Collaborative conflict management for enhanced national forest programmes (nfps)

Training manual

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I would like to thank the colleagues with whom I worked on a number of occasions as co-trainers. Through the synergy of this team work creative ideas developed about the many ways of handling information effectively. I am particularly grateful to:

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Contents

Welcome note

Welcome to the training manual. This manual is for trainers conducting training courses on collaborative conflict management for enhanced national forest programmes (nfps). It builds on the companion handbook (FAO, 2012), which describes the framework and processes for managing public disputes related to nfps.

The manual provides guidelines for designing and conducting training courses for practitioners involved in managing conflict related to forest policy. It suggests a general framework for a five-day course and provides training activities, questions that training participants in conflict management workshops often ask, and a sample training agenda.

Training activities are based on experiential learning approaches with a strong emphasis on:

- promote the participation of diverse or competing stakeholder groups in order to reach agreement on a controversial issue to which all nfp stakeholders are committed;
- active participation in learning activities;
- interactive group work that supports shared learning by trainers, resource people and other participants;
- methods that can be applied immediately in participants' work spheres.

The training manual contains the following parts:
The *Trainer's guide* is to help trainers prepare training on collaborative conflict management for enhanced nfps. It suggests a framework and the building blocks of the training process. The *Plan of procedures* describes the training flow and provides references to the individual training session plans.
Training session plans provide detailed descriptions of each session and all the materials required to run them, including handouts and instructions.

How the training manual evolved

Training on collaborative conflict management developed as part of a series of training modules on specific issues designed to enhance the implementation of nfp principles within the frame of NFP for All – a joint initiative by FAO and the nfp Facility to build country capacity for the implementation of nfps in accordance with nfp principles.

This training module builds on experience of collaborative and consensus-based strategies for preventing and managing forest-related conflicts in countries around the world. It was developed in close collaboration with nfp stakeholders (representatives from government agencies in and outside the forest administration, civil society, academia and the private sector) and has been field-tested and validated in different contexts, with different target groups and purposes, and by different trainers.

This module on conflict management complements other thematic training modules[1] developed by

[1] Other modules are: 1) Introductory training module; 2) Financial mechanism for sustainable forest management; and 3) Enhancing stakeholder participation in nfps.

FAO and the nfp Facility. Each module is a package of information (including texts, trainers' guides and other material) to support trainers in building the capacity of nfp stakeholders. The different thematic modules are designed as "self-standing" units to be used independently or in combination.

How to use the manual

This training manual is designed for trainers, facilitators and teachers with an interest in training others in collaborative conflict management for enhanced nfps. It is addressed to trainers with different degrees of training experience and different needs:

- Newcomers may decide to use the whole package, and follow the suggested sequence of sessions day by day and step by step.
- More experienced trainers can pick what they find interesting and build their own training schedule and methods.
- Experts may be interested in some sessions, but not in others. They may find additional training materials to complement what they already have and do, or they may want to compare this approach to training with their own way of doing things.

The experiential learning methodology underpinning the training has been effective and successful with a range of audiences from Africa and Asia. However, participants who come from an education and learning culture based on lecturing sometimes find it challenging to do new things and stretch and expand their minds. This demands a careful balancing act from trainers. Trainers aim to bring about change as a result of training, but they do not want to create resistance or anxiety, which will make participants turn away from the subject.

Underlying this material is the belief that there is no single "right way" to train or to approach and deal with conflict. Instead of promoting a formula, the training material aims to assist participants by reviewing the basic requirements and principles for dialogue processes and providing practical theory, guidelines and useful tools for analysing problems, building consensus and solving conflicts collaboratively. The session plans may be detailed, but they are not meant to be blueprints. As trainers read through the manual, they should be critical and creative. There are many ways of presenting and using the same information effectively. Readers may know other methods that are perfect for the particular group they are dealing with. If so, use them! To be appropriate and effective, training has to be tailored to the particular group of participants. Trainers should draw on both their own experience and expertise and those of the participants to make the training more meaningful and relevant for their audience.

Depending on the situation – the objectives, participants' experiences, the time and money available, etc. – sessions may be used individually or in combination with each other. When mixing and matching sessions, or selecting parts from them, it is important to establish linkages between the sessions and the activities. Participants will learn more easily when they understand how sessions build on each other and when they are able to follow the training flow.

How the manual is organized

The *Trainer's guide* consists of guidelines and hints for designing, organizing and facilitating participatory training on collaborative conflict management.

The *Plan of procedures* shows the overall training picture of how each session relates to the training objectives and links to other sessions, following a logical flow – although trainers do not have to follow this flow from beginning to end. Most of the sessions can also be used independently, based on the objectives and target group of the training.

When a course follows a logical flow, it is easy to understand the rationale for each session and how the various sessions contribute to achieving the overall objective of the training. Developing a plan of procedures might be time-consuming, but it is very useful, particularly when working in a team of trainers, because if reduces duplications and ensures that sessions build on each other.

The *Training session plans* are grouped under different headings (see the following table). For each of the more complex sessions the training manual suggests the topics to be covered and provides attachments in the form of exercises, case studies, games, transparencies and handouts. These materials are just examples, which can and should be adapted or replaced to make the training more effective and appropriate for the specific situation.

All the materials build on the compendium handbook on collaborative conflict management for enhanced nfps (FAO, 2012), and cross-references are provided to sections of the handbook that are relevant to the specific training session.

The following outline provides a brief description of the contents and rationale of the different sections.

