

**REPORT** 

# Negotiating with interpreters and interpreting during negotiations

Listening tour with humanitarian negotiators and interpreters

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#### THE CENTRE OF COMPETENCE ON HUMANITARIAN NEGOTIATION

The Centre of Competence on Humanitarian Negotiation (CCHN) is a joint initiative of the International Committee of the Red Cross (ICRC), the World Food Programme (WFP), the UN Refugee Agency (UNHCR), the Doctors Without Borders (MSF) and the Centre for Humanitarian Dialogue (HD).

It was established in 2016 to provide concrete opportunities for frontline humanitarian negotiators to share and analyse their negotiation practices, to build practitioners' capacity to address recurring challenges and dilemmas in humanitarian negotiation, and to foster peer-to-peer exchange across agencies and regions in a safe environment. Its core objectives are:

- To foster a community of professionals engaged in frontline humanitarian negotiations.
- To promote critical reflection, learning and exchanges among peers within this community.
- To develop a stronger analytical framework and greater capacity for effective practice.

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# **Executive Summary**

Humanitarian negotiations are often carried out with the support of interpreters. Ideally, negotiators work with professional interpreters, however, in many cases they rely on colleagues who speak the local language to interpret during a negotiation. In this report, we explore and compare the views of negotiators and interpreters about their working relationships and challenges and best practices when working together.

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# Introduction

During a negotiation, the ability of the negotiator to establish trust with the counterpart, to use the right words and cultural references and to put acceptable options on the table are key to the success of the outcome. Therefore, during a negotiation, the interpreter plays a key role in not only translating words but also the cultural and non-verbal aspects of the communication. To assume this role, he/she needs to be able to prepare the vocabulary and decide on a strategy together with the negotiator. When the interpreter and the negotiator function as a well-rehearsed team, they are much more likely to achieve a positive outcome. Unfortunately, even though interpreters play a key role in humanitarian negotiations, they are often the forgotten piece in the negotiation team and are left out when preparations are being made.

Acknowledging the importance of the role of the interpreter during a negotiation, the CCHN organized a Peer Circle Discussion on the topic in December 2020, where CCHN community members expressed the need for professional and non-professional interpreters to receive tools and a platform to exchange about interpreting during negotiations and to build the capacity of negotiators who work with interpreters. In response to this request the CCHN, in collaboration with the University of Geneva's Faculty of Translation and Interpreting (FTI), is organizing a Peer Workshop and Specialized Session for professional and non-professional interpreters in April 2021. A separate Specialized Session will be organized for negotiators who work with interpreters in summer 2021.

The following report presents the findings of the research the CCHN carried out with negotiators and professional and non-professional interpreters in preparation for this event.

# Methodology

Twelve people, five men and seven women, were interviewed for the purpose of this study:

- 4 negotiators who work with interpreters
- 2 professional interpreters (who received formal interpretation training)
- 1 untrained interpreter (who was recruited as an interpreter, but had no formal interpretation training prior to the deployment)
- 1 mobile staff negotiator who sometimes also interprets for other colleagues but has not received any interpretation training
- 4 local staff negotiators who also interpret for their mobile colleagues but have not received any interpretation training

We also gathered information about the challenges and dilemmas when interpreting during a negotiation from 65 interpreters (professional and non-professional) in a survey.

It is important to note here that the non-professional interpreters are often negotiators themselves and interpreting is just one of their many tasks, whereas the professional interpreters usually do not handle their own negotiations. Unless indicated otherwise, in the following, the term "interpreter" is used to refer to everyone who is interpreting, regardless of whether they are trained or not.

The interviews were carried out remotely and followed a semi-structured interview guide. The sample size is too small to make any conclusive statements. <u>Therefore, this study aimed to obtain an overview of the situation and not to provide a detailed analysis of the topic.</u>

# **Main Findings**

# Who is interpreting?

Despite the relatively small sample size, it was interesting to observe the difference between professional and non-professional interpreters and between local and expatriate interpreters when approaching the topic of interpretation. Overall, it appears that professional interpreters have a much stronger tendency to interpret accurately, even if they may not agree with what the negotiator is saying, or they do not believe him/her to be competent enough to lead the negotiation. One professional negotiator said: "I don't intervene during a negotiation even if I feel that it is going badly, this is not my role. Sometimes, you know that a negotiation is going badly because of our side or our negotiator. In these cases, I tell the negotiator during a break or in a debriefing." On the other hand, it appears that in a similar situation, non-professional interpreters, especially mobile staff, are much more inclined to rephrase or completely change what the negotiator is saying if they believe that it would have a positive impact on the outcome of the negotiation. "Sometimes, the negotiator is not making a smart point, so you just interpret the main points. You are never able to deliver the full conversation. You have to filter what is important what is not important.

