating norms.
- Participants understand the difference between proven vs. speculative facts and convergent vs. divergent norms.

Process

STEP

1

Help participants distinguish facts & norms

On the importance of analyzing the context to:

- Develop a critical understanding of the negotiation environment
- Build relationships of trust with the relevant counterparts
- Exert the necessary influence on their positions and policies



20 min

INSTRUCTIONS:

Distinguish:

What is a fact/what is a norm:

Fact: Something one can observe, speculate about; e.g., there are 30,000 refugees in the camp.

Norm: A desired behavior within a group/community: e.g., under international law refugees should be protected against forced return.

ACTION POINTS:

On your main flip chart:

Draw the table for agreed/contested facts and convergent/divergent norms.

Annex 3: Sorting and Qualifying Facts and Norms Arising in a Negotiation Environment.

Participants take **5 min to read the illustration** in their Negotiator Handbook.

Annex 3.1.

Alternatively, a newspaper article can be used (e.g., from The Guardian) that is closer to the interests of participants.



Factual negotiation:

- Negotiating a shared understanding among the parties on the technical and factual aspects of an operation – **to address contested facts.**
- Assuming an existing convergence of views on the normative aspects of a situation – **building on convergent norms.**

Normative negotiation:

- Negotiating a shared understanding on norms/ desired behaviors among the parties – **to address divergent norms.**
- Assuming an existing shared understanding on factual and technical aspects – **building on agreed facts.**

Write down elements from the illustration for each column:
Annex 3.2/3.3.

Discern **contested/agreed facts**

Discern **convergent/divergent norms**

FACTS		NORMS	
CONTESTED	AGREED	CONVERGENT	DIVERGENT

STEP

2

Exercise to sort and qualify facts & norms



40 min

INSTRUCTIONS:

In groups:

One participant per group shares a story.

Other participants in the group identify agreed/contested facts and convergent/divergent norms. – **20 min**

Participants reflect on suitable actions to address the issue. – **20 min**

ACTION POINTS:

1 poster per table:

Each group receives a poster of facts & norms:

- Agreed/contested facts
- Convergent/divergent norms

Each participant writes down the facts and norms she/he identified from the story on the post-it (one post-it per issue).



Each participant places the post-it under the appropriate column of the poster.

STEP

3

Plenary discussion and elaboration on potential points of departure of a dialogue with counterparts



30 min

Agreed facts and **convergent norms** are potential points of departure of a dialogue with counterparts to build trust

In a factual negotiation:

Aim to agree on facts through a discussion on evidence and expertise **while recognizing the convergence of the parties on core norms.**

E.g.: Counterpart disagrees on the number of refugees in the camp, while recognizing the right of access of the humanitarian organization to assist refugees.

In a normative negotiation:

Aim to agree on a desired behavior of the parties in the context **while recognizing core facts of the context.**

E.g.: Counterpart disagrees on the right of access of the humanitarian organization to assist refugees while recognizing the number of refugees in the camp.

Providing Aid to Displaced Population in the No Man's Land

A large number of displaced persons seeking refuge from armed violence in Country A have been blocked in the No Man's Land between Country A and Country B.

Country B has denied access to its territory, arguing that the displaced persons have no right to enter its territory. Representatives of Country B doubt that there are many of them and are not sure about their precise location.

According to data collected by local NGOs, the nutritional situation in the makeshift camp has been deteriorating steadily over the past few days.

Humanitarian organizations are seeking access to the population in need from the territory of Country B. They call on the humanitarian obligations of Country B to allow immediate access across its border.

Country B is rejecting these appeals, arguing that: 1) numbers are exaggerated; 2) many of the displaced are in fact dangerous armed elements; and 3) assistance should come from the territory of Country A, which has the responsibility to provide for the needs of its nationals.

Due to the conflict situation, it is unlikely that humanitarian organizations will be able to access the population in need from Country A in the near future. While Country B recognizes the importance of humanitarian values, it intends to prioritize the security of its nationals.

One needs first to identify:

The agreed facts (between the humanitarian negotiator and the counterpart)

The contested facts (by any of the parties)

The convergent norms (between the humanitarian negotiator and the counterpart)

The divergent norms (by any of the parties)

A large number of displaced persons seeking refuge from armed violence in Country A have been blocked in a makeshift camp in the no man's land between Country A and Country B.

Country B has denied access to its territory, **arguing that the displaced persons have no right to enter its domain.** Representatives of Country B doubt that there are very many of them and are not sure about their precise location.

According to data collected by local NGOs, the nutritional situation in the makeshift camp **has been deteriorating steadily over the past few days.**

Humanitarian organizations are seeking access to the populations in need from the territory of Country B. **They call on the humanitarian obligations of Country B under international law to allow immediate access across its border.**

Country B is rejecting these appeals **arguing that: 1) numbers are exaggerated; 2) many of the displaced are in fact dangerous armed elements; and 3) assistance should primarily come from the territory of Country A, which has the responsibility to provide for the needs of its nationals.**

Due to the conflict situation, it is unlikely that humanitarian organizations will be able to access the populations in need from Country A in the near future. **While Country B recognizes the importance of humanitarian values, it intends to prioritize the security of its nationals over the one of foreigners.**

Annex 3.2: Facts and Norms Table – Illustration Explained

	ISLAND OF AGREEMENTS		
CONTESTED FACTS	AGREED FACTS	CONVERGENT NORMS	DIVERGENT NORMS
Points to be clarified with factual evidence	Points of agreement to start the dialogue	Points to be underlined as convergent values	Points of divergence on norms to be negotiated
 <p>Factual negotiation: Expanding factual understanding of the parties based on evidence</p>		 <p>Normative negotiation: Expanding normative understanding of the parties based on a new consensus on applicable norms.</p>	

Recognizing which areas of the conversation are most/least promising and which concrete issues will need to be negotiated with the counterpart.

Points to be clarified with factual evidence	Points of factual agreement to start the dialogue	Points to be underlined as convergent values	Points of divergence on norms to be negotiated
CONTESTED FACTS	AGREED FACTS	CONVERGENT NORMS	DIVERGENT NORMS
How many displaced persons are in the area?	There are displaced persons from Country A in the no man's land.	There is a legitimate border between Country A and Country B. B has the right to defend the integrity of its territory and prevent illegal entry.	Humanitarian organizations have a right of access to people in need under international law.
How dire is the situation? Who is in need?	People are blocked in the no man's land, in a dire situation in terms of shelter and nutrition.	We should not allow people to die from starvation.	Who is responsible for providing for the needs of the population? Is Country B in any way responsible to provide access to this population?
Are there armed elements among the civilians? Even if there are armed elements, what is the potential threat of allowing these people into Country B?	The location of the no man's land.	People have a right to flee armed violence.	No one has a right to enter Country B simply because they flee armed violence
How likely can access from Country A be arranged in the near future?	There is little prospect of improvement of the situation without immediate access to the displaced.	Priority of any government should be the security of its nationals.	Everyone has a right to seek asylum and be protected from persecution.

Annex 3.3: Negotiating Norms

Negotiating norms can take several forms and also engage a number of facts.

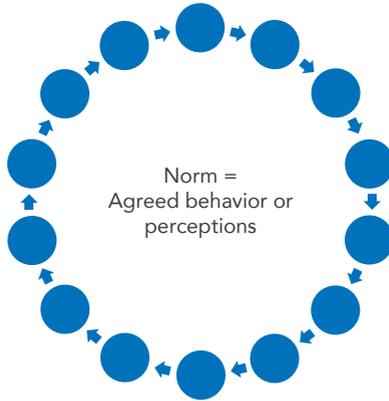
For example:

A representative of the Committee Against Child Recruitment (CACR), an international NGO active in conflict zones, is negotiating the release of 250 vulnerable children recruited by an armed militia within the District. Under international law, children under 18 years of age should be exempt from being recruited into military service.

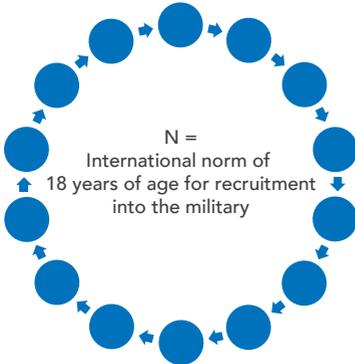
Option 1: The local commander argues that the dramatic situation of a siege imposed on the armed group has required the mobilization of the children of the community. Although it violates critical rules of IHL, such decision was seen as imperative under the circumstances to safeguard the city.

Option 2: The local commander argues that children, starting at puberty (around 12 years of age), must serve as armed fighters as a ritual of passage to adulthood and a duty toward their community when under threats by opponents.

Community or Society



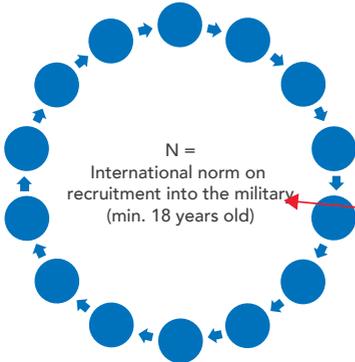
International Community



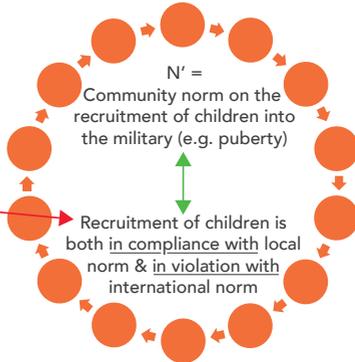
Factual argument on circumstances

Local commander's recruiting from 12 years of age in violation fo N

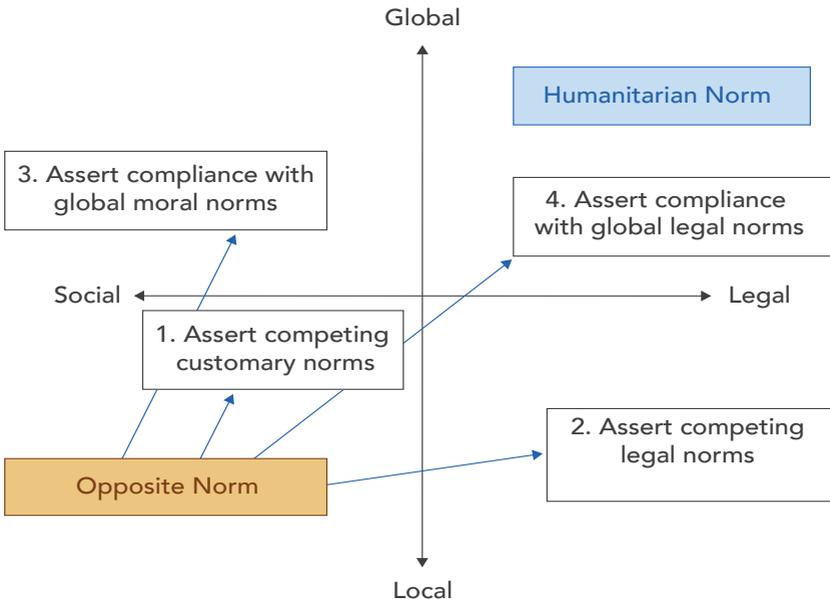
International Community



Local Community



Identifying a pathway of a normative dialogue



Tactical decisions :

1. What is the humanitarian norm currently being promoted?
2. What is the global/local - social/legal character of this norm?
3. What is the norm of the counterpart and what is its position?
4. Are there parallel norms in favor of a shift of normative approach? Which one is the most favorable/accessible in the current discussion?