SECTION	CONTENTS
Trainers' guide	This section provides guidelines and hints for designing, organizing and facilitating participatory training on collaborative conflict management.
Setting the context	These session plans are essential for enabling free and open participation right from the start of the training programme. The sessions will help trainers to prepare the groundwork and break the ice. Session 1: Putting things together. Session 2: Orientation to the training programme. Session 3: Experience change. Session 4: Housekeeping rules.
Understanding conflict	By engaging in the activities in these sessions, participants will understand and/or experience the thinking, attitudes and behaviours that drive conflict. Session 5: A picture of conflict. Session 6: Different interpretations.
Communication and facilitation	In heated situations, people's statements are sometimes biased, confrontational or offensive. Activities in this session are designed to make participants aware of the key ingredients of good communication and facilitation, and provide them with skills in paraphrasing or reframing messages and facilitating group discussion Session 7: Communication exercise – active listening and summarizing

see next page

SECTION	CONTENTS
Collaborative procedures for managing conflict	These sessions assist participants in adopting an attitude oriented towards cooperation and promoting the participation of diverse or competing stakeholder groups in efforts to reach agreement on a controversial issue. Session 8: Ways of managing conflict Session 9: The process map of collaborative conflict management Session 10: Moving chairs Session 11: How are we different? Session 12: 1, 2, 3, Go! Session 13: Introduction to consensual negotiation Session 14: Orange quarrel Session 15: Thumb wrestling Session 17: The role of a mediator
Simulations and conflict case studies	These sessions form part of the previous section and are for practising consensual negotiations and mediation, based on four case studies. The case study in Session 16 is a simple one to start with, involving just two negotiation parties. The three case studies in Session 18 are of increasing complexity to demonstrate the dynamics of forest-related conflicts involving multiple stakeholders and to practise the steps and stages of a conflict management process. Session 16: Whose land is it? Session 18: Simulation of multi-party negotiation. Case study 1: An agenda for Picorda. Case study 2: Back to the roots. Case study 3: Forest conflict in an Indonesian province.
Optional sessions	These additional sessions are not considered core material. Depending on the training context, trainers can select the most appropriate warming-up and other extra-curricular sessions. Most of these sessions are fun and lighten the more intensive sessions in other sections. Session 19: Conditions for negotiations. Session 20: How to choose the most appropriate way to manage conflict. Session 21: Practising key mediation skills – reframing and inclusive solutions.
Choice of rapid daily feedback methods	This section contains a selection of speedy methods for use at the end of each training day to provide participants with opportunities to raise questions, express concerns, make suggestions and show the trainer where the training may needs to be adjusted.

As well as these training sections, training courses usually also include procedural elements that are applied according to the specific socio-cultural setting, such as:

- workshop opening;
- energizers and/or ice-breakers (to be used throughout the training course, whenever energy levels are going down);
- workshop evaluation;
- workshop closing;
- social gatherings (formal cocktail and/or dinner receptions, field trips, etc.).

Trainers' guide

Training methodology

Everybody has his/her own preferred learning styles and methods, so good training courses include a broad variety of learning activities, including presentations, games and role playing, each with its own merits and uses.

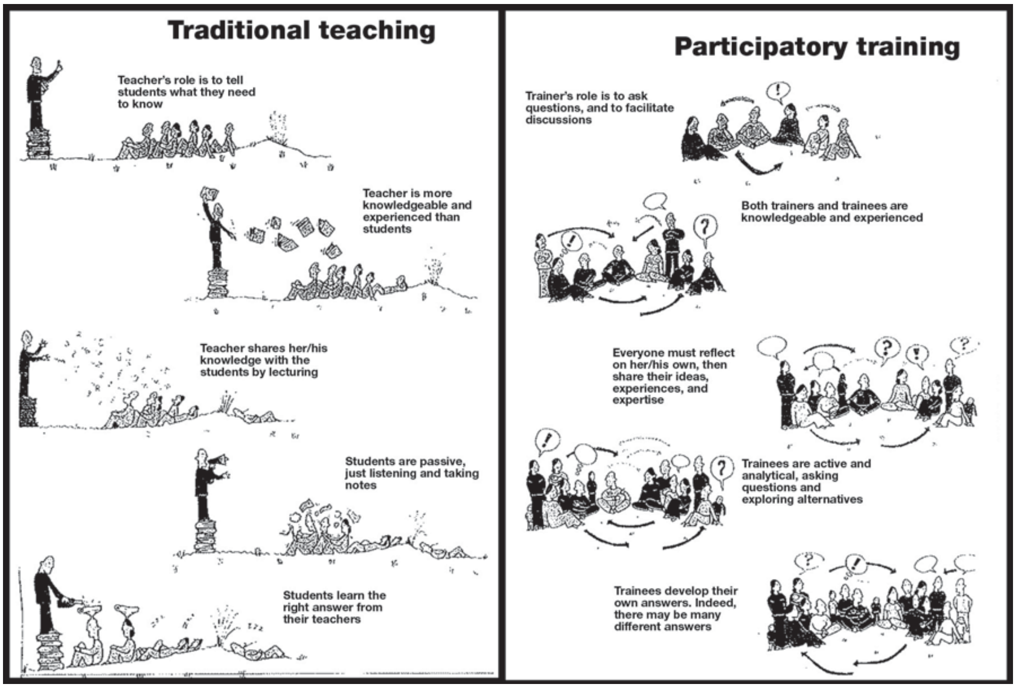
However, as Confucius said, "I hear and I forget, I see and I remember, I do and I understand", so the best learning of all comes from hands-on experience, when the learner is actively involved in the process and therefore much more likely to retain the information and be able to apply it later on the job.