Especially if the negotiator does not have a very good English" (non-professional interpreter, mobile staff). A local untrained interpreter mentioned that in such situations she might "take off their interpreter hat" and intervene in her role as field officer for instance.

We will elaborate more about the topic of intervening in a negotiation in the paragraph on the role of the interpreter and inventions during negotiations.

# A question of relationship and trust between the negotiator and the interpreter

All negotiators and interpreters said that trust between the two was absolutely essential.



My role should be interpreting the words of the person who is leading the conversation. But after spending 5-6 years as an interpreter, I learned to distinguish between the good and not so good mobile staff, people who understand the local culture and those who don't know how to do humanitarian work. My role would change with the capacity of the negotiator. If he/she was well prepared, I would sit back and just interpret what is said, but if the negotiator did not know what they were doing, I would interpret but not really what the negotiator was saying.



Full time, non-professional interpreter, mobile staff

Coming back to the point about interpreting accurately what the negotiator is saying, trust is the key element for the interpreter to make this decision. As one non-professional interpreter said: "If the negotiator is good and I can trust that he says the right things, I just interpret what he says. But if he is not a good negotiator and I don't trust him, I say what I think should be said."

The negotiators, on the other hand, said that a crucial factor was to be able to trust that the interpreter is translating accurately what they are saying. Some negotiators said that sometimes they weren't sure if the interpreter was interpreting accurately or just following their own agenda. Negotiators were concerned about the confidentiality when sensitive information had to be handled with interpreters who lack professionalism and have their own cultural and political biases.

The negotiators mentioned that it was much easier to negotiate with the help of an interpreter when there was a previous relationship between them, as one negotiator pointed out "in that case, the interpreter was in tune with my reactions during the negotiation; he worked as a buffer between the counterpart and me. He checked with me about how he would interpret certain things, which was much better than being kept in the dark, even when you trust your interpreter."

Both negotiators and interpreters mentioned that briefing interpreters about the objective of the negotiation and strategy has a positive impact on the trust between them during the negotiation.

# The role of the interpreter and interventions by the interpreter

All interviewees agreed that interpreters had an important role in cultural brokering and facilitating a negotiation. As one negotiator said: "The interpreter needs to communicate what the counterpart is saying - linguistically, culturally, environmentally, body language, emotionally." The importance of interpreting also non-verbal clues was mentioned by most negotiators. A negotiator also said that he would rely on his interpreter to "warn" him when he felt that he was going down a wrong road and to advise on the best way forward: "The interpreter can be used as a token to build trust. He or she can advise me on how to raise an issue or how to convey a message. The interpreter can advise on how to approach an objective or how to handle the tension and pitch it in a certain manner."

A local non-professional interpreter pointed out that sometimes it could be awkward to interpret what the negotiator is saying because she comes from the same cultural background as the counterpart, in that case she said, she may have to "tone down" the message of the negotiator. She also said that at times a negotiator might not understand the culture and ask inappropriate questions, in such instances she would choose to ask for permission to speak with the

negotiator to clarify.

The interpreter plays a very important role in the flow of the conversation and whether the parties can find an island of agreement or drift apart. The interpreter 'leads the ship'; either the parties will go with or against the wind depending on the interpreter.

Professional interpreter, local staff

Especially professional interpreters and local non-professional interpreters sometimes found it hard to "intervene" in the conversation when they felt that the negotiator was going into the wrong direction due to cultural lack of awareness. One non-professional local interpreter said that this was even harder in a context where the counterpart understands English to a large extent. A mobile professional interpreter said that if she felt like the negotiator was not clear or not culturally appropriate, she would say "the interpreter would

like to ask for clarification on that point" to give the negotiator a hint and a chance to rephrase. On this note, a local non-professional interpreter said: "You also don't want to embarrass the negotiator when being questioned by their interpreter for clarification in front of the counterpart, so the message needs to be adapted to counterpart's culture. It is very important to clarify and ask back to the negotiator, for instance 'am I understanding this correctly?' before proceeding. Asking too many questions to the negotiator might undermine the negotiator's and the interpreter's credibility in the eyes of the counterpart. He may think that the interpreter isn't as good because they have to ask many questions and can't be trusted to relay the counterpart's message correctly."