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NOTES



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SESSION 4

Leveraging Influence: Network Mapping

CCHN Field Manual on Frontline
Humanitarian Negotiation, p. 250 - 276



SESSION 4



Leveraging Influence: Network Mapping

Duration:
105 min.

Objectives

- Participants are able to map the relationships between the counterpart and the actors of influence in a given context, and design tactical options accordingly.

Process

STEP

1

Introduction – Present the practical steps to map the roles and interactions of stakeholders



45 min

INSTRUCTIONS 1:

Introduce the **stakeholder mapping tool** with the given example:

- **Create the mapping tool** to situate the role and perspective of humanitarian organizations and stakeholders;
- Assign the **main counterpart in the center** and all relevant stakeholders in their respective quadrants.

ACTION POINTS:

From the given example: **Annex 4.**

Participants take 5 minutes to read the illustration. **Annex 4.**

Draw on your main flip chart the two axes of the map. **Annex 4.1.**

Identify the counterpart and set him/her up at the crossroad of the two axes. Assign positions of influence to all stakeholders relative to the counterpart. **Annex 4.2.**



INSTRUCTIONS 2:

Elaborate on **tactical schemes** and actions to leverage stakeholders' influence per quadrant:

- Alliance
- Cooperation
- Coalition
- Mitigation

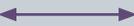
ACTION POINTS:

Write on your main flip chart the tactical schemes for each divide. **Annex 4.3.**



INSTRUCTIONS 3:

Identify **conductive connections** among stakeholders to **prioritize the mobilization of efforts**:

Link the trustful relationships among the actors 

ACTION POINTS:

Draw on your main flip chart the arrows linking relationships between actors. **Annex 4.4.**



INSTRUCTIONS 4:

Focus attention on actors with **potential positive role**.

ACTION POINTS:

Give examples from the **negotiator's priority listing table**. **Annex 4.5.**



STEP

2

Exercise to identify target and stakeholders, and prioritize efforts in influencing stakeholders



1 h

INSTRUCTIONS:

In groups:

One participant per group shares a story – **5 min**

Other participants in the group identify target and assign position of influence to all actors. – **20 min**

Participants identify the conducive connections among stakeholders to prioritize efforts in influencing stakeholders. – **10 min**

Participants list priority actors who have a potential positive role in the negotiation process. – **15 min**

Debriefing - **15 min**

ACTION POINTS:

1 flip chart per table.

Each group defines the 2 axes of the map on their flip chart.

Annex 4.1 (in the Negotiator Handbook).

Participants place the stakeholders they identified from the story on the axes.

Participants draw arrows linking trustful relationships among the actors.

Participants fill in the priority listing table in their handout. **Annex 4.5.**

Plenary discussion on outcomes of the exercise.



Annex 4: Example: Mapping the Network of Influence of the Governor of District A

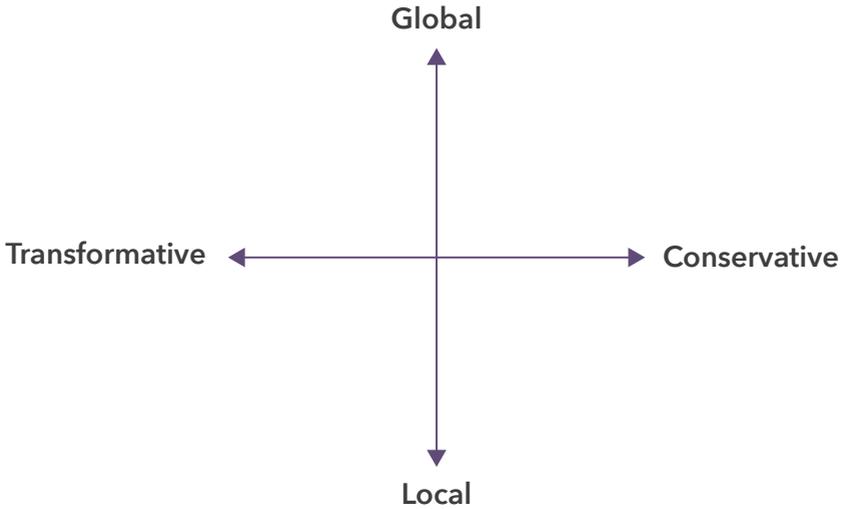
Mapping the Network of Influence of the Governor of District A

The International Monitoring Network (IMN), an international NGO monitoring the treatment of detainees, is planning a negotiation regarding access to persons detained in the police stations in District A under the authority of its Governor, a prominent political leader in the region. This negotiation of access follows allegations of ill treatment of detainees in the immediate period after their arrest. While the Governor is known to maintain a strong grip on the justice and detention system in District A, there are numerous stakeholders at play in the context, including:

- Several international and local humanitarian and advocacy actors who have been voicing their concerns on the issue of ill treatment, including the ICRC, the Office of the United Nations High Commissioner for Human Rights, MSF, Human Rights Watch, Amnesty International, local journalists, a women's association called Mothers of the Missing, as well as local networks of medical doctors, etc.
- Several international actors who have been supportive of the strong hand of the Governor in maintaining security and law and order. District A is a strategic geographic area for several countries. The International Military Alliance as well as the Special Forces of Country A have deployed troops in the District to counter terrorist actions. Foreign intelligence services are training local investigators. Diplomats of Country A and Country B are maintaining strong political support for the Governor.
- Many local actors involved who have been eager to maintain a strict legal and moral order and prevent the worsening of the security situation used as an excuse for foreign interventions. These include tribal leaders, religious leaders, local militias, prison staff, police commander, etc.
- Private actors such as family members, friends, political observers, and others who can play a critical role in the perception of the counterparts.

All these actors exert a degree of influence on the policies and decisions of the Governor in terms of access and transparency regarding the treatment of detainees in the police stations of District A. The negotiators from IMN will need to draw a map of the network of influence of these actors.

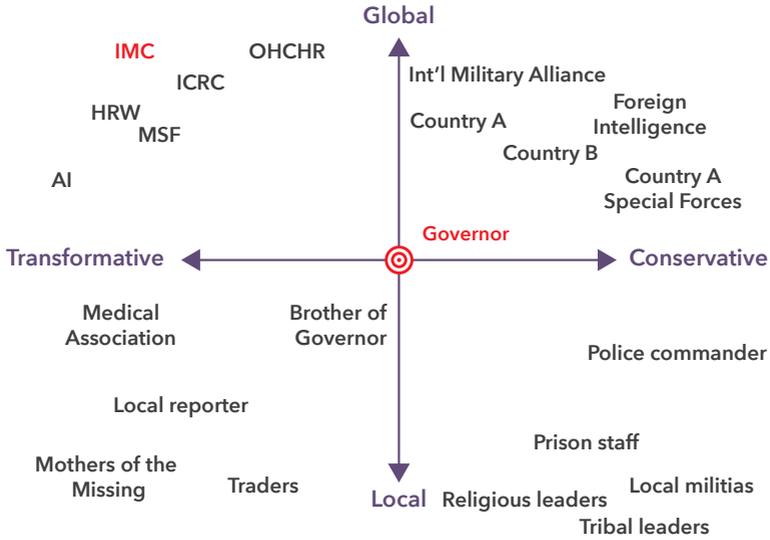
Annex 4.1: Axes of the Two-Dimensional Stakeholder Map



Horizontal axis: Distributing stakeholders based on their views on the issue of the negotiation from a transformative to conservative perspective relative to the perspective of the counterpart.

Vertical axis: Distributing stakeholders based on their characteristics from global to local actors relative to the perspective of the counterpart.

Annex 4.2: Identify Your Target and Assign Position of Influence to All the Stakeholders



Annex 4.3: Tactical Schemes to Engage with Stakeholders, Depending on Their Location on the Map



1. **Alliance** with those in the same quadrant of the negotiator's agency who have a lot to gain from the negotiation process, located in the Global/Transformative quadrant.

Actions may include:

- i) Comparing notes on the allegations of ill treatment;
- ii) Identifying common norms of behavior for treatment of detainees in District A;
- iii) Coordinating the targeting and timing of humanitarian interventions;
- iv) Seeking a common plan for a review of the conditions of detention.

2. **Cooperation**, in the perception of the Governor, with those on the adjacent vertical quadrant across the Global/Local divide who may gain in terms of visits to the police station but also lose influence during the negotiation process, located in the Local/Transformative quadrant.

Actions may include:

- i) Providing support to local organizations on their interventions (as compared to co-opting local actors in global interventions);
- ii) Providing technical assistance and training;
- iii) Providing funding support to develop the capacity of local organizations.

3. **Coalition**, in the perception of the Governor, with those on the adjacent horizontal quadrant across the Transformative/Conservative divide who may gain influence over the Governor but lose control over the presence of foreign observers in the negotiation process, located in the Global/Transformative quadrant.

Actions may include :

- i) Participating in cultural and official events sponsored by the conservative/global stakeholders;
- ii) Establishing a dialogue on parallel issues;
- iii) Enhancing the collaboration on issues of interest to the conservative/global stakeholders.

4. **Mitigation** with those on the opposite quadrant across both divides, often referred to as the “spoilers,” who have nothing to gain from IMN’s access to police stations and carry a significant influence on the Governor, located in the Local/Conservative quadrant.

Actions may include :

- i) Establishing dialogue with conservative and local actors for the purpose of understanding their concerns;
- ii) Providing support to technical projects (e.g., training, workshops) on issues of interest (e.g., forensic) in full view of the Governor;
- iii) Personalizing relationships away from institutional constraints so as to rebuild a more amenable image;
- iv) Developing a trustful relationship on the overarching humanitarian character of the mission of IMN in line with local values.