Principles of participatory training

Participatory training is "participatory" because learning occurs through the active engagement of the participants. It is "training" because the primary focus is on what additional expertise and knowledge the learner or participant is able to take away from the learning experience. Participatory training means that the learning methods and course content are centred on the needs and interests of the participants.

This training is different from conventional teaching. In participatory training the trainer structures and supports group learning, while participants develop a range of strategies, tools and methods for answering questions. The following figure and table describe the ways in which participatory training differs from conventional teaching.

PARTICIPATORY TRAINING VERSUS CONVENTIONAL TEACHING



Source: RECOFTC, 2002a.

DIFFERENCES BETWEEN CONVENTIONAL TEACHING AND PARTICIPATORY TRAINING

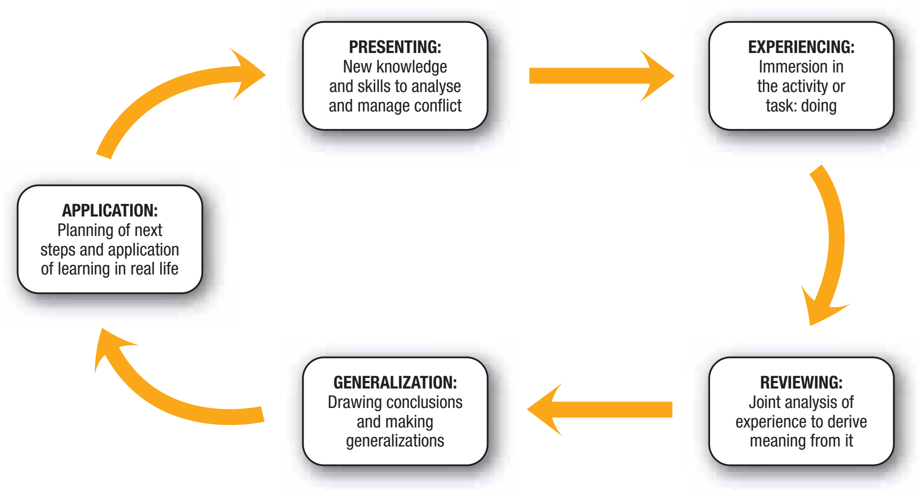
Conventional teaching	Participatory training
Teacher's main role is to tell students what they need to know.	Trainer's role is to initiate and facilitate discussion and participants' exploration of issues.
Emphasizes that the teacher is more knowledgeable and experienced than the students.	Recognizes that both trainers and participants are knowledgeable and experienced.
The teacher shares her/his knowledge with the students by lecturing.	Opportunities are provided for all to reflect on and share ideas, experiences and expertise using a range of approaches.
Students are largely passive, and often restricted to the role of listening and taking notes.	Participants are actively engaged in analysis, asking questions and exploring alternatives.
Students learn the "right" answer from the teacher.	Participants develop their own answers – and there may be many different "right" answers.

Experiential learning

Many of the principles underpinning participatory training are based on experiential learning. David Kolb, a development psychologist, developed a way of looking at adult learning as an experiential process (Kolb, 1984). As shown in the following figure, this process views learning as a cycle of four stages, which offer participants opportunities to learn by:

- *experiencing*, as they identify the issues and develop their own sets of questions;
- *analysing/reviewing*, because they are responsible for working out their own conclusions;
- *reflecting*, to relate the learning experience to their own values, beliefs and previous experiences;
- *applying*, by using and testing new skills and knowledge and receiving feedback on their performances.

THE EXPERIENTIAL LEARNING PROCESS



Source: Adapted from Kolb, 1984.

Learning by doing helps people to remember more of what they have learned. The following table shows participants' retention capacity according to their level of active engagement in training activities.

Level of engagement	Retention	Examples of activities
Doing and explaining	90%	Simulation games; class or field exercises using new insights or skills and presenting results.
Explaining	70%	Presenting information.
Seeing and hearing	50%	Lectures with visual aids and demonstrations.
Seeing	30%	Posters or demonstrations without explanations.
Hearing	20%	Lectures without visuals.
Reading	10%	Training materials and handouts without explanations.

During experiential learning, activities are selected to encourage participants to engage with the materials and with one another. As they become active and animated, participants offer ideas, raise questions, build on one another's statements and challenge one another's opinions. They learn from, and with, other participants, and work together on collective analysis.

Role of the trainer

Trainers who are oriented to experiential learning see their role as being facilitators of learning experiences rather than presenters of information.

Self-discovery and group learning activities allow learners to motivate and entertain themselves. The responsibility for performing is shifted from the trainer to the learners, and there is less separation between the trainer and the learners. The concept is based on the trainer setting high expectations, guiding and coaching the learners, and then getting out of the way so that the learners can perform.

The trainer has a message, but that message is determined more by the learners' specific needs than by what the trainer thinks might be good for them. Rather than forcing learners to understand and accept new ideas, trainers use questions, discussions, self-study, group work and other involving techniques to lead learners to their own conclusions.

This facilitative training style tends to be most effective in training situations where skill building and behavioural change are the primary concerns.

Trainers committed to applying experiential learning must be knowledgeable in the subject matter, understand the needs of the participants, ensure that the training objectives are clear and relevant, and select training materials and activities for achieving those objectives.

The following are the main responsibilities of the facilitative trainer (FAO, 2002):

1. *Preparing well*: Materials, logistics, equipment and visuals are all carefully planned and prepared. The trainer draws up a plan for both the process and the content of discussions. Trainers know the materials well enough to orient themselves at any point of the discussions.