A local non-professional interpreter, who also acts as a negotiator on his own in different meetings, mentioned that sometimes he and the negotiator would enter the meeting as a negotiation team, whereby he would start the negotiation and then take on the role of the interpreter when sensitive matters are discussed. Another interpreter said: "I can take on any role depending on the lead negotiator and how they

prefer to work. Some prefer to take the lead and others prefer to brief me and give me the broad lines of the negotiation and then I take the lead. I can be very passive or very active role depending on the negotiation team dynamic."

#### When the counterpart speaks your language

Several interpreters mentioned that interpreting was particularly challenging when the counterpart understood English. In these cases, accuracy becomes very important, and it is not possible to "adjust" the message of the negotiator or pass messages during the conversation.

In such situations, interpreters found themselves being corrected by the counterpart, which can add to the pressure on them. A local non-professional interpreter explained that: "What was really stressful was when the interlocutor spoke English so he could cross check what I said. Interpreting is very stressful, especially if it is not your job, if someone is second guessing you it is even more stressful."

#### **Juggling roles**

Local non-professional interpreters mentioned particularly the challenge of juggling different roles when interacting with the counterparts. Often, the same counterparts they would meet as interpreters during a negotiation are their daily interlocutors. Many said that it is not always easy to establish your role as interpreter in this set up.

A non-professional interpreter said that because of these different roles "in a negotiation I tend to participate and not only interpret. Sometimes I interpret but I also play the role of the health field officer, so I also have to contribute to the discussion. So, I interpret, then I participate, then interpret my participation back to the negotiator and continue interpreting. It is hugely confusing."

#### Not my job

Another point raised by a negotiator was that sometimes non-professional interpreters were unhappy with the fact that they had to interpret for yet another foreigner who doesn't speak the local language and adds additional tasks to their jobs. This point was not raised by the interpreters we interviewed for this research.

# Relationship with the counterpart

While most of the interpreters believed they facilitated the relationship between the negotiator and the counterpart because they were able to establish trust by speaking the native language of the counterpart, some negotiators said that they found it easier to establish a relationship with the counterpart without interpreters. As a main reason it was mentioned that chit chat and jokes were essential to build a relationship, which is difficult to achieve through a third party.

Several interpreters said that, as a result of already having a relationship with the counterpart, in many cases it was likely that the counterpart would address the conversation to them while "ignoring" the negotiator. This could lead to frustrations and, on some occasions, also negatively affect the relationship between the negotiator and the interpreter.

A negotiator also said that the interpreter can have both a positive impact, when they are a trust builder, or negative impact, when they are biased, on the relationship with the counterpart.

A non-professional interpreter stressed the importance of establishing a relationship between three people and that the interpreter also needs to appear to be interested in the conversation and be part of the relationship.

Many local interpreters mentioned that sometimes the counterpart would say things to them as they don't want to address them with the negotiator. This can be both positive and negative. One local interpreter in Asia, for instance, said that the counterpart knows that she and the negotiator work for the same organization, so he would say it to her as it is more culturally acceptable, but he knew that the information would be relayed to the lead negotiator. In other instances, however, it was said that a counterpart may threaten the interpreter and not allow the interpreter to inform the negotiator about it.

#### The counterpart's interpreter

Some interpreters recalled instances where the counterpart brought their own interpreter to the negotiation, which can cause difficulties. It was recommended by a professional interpreter that the two interpreters speak before the meeting to divide the roles. For instance, the interpreter of the counterpart would interpret the words of the counterpart and the interpreter of the negotiator would interpret the words of the negotiator.

Another interpreter recalled a situation where she adapted the tone of the meeting in her interpretation but that the interpreter of the counterpart rephrased whatever she said in a harsher language which led to tensions.