Annex 4.4: Identifying Conducive Connections – Prioritizing Efforts in Influencing Stakeholders

Building on the current stakeholder mapping, one may color code the stakeholders as as:

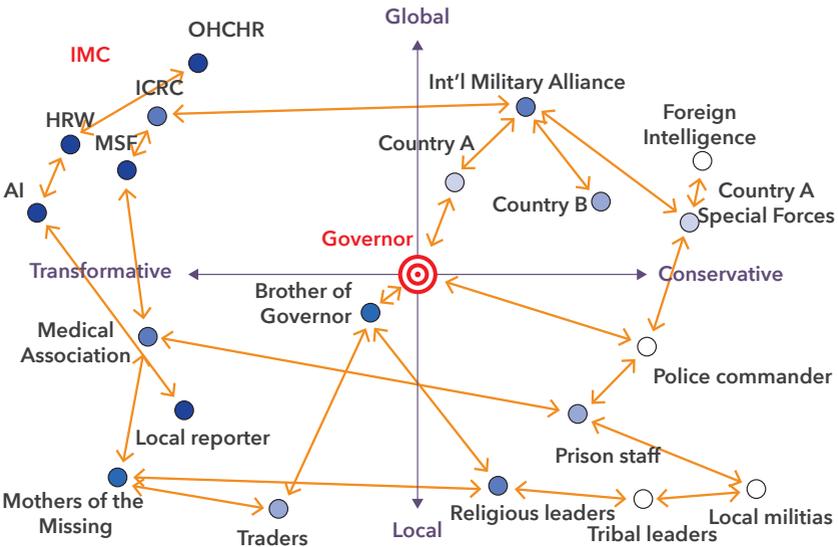
A. Open and able to explain IMN interests and motives

Most able and open

Least able and open



B. Able to link up the trustful relationships among the actors



Annex 4.5: The IMN Negotiator's Priority Listing Table – with Examples

DESCRIPTION OF ACTORS AND ITS ABILITY TO EXPLAIN IMN DEMANDS	NUMBER OF DEGREES TO THE GOVERNOR	PERCEPTION OF IMN BY THE ACTOR	PROPOSED MEASURES
Transformative Global - ALLIANCE			
ICRC (most able)	3	- Slightly too transformative - Slightly too global	- Seek synchronicity in interventions - Seek technical support and training to follow standard approach of ICRC
MSF (most able)	5	- Slightly too global - Slightly too transformative	Propose to join efforts in supporting the Medical Association
Transformative Local - COOPERATION			
Local Medical Association (able)	4	Too global	Propose to organize a workshop on prison medical ethics in the local language
Mothers of the Missing (most able)	3	Too global	- Propose a dialogue on modalities of visits to detainees - Propose a workshop on cultural and religious ethics of prison conditions
Brother of the Governor (able)	1	- Way too global - Way too transformative	Try to establish a personal contact and seek a dialogue, e.g., using traders' connection
Traders (least able)	2	Way too global	- Maintain good business relationships with local providers - Engage social and cultural activities
Conservative Global - COALITION			
International Military Alliance (able)	2	Way too transformative	Seek a dialogue on international norms regarding counter-terrorism
Conservative Local - MITIGATION			
Religious leaders (able)	2	- Way too transformative - Way too global	- Seek to establish a personal dialogue on ethical values of detention - Seek their participation at the workshop with the Mothers of the Missing
Police commander (least able)	1	- Way too transformative - Way too global	Seek to establish a personal dialogue and alleviate suspicions Seek his participation at the workshop with the Local Medical Association
Prison staff (least able)	2	- Way too transformative - Way too global	- Seek to establish a professional dialogue and alleviate suspicions - Seek participation at the workshop with the Local Medical Association

NOTES



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NOTES

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SESSION 5

Typology of Humanitarian Negotiation

CCHN Field Manual on Frontline
Humanitarian Negotiation, p. **106-136**



SESSION 5



Typology of Humanitarian Negotiation

Duration:
90 min.

Objectives

- Participants are able to identify different approaches to humanitarian negotiations related to their type, and how to conduct each of them.
- Participants understand ways to politicize/depoliticize a negotiation process to suit their objectives.

Process

STEP

1

Determining the typology of the negotiation:

Political vs. Professional vs. Technical



20 min

INSTRUCTIONS:

Define the three types of negotiation and opening questions of the counterpart:

A. Political – Identity, values, and norms of the parties
**WHO ARE YOU/
WHY ARE YOU HERE ?**

B. Professional – Methods and operational standards of an organization
**HOW DO YOU INTEND
TO OPERATE ?**

C. Technical – Logistics and technical aspects of an operation
**WHAT/WHERE/WHEN/
WITH WHOM ?**

Each one implies a different negotiation tactic.

ACTION POINTS:

On your main flip chart, draw the **typology template**.
Annex 5.

Present the typology table in the Participant Handbook.
Annex 5.1.

Participants take **5 min to read the illustration** in their Handbook.
Annex 5.2.

Give an **example for each type** from the illustration.
Annex 5.3.



STEP

2

Exercise to identify the typology of a negotiation



45 min

INSTRUCTIONS:

In groups:

One participant per group shares a story – **5 min**

Other participants in the group identify – **40 min**:

- Step 1– The type of negotiation
- Step 2 – The narrative of the organization
- Step 3 – Optimal level of negotiation and ways to move the discussion to that level

ACTION POINTS:

In groups:

Participants identify elements answering the questions provided in their Handbook.

Annex 5.4.

One poster/group

Participants write down elements on post-it and place it on the poster.



STEP

3

Plenary discussion and guidance on politicizing vs. depoliticizing a negotiation



25 min

Changing the type of a negotiation = politicizing or depoliticizing a process

Politicizing: Moving the dialogue from technical to professional and political levels.

Depoliticizing: Moving the dialogue from political to professional and technical levels.

A negotiation tactic

The politicization of a negotiation can happen at any time and place. It is a negotiation tactic to change the level of a conversation according to where one party has more leverage.

Rather than breaking the negotiation, a party may opt to change the focus of the dialogue by changing the core question.

The tactic consists of moving or preventing the move between levels in a conscious and proactive manner.

Annex 5: The Typology Table

LEVEL	TYPE OF NEGOTIATION	ISSUES AT STAKE	COMMON SHARED SPACE (CSS)	TYPE OF APPROACH	MEASURE OF RISK
A	Political	Identity/values/ principles/norms Q : Who are you ? Why are you here ?	Sharing values	Find the right compromise on specific shared values	HIGH
B	Professional	Method/standard of operations Q : How will you work ?	Sharing professional standards	Build consensus on method among local professionals	AVERAGE
C	Technical	Operational arrangements based on facts/data of the situation Q : What will you do ? When/Where/With Whom will you work ?	Shared understanding on the practical arrangements in terms of location, timing, resources needed, logistics, etc.	Share information and expertise on the situation and proposed methods	LOW

Annex 5.1: Illustration – Examples of Political, Professional, and Technical Questions

There is a measles outbreak in Country A. You work for a small NGO, Health for Everyone (HfE), which specializes in vaccination campaigns and abides by humanitarian principles. You have received money from your donor to rapidly implement a vaccination campaign for children against the measles outbreak.

As a point of departure, you conducted a context analysis in which you learn that:

- Country A was under a harsh colonial regime for several decades and has become very cautious with the presence of foreign organizations in the country. Your donor being the former colonial power, suspicions of undercover intrusion via your NGO are present.
- The vaccination capabilities of the government are limited due to the lack of vaccines against measles. As a result, the government is unable to respond to the health crisis in a proper manner. The National Health Authority started a vaccination program against measles some weeks ago that falls short of WHO standards in this domain.
- Due to the difficult terrain, the vaccination campaign will require several small and mobile teams to go around conservative rural villages across the country involving several dozens of local staff as well as the collaboration of local community leaders.

Political questions :

- The Minister of Health of Country A is unaware of the work of HfE.
- As part of the conversation, she enquires about the mission of HfE and the reasons behind the presence of HfE in the country :
 - Who is HfE ? What are its principles and mission ? What has it been doing elsewhere ? Etc.
 - Why is HfE offering its services in Country A ? What are the triggers of this offer ? What are the criteria for HfE to make an offer of services ? What is the added value of HfE in the country ? Etc.

It is important to seek an agreement on the shared value of the operation.

Professional questions :

Following an agreement with the Minister of Health on the profile of HfE, the Minister has sent you to the Director of the Health Department to further discuss your vaccination campaign project.

The Director of Health wants to know which standards you will use to conduct the vaccinations.

You explain to him that you are following the WHO standards for measles vaccination which provide for 2 drops per child.

The Director explains to you that the health authorities of Country A have been giving one drop per child for the last 20 years, which has been a regional standard.

- How should HfE operate ?
- What are the professional standards HfE and the public health authorities can agree on ?

Technical questions :

The Director of Health has agreed for you to proceed.

You have thus set up a vaccination clinic in the most affected areas.

You are meeting with the community leader to discuss the implementation of the first vaccination day.

The community leader starts the conversation by stating that there is actually no measles outbreak in the area.

A technical negotiation requires a technical dialogue. The technical negotiation is a privileged environment for humanitarian organizations because their representatives are presumably experts in their domain of intervention. It also deals with facts that can often be observed (e.g., sick children). Frontline negotiators should, as much as possible, stick to facts (e.g., bring in leaflets in the local language describing the symptoms of measles, discuss with the schoolteacher the prevalence of the symptoms among pupils, etc.) rather than venture to other levels.

Annex 5.2: Template and Questions to Apply the Typology Tool

	TYPE OF NEGOTIATION	ISSUES AT STAKE	TYPE OF APPROACH	LEVEL OF RISK
A	Political	<ul style="list-style-type: none"> • Identity • Values • Principles • Norms 	"Cut a deal"	HIGH
B	Professional	<ul style="list-style-type: none"> • Method • Standard of operations 	"Build a consensus" on method	AVERAGE
C	Technical	<ul style="list-style-type: none"> • Facts • Data of the situation 	"Share information & expertise"	LOW

Step 1 : Identify the type of negotiation

- What is the issue at stake ?
- What is the question of the counterpart ?
- What is the type of negotiation ?
- What is the shared objective ?

Step 2 : Elaborate the narrative of the NGO/IO

- What is the demand of the NGO/IO ? How should it be formulated ?
- What is the space for a compromise ?

Step 3 : Change the type of negotiation

- At which type/level of negotiation should the NGO/IO be negotiating for optimal outcome ?
- What are the questions and answers to prepare at that level ?
- How can one argue to move the discussion to that level ?

NOTES

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SESSION 6

Understanding your Counterpart: the Negotiation Iceberg

CCHN Field Manual on Frontline
Humanitarian Negotiation, p. 198-217



SESSION 6



Understanding your Counterpart: the Negotiation Iceberg

Duration:
90 min.

Objectives

- Participants understand the differences between the parties' positions, relevant tactical interests, and underlying values.
- In a given negotiation situation, participants are able to prepare the iceberg of their counterpart as well as the one of their own organization, and reflect on a negotiation strategy to find common ground between the two positions.