2. *Establishing a supportive learning environment*: When participants sense that there is an environment of mutual respect and two-way communication, they feel free to share their own experiences and knowledge, express their doubts, and ask questions. When participants sense respect from the trainers and from one another, they are more willing to engage as active participants in the learning process.

3. *Providing clarity and guidance*: Trainers introduce and explain the tasks to be accomplished in each session. When participants understand the objectives, methods and issues of the training, learning proceeds rapidly because the purpose is clear. The participants obtain an overview of the problem and the methods and tools for analysing it, which prevents time wasting, confusion and frustration.

4. *Motivating the participants*: When the training is relevant to the participants' own work and responsibilities, and when participants can see the usefulness of the new skills, they are motivated to learn. What will the participants get out of the training: new information, understanding, skills?

5. *Mobilizing existing knowledge*: Trainers centre discussions on the work, knowledge and constraints of the participants. By doing so, they can often help participants draw on their own experiences, skills and perspectives, which can be useful in fostering conflict management processes.

6. *Maintaining flexibility*: Trainers alter the training objectives, agenda, time allocations and questions to meet the participants' needs. Trainers incorporate the participants' needs, expectations and priorities into the core of the training process.

7. *Moderating discussions*: Trainers keep the exchange of information flowing among the participants, and the discussions focused on the training objectives. They pass participants' questions on to other participants for response.

8. *Using body language*: Trainers' behaviour towards all parties is friendly but neutral. They need to engage in culturally appropriate mannerisms to indicate their interest in what participants are saying. In some cultures, for example, this may mean making eye contact and moving close to participants who are speaking.

9. *Avoiding controlling the outcome*: Participants often learn best when they can reach their own conclusions about case studies and other analytical exercises. When participants undertake a task independently, they are rewarded with a sense of accomplishment, while gaining experience in conflict management analysis.

Why facilitation is important in experiential learning

Effective experiential training is based on the inputs of all participants. This means that the success of a training event or activity depends more than ever on the trainer's skill in assessing the participants' understanding and group dynamics, making last-minute changes to the programme, taking risks and challenging the group, to channel diverse communication styles effectively and to make maximum use of innovative training methods.

In other words, trainers need excellent facilitation skills, so that effective sharing and learning can take place.

What is facilitation and what does it require?

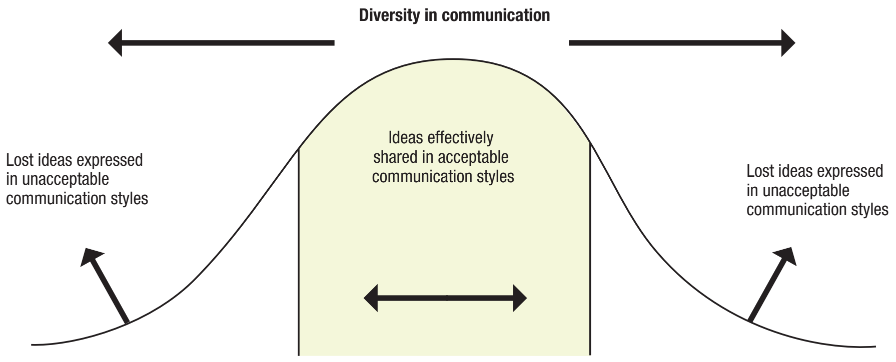
Facilitation can be described as a conscious process of assisting a group to complete a task successfully while functioning as a group. To facilitate, it is important to understand what needs to be facilitated. Trainers need to facilitate:

- the learning process;
- the processes of participation, sharing and group dynamics.

How does facilitation support effective sharing and mutual understanding?

Among the ideas raised and the experiences shared during a training course, some will attract attention while others disappear as if they had never been mentioned. Why does this happen? The following figure illustrates the principle that an idea that is expressed in an acceptable communication style will be taken more seriously by more people. Participants who express their ideas poorly or offensively are less likely to be listened to. For example, many participants are impatient with people who are very shy or nervous and speak in broken sentences, or who do not know the language very well.

DIVERSITY IN COMMUNICATION



Source: RECOFTC, 2002a.

In many training situations, participants want to voice their opinions, share their insights, listen to each other's experiences and come up with interesting new ideas. The range and richness of their sharing will depend on the degree to which they can follow and accept diverse communication styles.

The figure illustrates how some ideas get lost, while others are shared when participants expand the limits of the communication styles they accept. By using good facilitation techniques, a facilitator can provide excellent support to such groups.

For example, a facilitator can:
- summarize what a participant has said to help clarify his/her thinking;
- help those who speak disjointedly by slowing them down and asking questions (probing);
- repeat a point or idea that a shy participant has made, to bring it to everyone's attention;
- treat interruptions firmly and respectfully by assuring the interrupter that there will be time to return to a new issue when the current discussion has ended, if the group is interested in exploring the new issue.

How does facilitation support effective learning?

When facilitating participation, sharing and group dynamics, the focus is on the how and the process.

When presenting	Clarify objectives
	Group, structure and pace what needs to be learned
	Visualize as much as possible
	Link to what participants know already
	Link to participants' job reality
When supporting sharing	Look for similarities and differences
	Stay on track
	Move the discussion along
	Summarize the main points
	Compare and connect different remarks and point out opposing views
	Draw together the threads of discussion and relate them to the workshop's objectives
	Challenge "black-and-white" thinking
	Bring out the learning points
When supporting discovery	Encourage exploration and experimentation
	Encourage participants to try something new
	Coach
When supporting application	Provide clear assignments

What are useful facilitation techniques for experiential learning?