# Legitimacy

Negotiators stressed that their interpreters had a big impact on the way they were perceived by their counterparts. Interpreters were seen by negotiators as a source legitimacy. Some negotiators mentioned that when the interpreter has roots in the local community, it had a positive impact since the interpreter can make the negotiator part of their network. This helped to not be completely seen as an outsider. A negotiator also said that the interpreter could give them dual legitimacy, where the interpreter represents the local community and the negotiator, the foreign interests.

Overall, it was agreed that the interpreter's reputation and place in society plays an important role of giving the interpreter legitimacy and, in turn, the interpreter can bring legitimacy to the negotiator.

The personal features of the interpreter may have both a positive and negative impact on the legitimacy of the negotiator. One negotiator said that at times it was difficult when the interpreter was of a certain ethnicity. Another negotiator mentioned that sometimes there was an issue with the way his female interpreter dressed in a conservative context.

Everyone agreed that cultural awareness was an extremely important source of legitimacy for both the negotiator and the interpreter.

# **Security**

Most negotiators were aware that certain sensitive subjects may put their local interpreters at risk. A negotiator stressed the importance of taking the security of the interpreter into consideration so that he/she is not perceived a providing intelligence or spying. Another negotiator said: "I avoid bringing my interpreters to sensitive negotiations to avoid putting them at risk. This is also because the interpreter is part of the community and his interests might be compromised. Sometimes, it is better for both parties if the counterpart brings the interpreter."

A local, non-professional interpreter said that even though she would be able to lead most negotiations herself, asking certain questions or raising certain points could create security problems for her. Therefore, for sensitive topics, she needed foreign negotiators to come with her so that the counterpart could see her only as the interpreter.

Another local, non-professional negotiator explained that sometimes it was difficult to balance his role of being part of the local community and different ethnicity to the counterpart and being an interpreter, especially when the negotiator was too pushy: "It is difficult do balance between deciding to step in during the negotiation and undermine the lead negotiator and having concerns about my own security. In this case I was very aware of the tribal dynamics and I knew that by pushing the negotiation I could be perceived as not being neutral. Sometimes I refused to interpret because I knew that intelligence officers under cover were present as well." On another occasion it was said that while being part of the local community and speaking the language can facilitate access "being local and knowing the local culture, I can be accused of working with the foreigners and spying on the local community. This can even be lifethreatening."

# Frustrations and challenges

#### **Untrained**

Non-professional interpreters particularly voiced their frustration about the fact that they have not been trained in interpreting nor in negotiating. One of them said: "Look, English is not my native language. I know I speak it well, but I am a health specialist, how can anyone expect me to interpret technical issues around a water plant? I have not been trained in interpreting, I need time to think and translate in my head. I take notes, but the conversation advances while I still think about the last sentence. I know that I am not doing a good job, but how am I supposed to do a job well that I have never learned? During negotiations it is even worse, sometimes



It is difficult to balance between deciding to step in during the negotiation and undermine the lead negotiator and having concerns about my own security. In this case, I was very aware of the tribal dynamics and I knew that by pushing the negotiation I could be perceived as not being neutral. Other times I refused to interpret because I knew that undercover intelligence officers were present as well.

Non-professional interpreter, local staff



there are heated arguments, I never learned how to behave in a negotiation."

#### Lack of trust

Interpreters were frustrated when they felt that they are not trusted by the negotiator. Several mentioned that being second guessed by a negotiator was extremely stressful, especially when the negotiator understood some of the local language.

Some also said that it was disappointing when their advice was not trusted and as a result not taken into account. And as recalled on one occasion by interpreter, it can have serious negative repercussions on the relationship with the counterpart.

#### Turn-over and unprepared negotiators

Some interpreters also voiced their frustration over the fact that they are the ones establishing and maintaining the relationships with the counterparts and that mobile negotiators came and go.

Several said that they were embarrassed when the new negotiator did not read up on the context and on what has been discussed in the past and therefore asked the same questions than their predecessor. An interpreter said that sometimes she finds herself apologizing for the negotiator as the frustration of the counterpart would always then come down on the interpreter.

#### Preparation – briefings - vocabulary

Even though everyone agreed that it is good practice to have a briefing with the interpreter before the negotiation, many interpreters said that this was rarely the case, which was a source of frustration for many as they felt like they were not part of the team and that they are not well prepared for the meeting.