Process

STEP

1

Present the analysis of the position, tactical interests, and motives of the counterpart



20 min

INSTRUCTIONS:

Present the iceberg template.

- **Position: WHAT** is the position of the counterpart (explicit or implicit) on the particular issue?
- **Reasoning: HOW** did the counterpart get to that position? What is the logic/reasoning?
- **Values and motives: WHY** did the counterpart take such a position? Are there identity or power issues involved? What are the values and norms at stake?

ACTION POINTS:

Draw the iceberg template on your main flip chart.

Annex 6.

Participants take 5 minutes to read the given illustration in their Handbook.

Annex 6.1.

Identify with participants the potential issues for each of the iceberg levels.

Annex 6.2.



STEP

2

Exercise to identify issues of position, interest, and motives of the parties to the negotiation



40 min

INSTRUCTIONS:

In groups:

One participant per group shares a precise negotiation situation. – **5 min**

Other participants in the group identify position, interest, and motives of stakeholders: counterpart (1st) and organization (2nd) on two separate icebergs. – **35 min**

ACTION POINTS:

On each group poster:

Participants use the template and checklist questions in the Handbook.

Annex 6.3-4.

Participants write down on their posters the positions/interests/values they identify from the story for the counterpart and for the organization.



STEP

3

Plenary discussion and use of the tool to develop the tactical plan



15 min

How to approach issues from each level:

Position – Tier 1

Sort issues that are easy to agree on, at low cost for the humanitarian organization but of benefit for the counterpart.

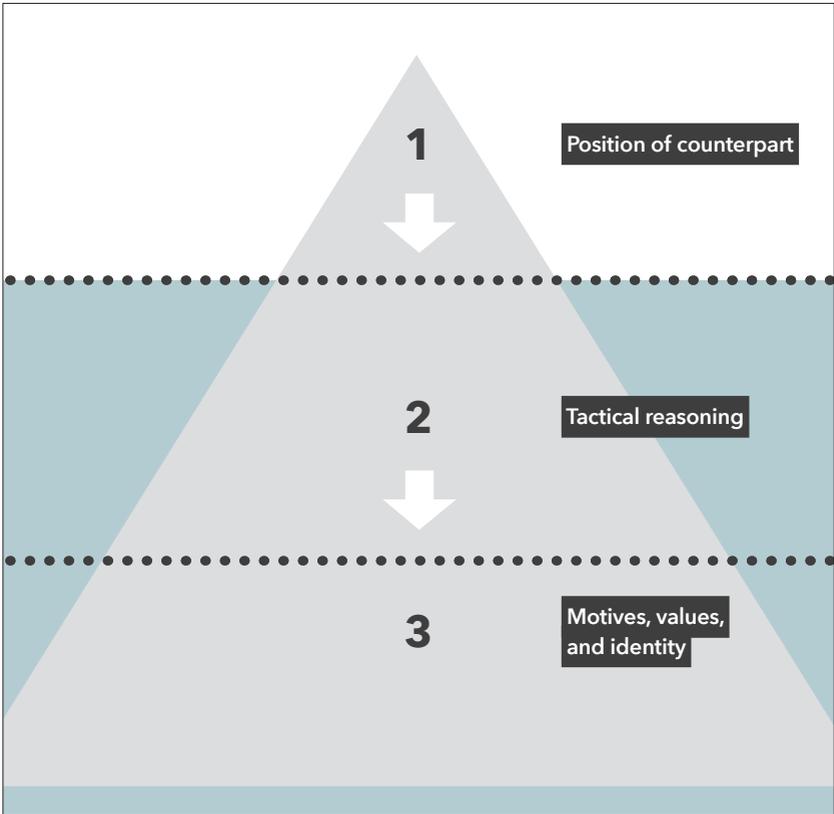
Reasoning – Tier 2

Sort issues on which an agreement comes at cost for the counterparts and the humanitarian organization but can be used to establish the basis of a rational and fair distribution of costs/benefits of the agreement.

Values – Tier 3

Sort issues that are more complex to address and harder to solve as they come at high cost for the humanitarian organization and possibly the counterpart—e.g., issues that are at the core of the conflict and often not actually negotiable. Such issues should be kept present but put aside at first.

Annex 6: Analyzing the Position, Tactical Interests, and Motives of the Counterpart



Annex 6.1: Illustration – Identify Positions, Interests, and Values

Health for All's Surgical Team Retained in a Labor Dispute

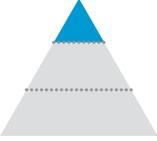
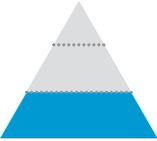
Nine staff members of Health for All (HfA), an international health NGO, have been prohibited by tribesmen from leaving their residence in District A for almost a week following a disagreement between HfA and the guards of the local HfA hospital. This dispute follows plans of HfA to close the hospital due to decreasing war surgery needs in the region. The guards, who belong to an important tribe in the region, claim that the hospital should remain open and their compensation be paid as there are still considerable emergency health needs in the region.

The guards, supported by tribal representatives, further argue that they put their lives at risk for several years to maintain the access of patients and staff to the hospital during an especially violent conflict. Some guards even lost their life in this process and others sustained long-term disabilities. Families of the guards wounded or killed during the conflict further request long-term monetary compensation for the loss of income before HfA pulls out of District A.

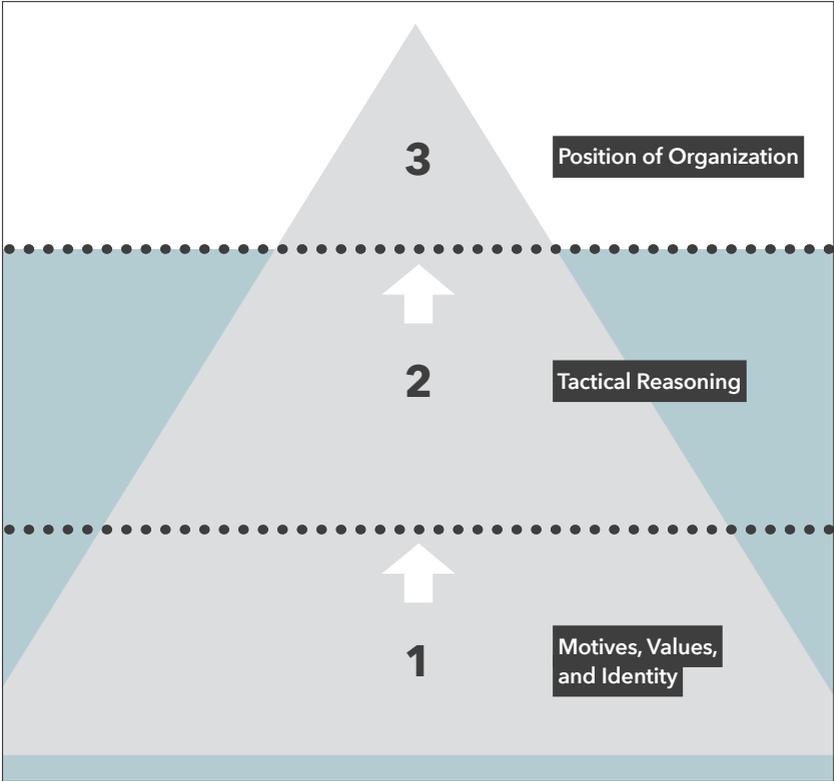
For now, the hospital is barely operational, with several emergency needs left unattended. Tribal leaders are increasingly concerned about the health situation in District A and insist that the hospital remain open. Families of patients have been complaining about the lack of services in the hospital.

The tribal leaders have agreed to meet with HfA representatives to look for a practical solution. The government has refrained from intervening in what they see as a private labor dispute. The army and police have only a limited presence and control over the situation in District A and would not intervene without the support of the tribal chiefs.

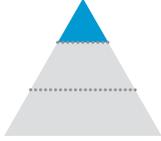
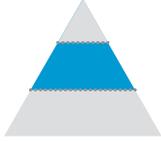
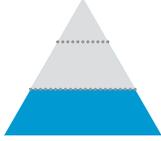
Annex 6.2: Illustration Explained – Identify Positions, Interests, and Values

QUESTIONS	POTENTIAL ISSUES
<p>WHAT do the tribal leaders and the guards want? What are their explicit/implicit positions?</p> 	<p>POSITIONS AT THE NEGOTIATION TABLE</p> <ul style="list-style-type: none"> • Explicit: Tribal leaders insist on keeping the hospital fully operational. • Explicit: The guards want to maintain their employment. • Explicit: Families of wounded and deceased guards want to be properly compensated. • Implicit: Detained staff will be released only when guarantees on the above are provided. • Implicit: In the meantime, emergency needs should be addressed by HfA.
<p>HOW did the tribal leaders get to those positions? HOW are the tribal leaders planning to proceed?</p> 	<p>TACTICAL REASONING</p> <ul style="list-style-type: none"> • The detention of HfA staff has been triggered by the unexpected announcement of the closing of the hospital by HfA. • Guards and tribal leaders were not consulted in this process. This lack of consultation questions the authority of the tribal leaders and the professional role of the guards. • Both want their voice to be heard loud and clear by those who make such decisions. Detaining staff is the best way to get heard.
<p>WHY do the tribal leaders take such positions? What are their inner motives and values?</p> 	<p>INNER VALUES AND MOTIVES</p> <p>There are several values and motives at play in this context:</p> <ul style="list-style-type: none"> • In view of the rampant unemployment in District A, the only way the guards are to maintain their economic and social status is to ensure that they keep their jobs at the HfA hospital. • The tribal leaders further see this dispute as an opportunity to gain/improve their reputation and that of their tribe within the community. • There is a sense of inequity in the community regarding the position of HfA leaving disabled guards and destitute families of deceased guards to cope by themselves. • Contrary to HfA statements, the health situation in District A is raising serious fears and the local HfA hospital is the only health provider still operating in District A.

Annex 6.3: The Iceberg Template for One's Own Organization



Annex 6.4: The Iceberg Checklist

QUESTIONS	POTENTIAL ISSUES
<p>WHAT does the counterpart want? What are its explicit and implicit positions?</p> 	<p>POSITIONS:</p>
<p>HOW did the counterpart get to those positions? HOW is the counterpart planning to proceed?</p> 	<p>TACTICAL REASONING:</p>
<p>WHY does the counterpart take such positions? What are the inner motives and values?</p> 	<p>INNER VALUES AND MOTIVES:</p>

What is the position ?

- a) What is the authority of the agent ?
- b) What is the clarity of the position ?
- c) What is the context of the communication ?

What is the reasoning behind the position ?

- a) What is/are the logical argument(s) ?
- b) What are the premises of this reasoning ?
- c) What is the logical connection/conclusion ?

What are the values and norms behind the position ?