The following facilitation techniques (FAO, 2002) are useful for encouraging effective and multiple-way communication among participants. These techniques stimulate participants' thinking, challenge them to improve the depth of their understanding and help them to learn. Techniques are listed in descending order of importance.

1. ***Active listening.*** Active listening is fundamental to all the other techniques. It means listening closely enough to summarize or paraphrase what is said. It requires following closely the direction of discussions and making sure that participants are not distracted from the topic. It also means listening to detect underlying attitudes or judgements. Trainers use active listening to facilitate discussions and draw out key points.

2. ***Questioning.*** Trainers use questions to initiate, focus and deepen participants' enquiring. A simple "Can you help me to understand..." is often enough to move a discussion to a new and deeper level of insight. If a participant expresses a view that is not widely shared, the trainer might ask "Does everyone agree with that?" This is a simple, non-judgemental way of broadening the discussion.

3. ***Summarizing.*** Summarize complicated issues to simplify and clarify them. Use summarizing at suitable intervals throughout the discussion and at the end, to draw out key points. Both techniques reinforce learning.

4. ***Theatre or dramatization.*** Use these techniques to encourage participation and provide a change of pace. Include humour and games when needed to further the participatory learning process. Stage role playing in which participants are asked to speak for different interest groups. Use this technique to highlight relevant issues, energize the participants and have fun.

5. ***Creating empathy.*** Empathy is the ability to imagine oneself in someone else's position. This is a crucial analytical skill for understanding and bringing together parties in a conflict who think that they have different stakes or interests. Use empathy during discussions to help break the artificial barrier between "us" and "them". For example, empathizing with participants' constraints to engaging in a negotiation process can stimulate thinking about solutions. Role reversals can create empathy, for example, when participants from a non-governmental organization (NGO) are asked to promote the interests of the local government.

6. ***Taking the opposite point of view.*** Arguing for the opposite of what the participants conclude can be risky, but – if done at the right moment – it can be used to support their conclusion, rather than undermining it. Trainers might use this technique to help participants refine and articulate their arguments. For example, the trainer may role-play a senior forester who believes that only the government should be involved in decision-making over forest management. This provides the opportunity for participants to respond by explaining exactly why it is important to involve a variety of stakeholders beyond the government.

7. ***Mirroring.*** In mirroring, the trainer repeats what a participant has said back to the participant. This is an important tool for promoting active listening. Hearing her/his own words again allows the participant to feel listened to and provides an opportunity for clarification, if necessary.

Training styles

Just as everybody has a preferred style of learning (studying from a book, listening to others, learning by doing), every trainer has a preferred approach to presenting content and relating to participants. Although trainers may have a strong preference for one style over another, they can and should learn to use the entire range of styles to connect with participants and facilitate the learning process. Every group contains participants with different learning needs, so the trainer needs to use different training styles to reach different types of learners in different ways. As in management or leadership styles, *the need to balance concern for content with concern for people* is inherent to training styles.

The need to adapt and diversify training styles is even greater when training in different cultures. Every culture has its own traditional ways of teaching and training, which shape participants' expectations and determine their comfort zones. Managing cross-cultural training means adapting training styles for more effective learning.

Designing an effective training plan

Most collaborative conflict management training courses are similar in focus and share the following general objectives.

During conflict management training, participants will focus on:
- building on shared decision-making procedures to address stakeholders' key concerns;
- communication and facilitation techniques that support multiple-stakeholder processes;
- the role of a third party in facilitating multiple-stakeholder processes;

- understanding conflict as a force for positive social change;
- emphasizing thorough analysis of the interests, concerns and needs of stakeholders.

Other and more specific learning objectives are defined in collaboration with the participants, in keeping with the participatory approach to training.

There are five interrelated steps in designing a participatory training workshop:
Step 1: identify the participants;
Step 2: assess the participants' needs;
Step 3: set the training objectives;
Step 4: prepare the training agenda;
Step 5: plan follow-up.

Step 1: Identify the participants

- Are the participants foresters, project managers, department heads, political decision-makers, women or men? Do they have an academic, civil society, government or business background? Do they have practical experiences in conflict management?
- Identify the participants' expertise and major roles and responsibilities.
- Evaluate the degree to which participants have shared priorities. Is there high or low potential for conflict over the course content?

The purpose of step 1 is to find out about the participants – the nature and level of their responsibilities, their priorities, and so forth. This information is essential for designing training that is relevant and determining whether or not participants have enough in common to form a single group. If not, it may be more appropriate to create several groups with common characteristics. Some training activities require small groups and function best when participants have shared knowledge of or familiarity with a region, project or conflict.

The trainer's target audience for training is most likely to be the individuals who are leading, facilitating or participating in nfps – nfp coordinators and facilitators, stakeholder representatives from government agencies in and outside the forest administration, civil society, the private sector, and decision- or policy-makers involved in the nfp process. These participants:

- are seeking to become more focused, confident and effective in anticipating and addressing conflict;
- are trying to improve the processes and effectiveness of nfps;
- are embroiled in policy interventions that are likely to cause conflict or that aim to address conflict;
- act as resource people for forest users who have requested assistance with a conflict or who want to develop their skills in mitigating potentially destructive situations.

Another purpose of step 1 is to examine the participants' motivations for attending the training. This will affect the choices that the trainer has to make in subsequent steps of designing the training. Training may be organized because staff *are required* to improve their skills in conflict management, or because they *want* to learn more about managing nfp-related conflicts.

Step 2: Assess the participants' needs

- Find out about the participants' work priorities and constraints.
- Find out what participants already know about conflict management. Do participants have high, low or mixed awareness of the relationships between conflict and forestry (for example)?
- Find out what the participants want from the training.
- Identify the training needs of the target group: information, skills, motivation, examples, solutions, experience.