Interestingly, frustrations related to the inability of interpreters to interpret certain technical terms accurately were voiced by both sides. However, the interpreters explained this frustration with the fact that they did not receive briefings about the terms that will be used beforehand so that they could prepare; a negotiator on the other had mentioned the lack of training and language skills as the main source of this problem.

All negotiators mentioned that they were frustrated when they felt that the interpreter did not interpret accurately what they were saying. The interpreters, on the other hand, said that somethings could not be

Sometimes they ask questions that are very evident or have been discussed before, so the counterpart gets really annoyed saying for instance: "Don't they know that we don't have hospitals?" First, I have to the relay this to the negotiator. Then I apologize to the counterpart saying I understand but I am just an interpreter.

Professional interpreter, mobile staff



interpreted word for word. One interviewee made an example with the word "violence" and "terrorism" which translates into the same word in her local language. In that case, she said, it was important to add a longer explanation. Such explanations can be perceived as "not interpreting what has been said" by the negotiator.

Another local, non-professional interpreter said that some of the humanitarian concepts cannot be translated into local tribal languages and that this poses problems when trying to interpret accurately. In this case, long explanations are needed to embed the humanitarian concepts in local ones for the counterpart to understand. He said that it was particularly challenging when the negotiators used jargon and acronyms because

they thought that it would anyway be interpreted, he said: "Our life would be so much easier if the

negotiator already simplified the language, and we would not have to translate jargon into simple language in our head before translating it into the language of the counterpart."

An important challenge that was mentioned by both negotiators and interpreters was that often none of them was speaking in their native language. As an interviewee said: "You may have a French negotiator who communicates in English and the interpreter further translates into Arabic." Interpreters also stressed the difficulty of having negotiators with a poor English level, as they were hard to understand. Interpreters expressed their frustration about the fact that some negotiators are not able to make a point and speak for a long time without interruption which makes interpreting hard.

One interpreter said that it was particularly difficult to work with new negotiators in a meeting as it takes some getting used to the speed, style, and pronunciation of a new person.

#### **Pressure**

Several interpreters mentioned that sometimes they felt under pressure from the negotiators.

An interpreter raised the point that even "if you speak a language fluently, there are so many different dialects (he mentioned the example of Pashto). It can be extremely difficult for the interpreter to understand every dialect, especially in the rural areas. Some negotiators get upset when you don't understand everything, which can put a lot of pressure and is very frustrating."

Others said that is can be challenging if the negotiator understands the local language partially because you feel even more under pressure to interpret accurately.

# Conversation flow and rhythm of the conversation

While some negotiators said that working with an interpreter could have a negative impact on the flow of the conversation with the counterpart, especially when the counterpart had to be interrupted for the interpretation, some also stressed that the "interpretation breaks" gave them time to think about their next move. It appears that especially negotiators who have a lot of experience in working with interpreters felt less disturbed by the fact that there were interruptions and they had to adjust their communication to make it easy to interpret, e.g., speaking slowly and making regular breaks. One negotiator who has a lot of experience in working with interpreters also said that it was important to stress the nuances of the language even more when working with an interpreter.

# Best and good practices

First and foremost, it was stressed that before any negotiation the role of the interpreter and negotiator needs to be defined.

All interviewees insisted on the importance of briefings and thorough preparation with the interpreter before the meeting with the counterpart to clarify the objectives and vocabulary. On that note, interpreters may need some time to familiarize themselves with the terminology; therefore, it is useful to have the briefing a few days in advance if possible.

It was recommended that negotiators avoid using jargon but adjust their language to the knowledge and understanding of the counterpart to make interpreting easier.

Some interviewees also mentioned that preparatory meetings should also serve to give a cultural briefing from the interpreter, to agree the tone of the meeting, on a tactical plan and decide on the working relationship - for instance, what input the interpreter can make during the meeting. It was also mentioned

that during these meetings the negotiator and interpreter could agree on a signal when the interpreter wanted to pass a message during a meeting.

Some interviewees stressed the importance of establishing a three-party relationship at the negotiation table.

Most interpreters mentioned that it is important to take notes during the meeting, some would give them to the negotiator after the meeting.

Everyone agreed that short messages were easier to interpret accurately and that this would reduce frustration on both sides.

Some negotiators stressed the importance of addressing the counterpart directly and not the interpreter.