- a) What are the moral, cultural, or religious values ?
- b) What is the level of sensitivity for the counterparts ?
- c) What is the level of risk for the agency involved ?

NOTES

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Identifying the Specific Objectives & Priorities of your Negotiation

CCHN Field Manual on Frontline Humanitarian Negotiation, p. **218-249**



SESSION 7



Identifying the Specific Objectives & Priorities of your Negotiation

Duration:
90 min.

Objectives

- Participants are able to identify the Common Shared Space (CSS) of the negotiation to develop their tactical plan accordingly.
- Participants reflect on the mandate received from their organization and build their own position, based on the organization's norms and values.

Process

STEP

1

Introduction - Objectives and methods of Common Shared Space (CSS)



15 min

Common Shared Space

Definition: The space in which parties are willing to find a compromise.

It involves:

- **Communication** of the respective positions of the parties (P) and (P');
- **Ability to explain** one's rationale and values and norms of the position;
- Recognition of the **distance between two sets of positions/methods/values** as an opportunity of dialogue.

Method:

- Build the iceberg of one's position starting from the organization's values and motives;
- Identify potential areas of agreement at the three levels of the iceberg, starting from the shared values;
- Identify converging and diverging aspects at each level.

STEP

2

Exercise to identify CSS as a space of negotiation



45 min

INSTRUCTIONS:

Identify **potential areas of agreement** at the three levels of the iceberg, starting from the shared values.

Identify options, including **converging and diverging** elements at each level.

Carry on privileged conversation on convergent aspects of the CSS and see how expectations on divergent aspects can be addressed in a second step.

ACTION POINTS:

In groups:

Build on the **CSS template** in their Handbook.

Annex 7.

And going back to their previous icebergs, participants determine:

- Potential shared values;
- Potential shared reasoning;
- Potential shared positions.

Determine **convergent and divergent** elements for each.



STEP

3

Plenary discussion and application of the tool to inform the tactical plan



30 min

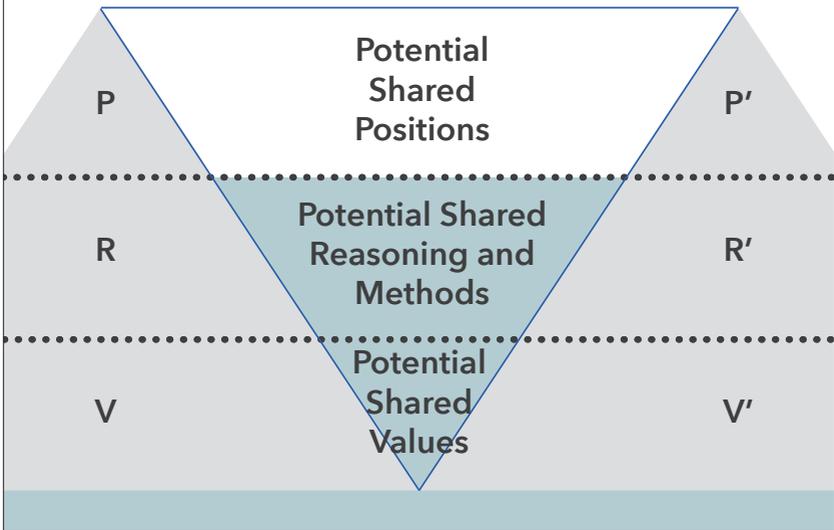
Setting the CSS of the negotiation informs the tactical planning of the organization that will allow bridging the gap between the interests and the motives of the parties to the negotiation.

The determination of the limitations in the range of options will allow humanitarian negotiators to consider their bottom lines and red lines, presented in the next session.

Annex 7: Identifying Common Shared Space (CSS)

**Common Shared Space of the Negotiation
(Area to search for potential agreements)**

Search area for:



1. Analyze and translate core values, methods, and position of your agency

PRINCIPLES AND VALUES	TRANSLATED INTO SHARED VOCABULARY ADAPTED TO THE CONTEXT
"HUMANITY"	
"IMPARTIALITY"	
"NEUTRALITY"	
"INDEPENDENCE"	

TACTICAL REASONINGS	TRANSLATED INTO SHARED VOCABULARY ADAPTED TO THE CONTEXT
Assistance	
Protection	
Evidence-based	

2. Identify potential shared values, tactical reasoning, and methods, as well as positions with the counterpart

POTENTIAL SHARED VALUES

CONVERGENT ELEMENTS	DIVERGENT ELEMENTS

POTENTIAL SHARED REASONING AND METHODS

CONVERGENT ELEMENTS	DIVERGENT ELEMENTS

POTENTIAL SHARED POSITIONS

CONVERGENT ELEMENTS	DIVERGENT ELEMENTS

3. Based on the above, draft the starting position of your organization in clear, understandable, and open terms

NOTES

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SESSION 8

Designing Scenarios and Identifying Bottom Lines

CCHN Field Manual on Frontline
Humanitarian Negotiation, p. **277-310**



SESSION 8



Designing Scenarios and Identifying Bottom Lines

Duration:
90 min.

Objectives

- Participants know how to evaluate the benefits and risks associated with a particular outcome of a humanitarian negotiation.
- Participants understand the risk/benefit analysis as a dynamic planning process to draw their bottom lines; they are able to discuss the elasticity of this analysis and how it is influenced by the overall environment.

Process

STEP

1

Introduction - Setting limits on the scope of options: Red lines and bottom lines



25 min

INSTRUCTIONS:

Distinguish the **red line** (from the mandate) and the **bottom line** (from the risk/benefit analysis).

Red line: Outer limits of the possible scope of agreement set the mandate of the negotiator informed by institutional policies. These lines cannot be crossed at the cost of breaching one or more of these normative frameworks.

Bottom line: Tactical tool at the disposal of the negotiator to maximize the benefit of the conversation between the parties and limit the scenario to a specific range of options. Bottom lines are under the control of the negotiator.

ACTION POINTS:

Draw on your main flip chart the red line/bottom line template.

Annex 8.

Explain each element of the template: A-B-C and CSS space.

Participants take 5 minutes to read the illustration in their Handbook.

Annex 8.1.

Give examples from the given illustration.

Annex 8.2.



STEP**2****Exercise to identify red lines, bottom lines, and the CSO space**

45 min

INSTRUCTIONS:**In groups:**

Participants identify the starting positions of both counterparts: **ideal outcomes**.

Participants identify **red lines** based on their mandate.

Participants identify the **CSS by type of negotiation**.

Participants identify the shared benefits of the negotiation.

Participants identify the sources of risks of compromises and the rising degree of risks associated with greater compromises.

identify the **bottom lines** of the parties at the juncture of declining shared benefit and rising risks of compromises.

ACTION POINTS:**From the given illustration in their Handbook:**

Participants identify counterparts' ideal outcome, red lines, CSO, and bottom lines and fill in the handout. **Annex 8.3.**

STEP**3****Plenary discussion and introduction of the preliminary script for the negotiator**

20 min

Present the **preliminary script for the negotiator** to prepare the first messages and encounters:

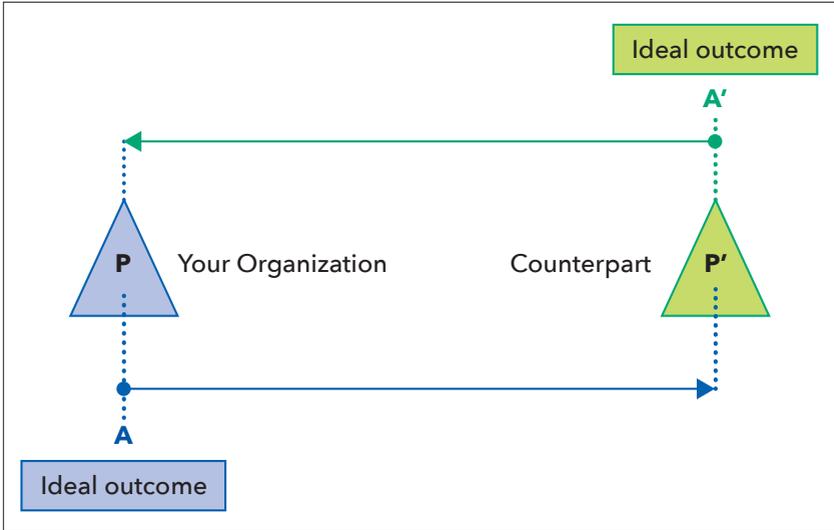
Tier 1: High-benefit solutions easily agreeable for the humanitarian side, more at risk of compromise for the counterpart.

Tier 2: Issues on which an agreement comes at an equivalent risk/benefit for the counterpart and the humanitarian organization—more demanding issues for the humanitarian side but greater shared benefits.

Tier 3: Issues that are more complex to address and harder to solve for the humanitarian side. Rising risk of the compromises. These will require a more in-depth process—postpone some issues (bottom line of the humanitarian side).

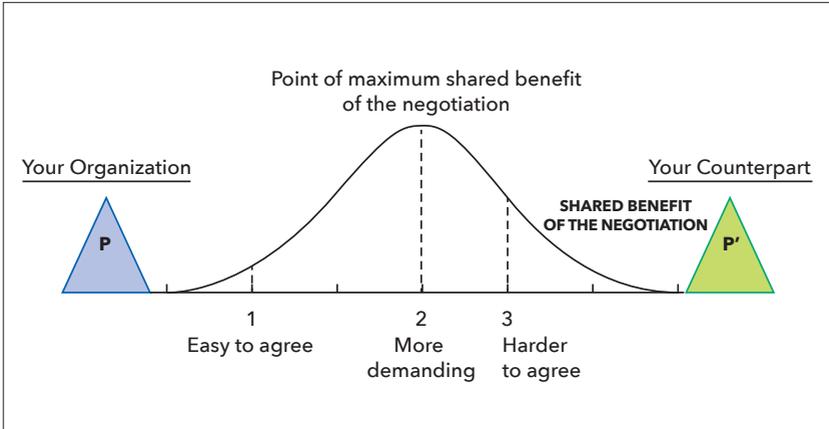
Annex 8: Distinguishing a Red Line and Bottom Lines in Designing a Tactical Plan

STEP 1: Setting the ideal outcomes on both sides of the negotiation



IDEAL OUTCOME OF YOUR ORGANIZATION (A)	IDEAL OUTCOME OF COUNTERPART (A')

STEP 2:
Evaluate the shared benefit of potential compromises



TIERS	DESCRIPTION OF THE COMPROMISE AND SHARED BENEFIT
1: Easy to agree for your organization	
2: More demanding, yet with the highest level of shared benefit (best outcome of the negotiation)	
3: Harder to agree & diminishing impact (low benefit/high risk)	

Annex 8.1: Setting Red Lines Based on the Mandate

Step 1: Identify the current red lines by sources of institutional policies and extract the appropriate red lines for the negotiator.