The purpose of step 2 is to find out what the participants want and need from the training. This information is essential for designing a workshop that is useful to the participants.

A needs assessment guides the formulation of training objectives by identifying the gap between the skills participants have and the skills they need. Needs can be assessed by meeting participants, administering questionnaires, or reviewing key materials, such as policy or project documents, annual reports and evaluations. For more complete and accurate information, it is usually better to use at least two methods to assess the needs of the participants.

Analysis of needs should consider the participants' knowledge, skills and attitudes related to conflict management processes. If the participants' knowledge of conflict management is quite good, the needs assessment should find out what aspects of conflict management they have already found useful or less useful. For example, the participants may want to learn how to use conflict management in specific conflicts, or to integrate conflict management processes into participatory rural appraisal exercises with villagers.

A needs assessment helps avoid common mistakes in training design, such as:
- wasting time by focusing on a topic that the participants are already familiar with;
- wasting time by focusing on a topic that has little relevance for the participants;
- missing an opportunity by omitting a topic that is useful for the participants.

Too often trainers develop training based on assumptions of what the participants' needs are.

Step 3: Set the training objectives

The purpose of step 3 is to ensure that both the trainer and the participants understand and agree on the intended outcomes of the workshop. The training objectives are important guides to help everyone keep the discussions focused and on-track.

Other specific training objectives will arise during discussions with the participants about their needs. These objectives will vary from group to group and may be developed as necessary.

Setting training objectives provides a sound basis for:
- organizing both trainers' and participants' efforts and activities for accomplishing workshop outcomes;
- selecting training materials and methods;
- evaluating the success of the workshop.

SMART OBJECTIVES

Objectives should be:
- Specific
- Measurable
- Applicable
- Realistic
- Time-bound

Factors to consider when developing training objectives include:
- the limits and potential of the training;
- the background of the participants;
- the level of competency needed by the participants;
- the time available;
- access to the learning activities, materials and field sites needed to meet these objectives;
- links with past and future training opportunities.

Step 4: Prepare the training agenda

The purpose of step 4 is to create a workshop master plan that will meet the training objectives in the allotted time. To achieve this, all of the information from the previous three steps must be taken into consideration – who the participants are, their training needs, the objectives and the training resources.

The agenda should be as detailed as possible, noting the activities and methods to be used and the learning objectives of every session. It must be realistic in terms of the available budget and logistics support.

This manual includes a sample agenda.

A well-designed agenda should:
- achieve the workshop objectives;
- allow enough time for discussion and reflection;
- follow an adult learning cycle, both in the overall agenda and in each session.

Selecting training activities and methods: Activities for the agenda must be selected to meet the training needs of the participants. The following are some suggestions:
- If participants need to practise identifying and analysing conflict, select field visits, presentations, case studies, films and diagrams.
- If participants need to improve their understanding of the interaction between conflict and natural resource management, select games, role playing, case studies, films, and small and large group discussions to encourage questions and elicit alternatives.
- If participants need to develop skills in negotiation and mediation techniques, select case studies, examples, activities, role playing and field visits for practice.
- If participants need to practise facilitation and communication skills, select role playing in small and large groups, games and field visits to observe real facilitation in action.

- Use energizer activities periodically to raise the participants' energy levels and give them a chance to move around.
- Be sure that the agenda provides time for closure every day.

Closure provides an opportunity to:
- summarize the key findings of the training session;
- link the findings of the session to the training objectives;
- link the findings of the session to those of other sessions.

During closure, allocate time for the participants to reflect on what they have learned. This is essential to reinforcing their learning experience. For example, ask the participants to complete the following sentence at the end of each day: "The most important thing I learned today is...". Other open-ended questions can be used to identify what participants liked or disliked during the day.

At the end of the last session, before the evaluation, the participants need to relate the insights, skills and conclusions gained from the workshop to their own everyday work and responsibilities.

Step 5: Plan follow-up

Just as it is important to monitor and assess participants' learning during and after training, it is also critical to provide follow-up support after a workshop. Trainers must use the information that they have gained from this evaluation to continue to support the learning process.

A successful training plan will consider:
- whether future training is needed;
- if so, how future training might best be provided (for example, through training workshops, mentoring, provision of additional resource materials);
- the development of individual and institutional work plans that utilize learning;
- how participants can incorporate the lessons and skills that they have learned into their own organizations;
- a way of determining the "multiplier effect" of the training, or the extent to which the participants use their new skills to manage conflicts in their work.

The ability of a trainer to follow up directly depends on his/her role in the training process. Sometimes, a trainer (or training institution) is contracted to conduct a particular training workshop, making it unlikely that extensive personalized follow-up can be carried out by the same trainer after the workshop. In such cases, the organizing institution can arrange other ways to ensure follow up, such as by nominating staff or counterparts, with the contracted trainer assisting in the design of the follow-up. Designing training as part of a broader programme of capacity building (and not a one-off event) and obtaining commitment from the organizing institution can help ensure that this necessary follow-up occurs.

The building blocks of the training course

This training manual suggests building blocks for a participatory training course that help develop the conceptual background of collaborative conflict management. The goal is to assist nfp stakeholders by reviewing the basic requirements and principles for dialogue processes and by providing practical theory, guidelines and useful tools for analysing problems, building consensus and solving conflicts collaboratively.

At the end of the course, participants should have the capacity and knowledge to initiate and oversee a collaborative conflict management process, or to participate in one. Facilitating and leading such a process without external guidance will require more advanced training in mediation.