It was generally agreed by the negotiators that it was easier to work with an interpreter from the same organization so that they shared a common understanding about the mandate, mission, and purpose. This also minimizes the risks of briefing an external interpreter with sensitive information.

All interviewees insisted on the importance of the debriefing where the interpreter could share their views on how the conversation went, how the counterpart may have perceived the negotiation, and what may have been misunderstood. For some, this is also the time for some honest feedback between the interpreter and the negotiator.

# **Advice**

At the end of the interview, each person interviewed was asked to give some advice about negotiating with interpreters or interpreting during negotiations.

# From negotiators

To negotiators: "Involve interpreters in the negotiation preparation process; interpreters should also ask to be part of this. Build trust with your interpreter; trust, predictability, stability and knowing each other's reactions helps during the negotiation. Predictability for the counterpart is also important, try to use the same interpreter for the meetings."

To negotiators: "Build confidence and trust with the interpreter so that they understand the organisation's mission and objectives. Ensure that they have enough linguistic knowledge and that there is a mutual understanding between negotiator and interpreter. Rehearse with the interpreter."

To negotiators: "Understand that it's just not a conversation with the third party. It requires rehearsal, preparation and thought before going into a negotiation with an interpreter. Working with an interpreter is an art."

To negotiators: "Make a difference between legitimate authorities and armed groups. With authorities, interpretation skills are more important. Negotiations are usually very technical (you need to have a specialized interpreter, ex. a lawyer). With armed groups, it's more important to master the tension and emotions of the negotiation, so the interpreter's skills are focused more on mediation."

# **From interpreters**

To interpreters: "Make sure the negotiator and interpreter are on the same page before going into the meeting. Share the background knowledge if you don't share the same background, ex culture, context. Make sure the foreign negotiator is aware of how they will be treated by the counterpart and the reason why. Talk about culturally appropriate 'good manners', which bring credibility to negotiator and interpreter."

To negotiators: "Listen to your interpreter. They know the context, the culture, they know if the negotiation is going right or wrong. Interpreters are the memory of what has been happening in the context. As an interpreter, taking a break from interpreting is very important. You also need to find a way to release all the work that they have conducted (self-care)."

To interpreters: "Be aware that 'interpreting' is mostly 'mediating'. Don't hesitate to give feedback on social practices during briefing/debriefing that need to be considered and the negotiator needs to adapt according to these practices. The local staff is working to bridge the cultural and linguistic gap and works mostly as a filter, without being hypocritical or reducing the information's quality. Be aware that negotiations are emotionally charged and so respecting the social framework can help the negotiation outcome enormously. And to negotiators: take team members who interpret as whole people and professionals who belong to the organization."

To interpreters: "Never cause a scene if the lead negotiator doesn't take your advice. Ask for your rights, for example, clarification of the context, documentation to keep your back or take a break if you need to. Or even if you don't understand what has been said, just say so. This allows you to avoid negative outcomes for the negotiation. Ask all the questions you need answered! Be as patient as possible, because working as an interpreter is very hard, because many people aren't aware of the value of the role or even how to work with it. Interpreters need to educate others about their role every time there is a meeting, ex. "My name is xxx, I will be the interpreter." Be very aware of your facial expressions."

To negotiators: "Don't consider interpreters as 'secondary' elements during the negotiation process (preparation and execution). They have a very vital role. It is important to choose a good interpreter and built trust with them, because they can have an important role in how accurately transmit the message. Make sure you have enough interpreters for a long meeting. This will allow to control the quality of the message and the negotiation."

To interpreters: "1.) Prepare in advance and have a meeting with the negotiator 2.) Understand what role is expected of you. Are you expected to chip in or is this not expected? 3.) Prepare the terminology 4.) During the meeting, try as much as possible to keep things smooth; if there are small things, just ignore them."

To both: "To interpreters, always smile and be positive. To negotiators, 1.) Trust the interpreter, 2.) Ask the interpreter about their knowledge of the context and 3.) No side conversations."

To negotiators: "Be concise and put yourself in the shoes of other. Think outside your own shoes. Trust that the message is delivered according to the organization's standards."

To organizations: "Draft some kind of handbook with the official vocabulary of your organization in different languages. Simplify the terms so that interpreters can use them."

To negotiators: "Get to know your interpreter."

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