Step 2: Define the red lines for the negotiation with the main counterparts and stakeholders and prepare a regular conversation with the negotiator, negotiation team, and mandator.

IDENTIFY THE LEGAL RED LINES OF THE NEGOTIATION

SOURCES OF RED LINES	INSTITUTIONAL POLICY	RED LINES OF THE MANDATE
National laws		
International law		

IDENTIFY THE INSTITUTIONAL RED LINES

SOURCES OF RED LINES	INSTITUTIONAL POLICY	RED LINES OF THE MANDATE
Humanitarian principles	Humanity : Impartiality : Neutrality : Independence :	
Duty of care		
"Do no harm"		
Security protocol		

IDENTIFY THE PROFESSIONAL RED LINES

SOURCES OF RED LINES	INSTITUTIONAL POLICY	RED LINES OF THE MANDATE
Professional standards of the domain of intervention		
Professional aid standards		
Professional negotiation standards		

IDENTIFY MORAL AND ETHICAL RED LINES

SOURCES OF RED LINES	INSTITUTIONAL POLICY	RED LINES OF THE MANDATE
Applicable ethical standard		
Reputational risk		

APPLY THE RED LINES TO THE COUNTERPART AND OTHER
STAKEHOLDERS OF THE NEGOTIATION

	COUNTERPARTS AND STAKEHOLDERS				
ISSUES BEING NEGOTIATED	1	2	3	4	5

For P - FWB

A - Ideal outcome : All food rations are distributed to the affected refugee population based strictly on their nutritional needs, and FWB can hire the day laborers of their choice.

B - Bottom line : Food rations could be delivered to people in need even though they are not refugees from the camp and probably not those most in need, if this distribution can facilitate access to refugees most in need.

C - Red line : Food rations should never be distributed to people not in need.

For P' - Camp authorities

A' - Ideal outcome : FWB to hand over the distribution of the food to the camp guards and let them manage the process against a payment in food rations.

B' - Bottom line : Allow FWB to manage the distribution in the camps but only through the hiring of local security guards in the camp. Any compromise below this point will require a consultation with the camp commander.

C' - Red line : Having no form of control over the food distribution in the camp and being unable to share some benefits with the security guards.

Possible scenarios with the CSS (D + E + F):

D - More principled approach on humanitarian side, but at the cost of the relationship with P': Security guards take part in the distribution only as observers; requires instructions from hierarchy of the counterpart.

E - Trusted space between B and B' is a shared space of open dialogue: Security guards can take part in the distribution; their families can receive additional rations to the extent they are food insecure.

F - More demanding space for humanitarian organization: Camp authorities require that the food rations be distributed to the families of the guards by handing it over directly to the guards as a form of payment; requires instructions from hierarchy of humanitarian organization.

NOTES

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SESSION 9

Legitimacy of the Negotiator

CCHN Field Manual on Frontline
Humanitarian Negotiation, p. **90-105**



SESSION 9



Legitimacy of the Negotiator

Duration:
60 min.

Objectives

- Participants understand the sources of legitimacy of the negotiator in the eyes of the counterpart.
- Participants know how to calibrate the different components of a negotiator's sources of authority and legitimacy.

Process

STEP

1

Present the sources of legitimacy of the negotiator



20 min

INSTRUCTIONS:

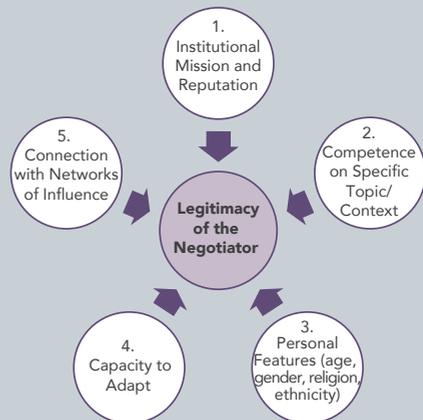
Present the **five sources of legitimacy** in frontline negotiation.

Introduce the importance of **balancing the sources** of legitimacy: Identify the relative value of each source in a given situation.

Being aware of your assets and liabilities can help **build the right profile** with the counterpart and establish a **safe space of dialogue**.

ACTION POINTS:

Refer to the template in Negotiator Handbook. **Annex 9.**



STEP

2

Exercise to assess and adjust your profile



40 min

INSTRUCTIONS:

In groups:

One participant per group shares a precise negotiation situation. – **5 min**

Participants in the group identify the most/least conducive features of the legitimacy template for the negotiation process.

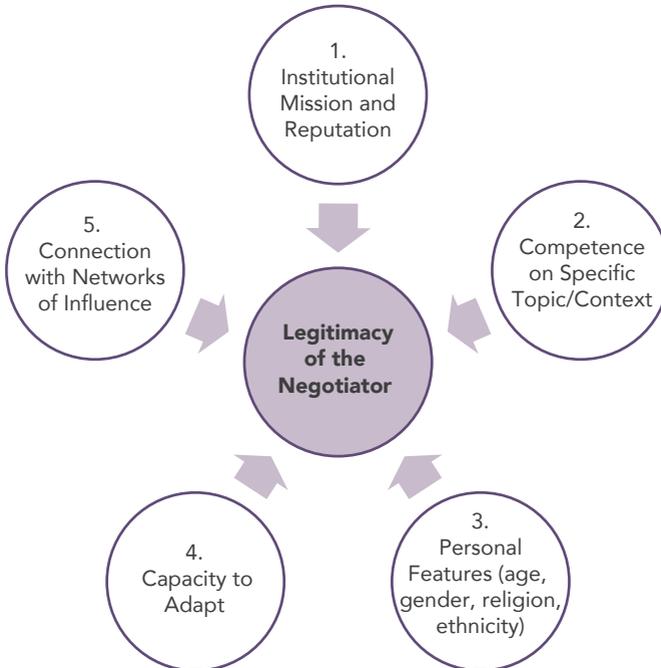
ACTION POINTS:

In each group:

Participants assess the **most and least conducive features** as per the template in their Handbook.

Participants identify measures to **enhance the legitimacy** of the negotiator.

Annex 9: The Sources of Legitimacy of the Negotiator



NOTES

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SESSION 10

General and Specific Terms of the Mandate of the Negotiator

CCHN Field Manual on Frontline
Humanitarian Negotiation, p. **319-331**



SESSION 10



Duration:
40 min.

General and Specific Terms of the Mandate of the Negotiator

Objectives

- Participants identify and understand the general and specific terms of the mandate of the negotiator.
- Participants know how to elaborate the mandate of the negotiator.

Process

Exercise to identify the general and specific terms of the mandate of the negotiator.

Instructions:

In groups:

One participant per group shares a precise negotiation situation or uses the HfA case. – **5 min**

Participants in the group identify the general and specific terms of the mandate of the negotiator. – **35 min**

Action points:

In each group:

Participants assess the case and define the terms.

SPECIFICATIONS OF A MANDATE TO NEGOTIATE

(To be developed in a dialogue between the mandator and the negotiator)

SPECIFICATIONS OF THE MANDATE	DESCRIPTION
Context	
Object	<ul style="list-style-type: none">••••
Time period	
Counterparts	<ul style="list-style-type: none">••••
Designation of the negotiator	
Reporting line	

SPECIFIC TERMS OF THE MANDATE (CONFIDENTIAL)

(To be developed in a dialogue between the mandator and the negotiator)

FACTUAL AND NORMATIVE TRIGGERS OF THE MANDATE	SPECIFIC TERMS OF THE MANDATE OF THE NEGOTIATOR
<p>Relevant facts (contested/ uncontested):</p> <ul style="list-style-type: none">•••• <p>Relevant norms (convergent/ divergent):</p> <ul style="list-style-type: none">••••	<ol style="list-style-type: none">1.2.3.4.5.6.

CASE

GENERAL TERMS OF THE MANDATE

Health for All's Surgical Team Retained in a Labor Dispute

Nine staff members of Health for All (HfA), an international health NGO, have been prohibited by tribesmen from leaving their residence in District A for almost a week following a disagreement between HfA and the guards of the local HfA hospital. This dispute follows plans of HfA to close the hospital due to decreasing war surgery needs in the region. The guards, who belong to an important tribe in the region, claim that the hospital should remain open and their compensation be paid as there are still considerable emergency health needs in the region. The guards, supported by tribal representatives, further argue that they put their lives at risk for several years to maintain the access of patients and staff to the hospital during an especially violent conflict. Some of the guards even lost their life in this process and others sustained long-term disabilities. Families of the guards wounded or killed during the conflict further request long-term monetary compensation for the loss of income before HfA pulls out of District A.

For now, the hospital is barely operational, with several emergency needs left unattended. The tribal leaders have agreed to meet with HfA representatives to look for a solution. The government has refrained from intervening in what they see as a private labor dispute. The army and police have only a limited presence and control over the situation in District A and would not intervene without the support of the tribal chiefs.

CORE VALUES AND MISSION OF HFA	STRATEGIC OBJECTIVES OF HFA	GENERAL TERMS OF THE MANDATE OF THE NEGOTIATOR
<ul style="list-style-type: none"> - HfA is a humanitarian organization. It operates under a set of principles (neutrality, impartiality, proximity, etc.). - It aims to ensure equitable access to health care to ALL, with special attention to the most vulnerable. It aims to complement existing services, public and private. - It is an ethical organization committed to respect medical ethics and privacy of patients. It is bound by the human rights of patients. - It is a transparent, well-managed, and diligent employer keen to maintain good relationships with the people and communities it serves. - While it has limited resources, it strives to do its best to ensure the continuity of access to health care as long as there are needs falling within its mandate. 	<ul style="list-style-type: none"> - In the particular context, it appears that there are segments of the populations deprived of access to essential surgical care services. This context falls within the mandate of HfA as long as these needs are present. - HfA can provide health services with the condition that the security of its staff, premises, and operations is guaranteed. - Security guarantees are the product of a trustful relationship with all the parties concerned. Such a relationship also implies that HfA maintains good standing with the community, particularly in dealing with patients and the local staff of the hospital. - It is vital that HfA finds a compromise with tribal leaders, as this situation is likely to have an impact on the standing of the organization in other parts of the country. 	<ol style="list-style-type: none"> 1) The negotiator is mandated to find an agreement on the safe presence and access of HfA in District A. 2) While it may have to assume certain risks, it is important that HfA attempts to restore essential services of the hospital in this context. 3) It is critical that HfA is presented as an organization that is close to the community and aware of its responsibilities with respect to health care as well as an employer.