Overall objective: The capacity of nfp stakeholders to initiate or participate in a collaborative process aimed at resolving differences and building consensus and agreement is expanded and strengthened.

At the end of the training, participants:

- have greater understanding of the major causes, elements, dimensions and characteristics of conflict;
- know about different ways of managing conflict and their inherent strengths and weaknesses;
- can explain the process and objectives of collaborative conflict management;
- understand the role of a third party (facilitator/mediator) and how that facilitator/mediator can assist consensual negotiations;
- have greater understanding of the principles and process of consensual negotiation and the scope of its application;
- have improved skills in consensual negotiations through practice.

Target participants: Stakeholders in nfps with basic conceptual knowledge and practical experience of applying the concepts of collaboration, participation and group facilitation.

Number of participants: 20 to 25 participants would be an ideal number to ensure a variety of opinions and attitudes while allowing sufficient space for each trainee to participate actively. However, there is no hard-and-fast rule – each workshop has its own focus and dynamics. If trainers have little experience of providing training, it is better to start with a smaller rather than a larger group.

Training length: The overall length of the training process is about one week, depending on participants' knowledge and skills. The target trainee for this course ideally already has substantial conceptual and practical knowledge of collaborative resource management and facilitation. If the participants are less experienced, it may be necessary to provide additional inputs in facilitation and/or the concepts of collaborative conflict management and to extend the training period.

Plan of procedures: Instead of a programme or trainers' agenda, this manual offers a plan of procedures, which is more than a trainers' agenda: it covers all sessions in detail and describes the flow of the entire training from start to finish. It is for trainers' use only, and is especially useful when co-facilitating training, because it gives trainers a clear understanding of how sessions build on each other.

Plan of procedures

DAY 1: INTRODUCTION TO TRAINING AND CONFLICT

When	Who	What	Reference	How (summary of session flow)	Method
09:00		Session 1: ***Putting things together*** Purpose At the end of the session participants: ➜ and trainers have been introduced to one another and to the topic of collaboration.	Session plan 1	1. Ask each participant to reach into the bag and pull out one object. 2. Pairs of participants spend 10 to 15 minutes talking to each other and covering the following points: • their names; • where they work; • where they play; • where they would use their objects; • how they could use their objects together. 3. Ask each participant to introduce his/her partner and to explain what they would do together as a pair with their objects.	❑ Pair-wise exercise
09:45		Session 2: ***Orientation to the training programme*** Purpose At the end of the session participants: ➜ are familiar with the training objectives and flow of training; ➜ recognize which expectations can, and which cannot, be achieved ➜ can explain what experiential learning is and why such an approach is used.	Session plan 2	1. Explain the training objectives, contents, flow and programme for day 1 (PowerPoint and/or flip-chart). 2. Introduce experiential learning and explain why such an approach is used. 3. Distribute the handout.	❑ Short presentation ❑ Plenary discussion
10:15		Session 3: ***Experience change*** Purpose At the end of the session participants: ➜ have identified the feelings of embracing and resisting change; ➜ can relate these feelings to experiential learning; ➜ understand that conflict management requires change at all levels: knowledge, skills and attitudes.	Session plan 3	1. Ask participants to form pairs and to stand facing their partners. 2. Explain the exercise. 3. Repeat the exercise until most of them have started to resist changing anything else about themselves. 4. Ask “Is change related to training? How?” Real learning means changing something – understanding, beliefs, habits, attitudes, behaviour. Explain that participants can change what they do, what they think and what they feel. 5. Explain that this warming-up exercise was used at the beginning of the training because many of the activities in the training require openness to change, particularly to the training methods and approaches used.	❑ Group exercise
10.45		Break			

see next page

DAY 1: INTRODUCTION TO TRAINING AND CONFLICT

When	Who	What	Reference	How (summary of session flow)	Method
11:15		Session 4: ***Housekeeping rules*** Purpose At the end of the session participants: ➜ have understood that successful training is the joint responsibility of trainers and participants, and that both have something to contribute; ➜ have agreed on group norms or guidelines for group functioning during the workshop.	Session plan 4	1. Explain how responsibilities for learning are shared between trainers and participants. Introduce the recap team and its tasks. 2. Introduce the concept of daily feedback. 3. Conclude by agreeing on some principles for guiding interactions within the group during the workshop.	❑ Short presentation ❑ Plenary discussion
11:45		Session 5: ***A picture of conflict*** (part 1) Purpose At the end of the session participants: ➜ have explored the kind of conflicts they encounter in their work; ➜ have developed a common understanding of conflict; ➜ are encouraged to consider the positive as well as the negative outcomes of conflict.	Session plan 5	1. Ask participants what they associate with conflict. 2. Ask participants how they would define conflict. Compare ideas with the suggested definition and explain and clarify key terms of this definition. 3. Ask participants to select a conflict from their own fields of work and to draw a picture of it. 4. Participants discuss their pictures in small groups. 5. Some conflict pictures are presented in plenary.	❑ Brainstorming ❑ Individual exercise
12:30		Lunch			
13:30		Session 5: ***A picture of conflict*** (part 2)	Session plan 5	Selected pictures of conflict are presented and discussed.	❑ Group work and participants' presentations of selected conflict cases
14:30		Session 5: ***A picture of conflict*** (part 3)	Session plan 5	1. Wrap up the session by drawing some general conclusions: most conflicts consist of 3 elements, 4 dimensions, 5 characteristics and up to 5 major sources. 2. Distribute the handout.	❑ Short presentation
15:00		Break			
15:30		Session 6: ***Different interpretations*** Purpose At the end of the session participants: ➜ are aware that different interpretations exist; ➜ know ways of dealing skillfully with differences in understanding.	Session plan 6	1. Explain the purpose of the exercise. 2. Explain how the activity works by giving an example, distribute the participants' questionnaire and run the exercise. 3. Explain that the key learning from this exercise is that two people can hear the same thing but understand different things from it. 4. Wrap up the session by emphasizing that one of the most useful skills in conflict management is exploring the different understandings that different parties have of the situation. This requires calm, respectful and specific communication to be able to see the other point(s) of view. 5. Distribute the handout.	❑ Communication exercise in plenary
16:00		Session 7: ***Communication exercise – active listening and summarizing*** Purpose At the end of the session participants: ➜ are aware that different interpretations exist; ➜ know ways of dealing skillfully with differences in understanding.	Session plan 7	1. Explain the purpose and design of the exercise. Demonstrate with a volunteer how the activity should be done. 2. Divide participants into groups of four. 3. The two active group members select a controversial topic for discussion and take sides – one for and one against. 4. The active participants discuss the issue for about five to ten minutes. 5. After the discussion, the observers give their feedback to the discussion partners. 6. The participants change roles and repeat the exercise.	❑ Small group exercises