**SPECIFIC TERMS OF THE MANDATE
(STRICTLY CONFIDENTIAL)**

FACTUAL AND NORMATIVE TRIGGERS OF THE MANDATE IN COUNTRY A	SPECIFIC TERMS OF THE MANDATE OF THE NEGOTIATOR
<ul style="list-style-type: none"> • Nine staff members have been prevented from leaving their residence. • Tribesmen are surrounding the residence and allow only water and food in. • The functions of the hospital have been severely affected by these measures. • Guards are seeking compensation for possible unemployment as well as injury and loss of life as a result of the planned closure of the hospital. 	<ol style="list-style-type: none"> 1. HfA should insist on the prompt release of all the HfA staff. 2. Tribal leaders must, in the meantime, guarantee the safety and well-being of HfA staff. 3. HfA will want to scale down its surgical activities in the region and hand over the hospital to a third party, including transferring obligations toward the guards and their families. 4. HfA may have to reschedule these attempts so as to allow proper consultation and the designation of a third party. 5. Meanwhile, HfA should undertake consultation to rebuild trust with the community.

NOTES

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SESSION 11

Public Communication

CCHN Field Manual on Frontline
Humanitarian Negotiation, p. **332-339**



SESSION 11



Public Communication

Duration:

40 min.

Objectives

- Provide a template to facilitate a discussion between the mandator, the support team, and the negotiator around the distribution of responsibilities regarding institutional communication about the operation.

Process

Exercise on Setting the Terms of the External Communication About the Negotiations.

Instructions:

In groups:

Per group, on the drawing of the iceberg analysis of your organization, elaborate a public description of the activities of the organization in the country, and the relevance of its engagement with the counterpart.

Action points:

In each group:

Participants discuss and define a public communication based on the case discussed in the iceberg.

STEP

1

Setting the Terms of the External Communication About the Negotiation



10 min

INSTRUCTIONS:

On the drawing of the iceberg analysis of your organization, elaborate a public description of the activities of the organization in the country and the relevance of its engagement with the counterpart. This statement should address:

- **WHY does your organization wish to operate** in the particular context? What are its inner principles, motives, and values? What are the needs justifying this operation?
- **HOW does the organization intend to operate?** What problems are we trying to address? What professional tools and methods do we plan to implement? What are the difficulties encountered?
- **As a result, WHAT are your specific expectations** in the particular negotiation? What is our offer of service? What are the terms under which the organization is ready to operate as a point of departure of the negotiation (i.e., best-case scenario of an agreement)?

STEP

2

Distribute responsibilities of external communication around the negotiation process among:



10 min

- The frontline negotiator;
- The head of the local office;
- The senior management and country director;
- The Communication Department at HQ.

Communication roles should be carefully reviewed and assigned so as to ensure proper internal control over the messaging of the organization. Messages coming from any part of the organization are inherently part of the negotiation process.

STEP

3

Consider the varying degrees of attention as well as sensitivity of information from the local level to national and international audiences (see attached template).



20 min

ELABORATE A PUBLIC STATEMENT ABOUT THE SITUATION,
THE ACTIVITIES OF YOUR ORGANIZATION, AND THE NEGOTIATION

ELEMENTS OF COMMUNICATION	DESCRIPTION
<p>WHO are you? What values define your organization as a humanitarian organization?</p> <p>WHY does your organization want to operate in this context?</p>	<p>CORE MISSION :</p> <ul style="list-style-type: none"> • • • • • • • •
<p>HOW does your organization operate? What are the specific methods?</p>	<p>HOW YOU WORK :</p> <ul style="list-style-type: none"> • • • • • •
<p>WHAT does your organization want out of this negotiation? What is its starting position? How does it want to communicate this position?</p>	<p>ABOUT THE NEGOTIATION PROCESS :</p> <ul style="list-style-type: none"> • • • • • •

**DISTRIBUTE RESPONSIBILITIES FOR COMMUNICATION
AROUND THE NEGOTIATION**

EXPECTED DEMAND FOR INFORMATION	LOW	MID	HIGH	AGREED RESPONSE AND DISTRIBUTION OF RESPONSIBILITIES
Level of attention locally				
Level of attention nationally				
Level of attention internationally				
Level of attention from donors and other international actors				
Level of attention of other stakeholders (family of staff)				

NOTES

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SESSION 12

Knowing your Conflict-Handling Style

SESSION 12



Knowing your Conflict-Handling Style

Duration :
90 min.

Objectives

- Participants get familiar with the five different negotiation styles.
- Participants determine their own naturally dominant styles.

Process

STEP

1

Present the concept of negotiation style



20 min

INSTRUCTIONS:

Introduce the importance of **better knowing yourself** and your **conflict-handling style** to :

- Assess yourself;
- Assess how your style affects your negotiation.

ACTION POINTS:

In pairs:

Participants share 2 stories :

- One when they handled a conflict well;
- One when they handled a conflict badly.

Participants reflect on what it says about their negotiating style.

STEP

2

Thomas-Kilmann Self-Assessment Test



Individually :



20 min

Participants read and fill in the Thomas-Kilmann Conflict Mode Instrument (TKI) self-assessment test to determine their negotiation style.

– **Distribute self-assessment test.**

Competing – Collaborating – Compromising – Avoiding – Accommodating.

Participants can have several naturally dominant styles.

There is not a wrong or a correct style.

STEP

3

Discuss the five negotiation styles



30 min

INSTRUCTIONS:

Present the **five negotiation styles** and their implications for the negotiation process.

Discuss the **most appropriate style** depending on the context of the negotiation – **tactical choice** to apply one style or another depending on the negotiation strategy:

- What/how much is at stake?
- How much power/influence do I have?
- What is the relationship worth?
- How interdependent am I to the counterpart?

ACTION POINTS:

Draw on your main flip chart the style template.

Annex 12.

Present each style based on degrees of **assertiveness** and **cooperativeness**:

- The more **assertive**, the more you want to satisfy your own concerns. How much power do you want to exert on your counterpart?
- The more **cooperative**, the more valuable the counterpart is. Can you risk avoiding the issue?
- **Collaborating**: Both sides have concerns that cannot be compromised.
- **Compromising**: Issues are of high stakes, but parties cannot risk jeopardizing the relationship.

STEP

4

Individual reflection and group discussion



20 min

INSTRUCTIONS:

Participants reflect on a case and what they would do differently had they known their style.

ACTION POINTS:

Individually:

Participants take 10 min to reflect on their natural style and what they could have done differently in a particular situation from the past.

In pairs:

Relating to the experience shared in Step 1, what style could they have applied and what could they do better in the future?

Annex 10.1: Thomas-Kilmann Model Explained

When to use Different Styles ?



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SESSION 13

Planning for the Transaction

CCHN Field Manual on Frontline
Humanitarian Negotiation, p. **152-188**



SESSION 13



Planning for the Transaction

Duration:
105 min.

Objectives

- Participants understand how to clarify the terms of a transaction between parties and transform CSS into a series of reciprocal commitments.
- Participants are able to create a conducive environment for the transaction and to foresee the quality and the success of a negotiation process.

Process

STEP

1

Present the criteria for clarifying the terms of an agreement



20 min

INSTRUCTIONS:

List the **criteria** for setting clear commitments and a proper implementation of the agreement.

ACTION POINTS:

Present the list of 4 criteria.
Annex 13.

Participants take five minutes to read the illustration in their Handbook.

Annex 13.1.

Give examples of **proper/improper terms** based on the illustration.

Annex 13.

STEP

2

Introduce the checklist for creating a conducive environment for the transaction



20 min

INSTRUCTIONS:

Present the **checklist** to prepare, conduct, and debrief a transaction meeting.

ACTION POINTS:

In groups:

Participants discuss the questions in their checklist and how they would envisage the meeting from the previous illustration.

Annex 13.2.

STEP

3

Dealing with difficult interlocutors – De-escalation



15 min

INSTRUCTIONS:

Distinguish **assertiveness** and **aggressiveness**, to be read in their cultural context:

- **Assertive behavior:** May help to communicate a position using rational reasoning as a vehicle.
- **Aggressive behavior:** Aims to impose a position leveraging an emotion.

INSTRUCTIONS:

Define **de-escalation**: Managing negative emotion and re-establishing a rational framework to engage in the discussion.

Introduce the **six behavioral skills** to follow during a negotiation.

ACTION POINTS:

Present the six steps for de-escalation in the Negotiator Handbook.

Annex 13.3.

Give examples for each step from the illustration.

Annex 13.4.

STEP

4

Simulation exercise to apply the 6 steps of de-escalation



50 min

1. Simulation:

In groups of 3: 2 negotiators – 1 observer

Distribute the simulation instructions to each group of 3 participants.

Participants rotate over three rounds (each participant plays the three roles) – 15 minutes/round.

The negotiator:

- Listens to the counterparts' concerns;
- Applies the 6 steps to de-escalate the situation.

2. Debriefing

Annex 13: Criteria for Clarifying the Terms of the Transaction – Illustration Explained

Negotiating Access to an IDP Camp under the Control of an Armed Militia

Food Without Borders (FWB), an international NGO, is seeking access to an IDP camp controlled by an armed militia under the supervision of the state military in Country A. FWB has been negotiating its access to the camp for several weeks with the leadership of the armed militia and the military commander in the capital overseeing its activities in the region. In recent days, it appears that the parties (FWB, militia commander, military representative in the capital) are ready to plan a convoy of trucks carrying FWB assistance to the IDPs in the camp. Representatives of the parties sit down at a meeting in the capital. What should the proposed terms of the transaction be ?

CRITERIA	PROPER TERMS
<p>1. Express parties' commitments clearly</p>	<p>FWB's proposed terms to include :</p> <ul style="list-style-type: none"> - The number of trucks - The description of the cargo - The schedule of movement - The predefined routes - The profiles and names of drivers - Detailed modalities of distribution - Defined target population <p><u>In exchange for:</u></p> <p>Armed militia's and military's commitment to :</p> <ul style="list-style-type: none"> - Stipulate route and time of access on a map of the territory under their control - Guarantee the safe passage and security of staff - Specify modalities of crossing checkpoints manned by the militia - Refrain from interference - Detail responsible parties in the field (names and phone numbers)

CRITERIA	PROPER TERMS	
<p>2. Define the roles and tasks of the parties</p> <p>3. Recognize their connection as required by the circumstances</p>	<p>Counterparts orchestrate their interactions based on the circumstances</p>	
	<p>FWB's tasks:</p> <ol style="list-style-type: none"> 1. FWB will send a notification on the number of trucks, cargo, dates, and route on Day 1. 3. FWB will confirm day and time of the convoy with the local commander on T-1 day. 5. On the morning of the convoy, the lead driver calls the local commander and announces the entry of the convoy into the territory and confirms the route. 7. Convoy crosses checkpoints and proceeds to deliver assistance 9. The convoy leaves the camp through the same route or as otherwise agreed with the local commander. 	<p>Military/militia's tasks:</p> <ol style="list-style-type: none"> 2. Military/militia will receive notification, share information in the field, and provide authorization within four days. 4. The local commander will confirm within 3 hours that the convoy can proceed. 6. The local commander informs checkpoints. 8. The local commander is present at the delivery site and observes without interference.
<p>4. Set a process to handle potential divergence</p>	<p>The parties agree:</p> <ul style="list-style-type: none"> - On a direct communication link with people of authority in case of divergence during the operation; - On a practical process of resolution under the circumstances to ensure a) the safety of FWB staff, and b) the implementation of the operation; and, - In case of continued divergence, to suspend the operation without further escalation or reprisals and convene a meeting to discuss the situation and possible solutions. 	

CRITERIA	PROPER TERMS
<p>5. Recognize the power relationship in the field and the relevant degree of responsibility</p>	<p>Military and armed militias agree :</p> <ul style="list-style-type: none"> - To guarantee the safety and security of the operation throughout the period; - To ensure that every member of the militia operating along the route of the convoy will be aware of this operation and of the authorization of FWB to operate without interference; and, - To take full responsibility in case of a security incident involving the militia or other parties. <p>FWB agrees :</p> <ul style="list-style-type: none"> - To ensure the strict neutral and impartial character of its delivery of assistance; and, - To ensure that its staff and contracted drivers will not engage in activities unrelated to the transport and distribution of humanitarian aid.

Annex 13.1: Checklist to Prepare, Conduct, and Debrief a Transaction Meeting

CHECKLIST TO PREPARE, CONDUCT, AND DEBRIEF A TRANSACTION MEETING

Preparing for the meeting

- Do I understand the stakes for all the parties ?
- Who will be the people participating in the meeting ?
- Where will they come from ?
- What information do I have about them ?
- What do the counterparts know about me ? Is this information conducive to a positive meeting ?
- What should I expect from the discussion ?
- What are the points of convergence/divergence between the parties ?
- Did I prepare an agenda for the meeting ?
- Did I share this agenda ?
- Did I consider the physical setting for the meeting ?
- Did I consider specific timing (early/late in day) or other cultural elements ?
- Did I prepare, brief, and rehearse with my translator (if there is one) ?
- Did I prepare a short and a long version of my presentation in case the meeting is not as long as expected ?
- Did I prepare facts/evidence and eventually bring supporting reports/analysis ?
- Do I know the protocol ?

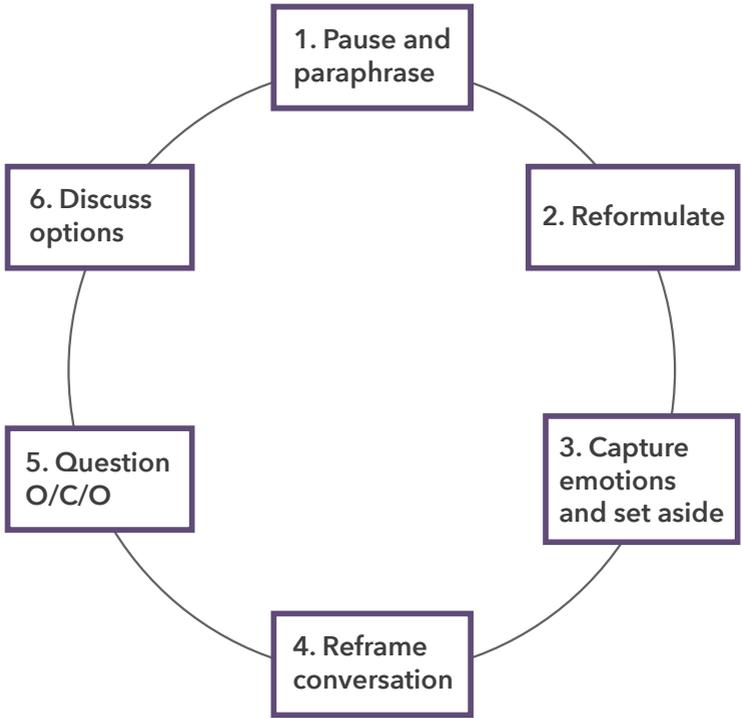
**CHECKLIST TO PREPARE, CONDUCT,
AND DEBRIEF A TRANSACTION MEETING**

<p>Proposed terms of the agreement</p>	<ul style="list-style-type: none"> - What are the proposed terms of our operation ? - What are the movable pieces/options (bottom lines) in terms of time, geography, priority, standards ? - What are the points of no flexibility/red lines around these options ? - Can I construct an argument around flexible vs. non-flexible points ? - Can I formulate benefits for the counterparts ? - Do I have an action plan ready ?
<p>Power structure of counterparts</p>	<ul style="list-style-type: none"> - Who is in charge on the other side ? - Who will the negotiators report to ? - What flexibility will they have ? - How do they perceive our own power relationships (internal and external to our organization) ? - What are the expected limits imposed by external powers on the meeting ? - Will negotiating on a particular issue impact the power relationships ? If so, how ?
<p>At the meeting</p>	<ul style="list-style-type: none"> - Who is in the room ? - Who is talking ? - Who are the deciders ? - Who are the diverters ?
<p>List of the points of the counterparts</p>	<ul style="list-style-type: none"> - Can we list the points made by the counterparts ? - Do we understand these points ? - Were we available to discuss these points on their own terms ? - How was my/our body language in this situation ?

**CHECKLIST TO PREPARE, CONDUCT,
AND DEBRIEF A TRANSACTION MEETING**

Common shared objectives	<ul style="list-style-type: none">- Can we describe our institutional objectives as common shared objectives?- Are we able to insert any convergence of norms, facts, or objectives in our position?- Were we able to raise options to be discussed when confronted with resistance on the proposed terms of the exchange?
Agreeing on next steps	<ul style="list-style-type: none">- Are we able to present clear next steps to move forward?- What are the agreed results of the meeting?

Annex 13.2: Six Steps for De-escalating Behavior



Model inspired by the work of ADN Group,
L'agence des négociateurs, Paris

Annex 13.3: De-escalation – Illustration Explained

SITUATION

Food Without Borders (FWB) has been late in delivering much-needed assistance to an IDP camp. Camp leaders are becoming restless in their conversations with FWB. The delivery will take another two weeks due to supply chain constraints.

COMMUNITY REPRESENTATIVE :

"FWB can no longer be trusted. You live in nice hotels in the capital, we are left with nothing here. This is unacceptable. When is the assistance coming?"

FWB REPRESENTATIVE :

- PAUSE AND PARAPHRASE

"I hear you : there is an issue of trust. The situation is dire. You find it hard to accept. You need to know when the next delivery will take place. Am I right?"

- REFORMULATE

"FWB needs to find ways to be more predictable in its delivery and move its assistance more quickly. Am I right?"

- CAPTURE EMOTIONS AND SET ASIDE

"I see that it is a very difficult and frustrating situation for your community."

- REFRAME CONVERSATION

"We need to work together in finding a solution. We are committed to provide the best efforts. We need your help, too."

- QUESTIONS

OPEN: "How can we improve the timing of the delivery in your view?"

CLOSE: "Will this be sufficient?"

OPEN: "What can we do together as next steps?"

- DISCUSS OPTIONS

"This is clear. Here is what we propose: ..."

WHAT NOT TO SAY AND DO IN ACTIVE LISTENING :

Counter argue :

"I disagree. Here is why ..."

"No. This is not true."

"Let me explain to you why ..."

"This is because ..."

Pretend to understand when you do not:

"I understand your situation."

"Thank you for your explanation."

Apologize :

"I am sorry."

"I apologize for ..."

"We will do better next time."

NOTES

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NOTES

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SESSION 14

Working on Scenarios

SESSION 14



Working on Scenarios

Duration:

4 h.

Objectives

- Participants apply all the tools presented during the peer workshop on the basis of a scenario distributed by the facilitators. This exercise involves a simulation in which participants step into the role of an access negotiator.

Process

- See distributed simulation document.

NOTES

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CCHN Toolkit on Frontline Humanitarian Negotiation



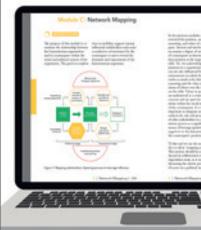
The **CCHN Field Manual on Frontline Humanitarian Negotiation** proposes a comprehensive and systematic method to conduct humanitarian negotiation. It offers a set of practical tools drawn from field practices and a step-by-step pathway to plan and implement negotiation processes in a structured and customized manner.

The CCHN Field Manual on Frontline Humanitarian Negotiation is available online and for download at no cost. A hard cover print version can be purchased at www.frontline-negotiations.org.



The **CCHN Negotiator Handbook** offers the collection of updated CCHN tools for direct use in current negotiation processes. It outlines how to apply each tool of the *CCHN Field Manual* with background guidance and step-by-step instructions. All tools are provided in full-page printable format in addition to the supporting information so that frontline negotiators, the support team and mandators can use and share the tools in their everyday work. The *CCHN Negotiator Handbook* also serves as the point of reference for participants during the CCHN Peer Workshop.

The CCHN Negotiator Handbook is available for download at no cost online. Printed copies can be purchased at www.frontline-negotiations.org.



The **CCHN Case Studies** present the application of the negotiation tools of the *CCHN Field Manual* to real-life situations from the field that have been synthesized and decontextualized for the purpose of the exercise and maintaining confidentiality. Each case study takes the reader through a negotiation process, illustrating the implementation of key tools at the different stages of the process.

Case studies are available online for members of the CCHN's global community of frontline negotiators. Access information will be shared separately.



The **CCHN Facilitator Handbook** provides all the necessary information and references to facilitate a peer workshop on humanitarian negotiation with colleagues. It accompanies CCHN Facilitators as they build their own capacity to present and use CCHN tools and methods. The CCHN offers regular training sessions to CCHN members to become a certified CCHN Facilitator.

The CCHN Facilitator Handbook is available online for members of the CCHN's global community of frontline negotiators. Printed copies can also be purchased at www.frontline-negotiations.org.



Designed for note-taking during meetings, the **CCHN Negotiator Notebook** includes key fact sheets related to humanitarian negotiation and templates from the *CCHN Field Manual*. With the Negotiator Notebook, users have the essential negotiation tools and concepts always at their fingertips.

The CCHN Negotiator Notebook is available only in a printed format. It can be purchased at www.frontline-negotiations.org.



CCHN Connect is a community-powered online forum on humanitarian negotiation. It provides a platform for humanitarian professionals to discuss challenges and dilemmas of humanitarian negotiations and connect with peers from around the world. The forum is packed full of interviews with frontline negotiators, blog series, research papers and more.

CCHN Connect is reserved for members of CCHN's global community of frontline negotiators. It can be accessed at <https://community.frontline-negotiations.org>



www.frontline-negotiations.org