see next page

DAY 1: INTRODUCTION TO TRAINING AND CONFLICT

When	Who	What	Reference	How (summary of session flow)	Method
16:45		***Rapid daily feedback*** Purpose At the end of the session participants: ➜ are provided with opportunities to raise questions, express concerns, and make suggestions; ➜ have assessed how the training is progressing for everyone.	Choice of rapid daily feedback methods	1. Explain that there will be a short feedback exercise at the end of each day to assess how the training is progressing for everyone. Check that participants are familiar with the concept of feedback. 2. Explain that the purpose of feedback is to provide participants with opportunities to raise questions, express concerns and make suggestions, and to show the trainer where the training needs to be adjusted.	
17:00		Close of day			

DAY 2: WAYS OF MANAGING CONFLICT

When	Who	What	Reference	How (summary of session flow)	Method
09:00		Recap day 1		Participants (recap group)	
09:15		Introduction day 2		Agenda (flip-chart)	
09:20		Session 8: ***Ways of managing conflict*** Purpose At the end of the session participants: ➜ have an overview of possible ways to manage conflict; ➜ know that the training focuses on collaborative ways to manage conflict; ➜ are aware of the advantages of a collaborative approach to managing conflict.	Session plan 8	1. Explain that the purpose of this session is to examine the various procedures available for managing conflict. 2. Ask participants to form groups to discuss and define each of the procedures: “negotiation”, “mediation”, “arbitration” and “adjudication”. Ask them to discuss the inherent strengths and weaknesses of each approach. 3. After 45 minutes, ask participants to note their definitions on a piece of paper and to discuss and agree with their groups where to place each procedure on the conflict management continuum. 4. Point out any differences among groups’ positioning of the procedures, and clarify the main considerations determining the approaches to conflict: 1) the question regarding who makes decisions; and 2) the extent to which conflict parties can influence the final outcome of conflict management. 5. Explain that this training focuses on negotiation and mediation as collaborative approaches to conflict management because of the many advantages for forest policy-making, when the necessary conditions are in place. 6. Distribute “Inputs for discussion” and Handout 8. Emphasize the key learning points.	❑ Short presentation ❑ Group work ❑ Plenary discussion
10:30		Break			
11:00		Session 9: ***The process map of collaborative conflict management*** Purpose At the end of the session participants: ➜ are aware that conflict management is a process; ➜ have explored the various stages of the process in a participatory way.	Session plan 9	1. Explain that this session illustrates the process of collaborative conflict management – negotiation and mediation in detail. 2. Explain the exercise and divide the participants into two groups. 3. Provide instructions. 4. Reconvene the participants and allow a few minutes for them to look at the other group’s results. 5. Initiate a discussion about differences and similarities. 6. Demonstrate the process map and explain the importance and main considerations of each step.	❑ Group exercise
12:30		Lunch			

see next page

DAY 2: WAYS OF MANAGING CONFLICT

When	Who	What	Reference	How (summary of session flow)	Method
13:30		Session 10: ***Moving chairs*** Purpose At the end of the session participants: ➜ have experienced how the interpretation of a situation influences the response and outcomes; ➜ understand that competition can lead to either conflict or cooperation; ➜ have experienced how competing interests can be met through cooperation.	Session plan 10	1. Do not explain the purpose of the activity – just say that the next activity is a fun exercise and that the purpose will become apparent at the end. 2. Distribute instructions and let the activity run until the group finds a solution or reaches a stalemate situation. Observe group dynamics. 3. Debrief carefully by sharing observations of how the group worked towards finding a solution and relating this to issues of scarce resources, conflict, collaboration, absence of communication, working in isolation and the preconditions of working collaboratively in forest policy-making.	❑ Group exercise ❑ Plenary discussion
15:00		Break			
16:00		Session 11: ***How are we different?*** Purpose At the end of the session participants: ➜ appreciate people's different ways of responding to conflict; ➜ understand the advantages and disadvantages of the different responses to conflict; ➜ understand that the focus of the training is collaboration.	Session plan 11	1. Introduce the two main considerations determining personal responses to conflict: relationships and personal goals. 2. Explain the five approaches to conflict: avoidance, competition, accommodation, compromise and collaboration.	❑ Short presentation ❑ Plenary discussion
16:45		***Rapid daily feedback***			
17:00		Close of day			

DAY 3: INTRODUCTION TO CONSENSUAL NEGOTIATION AND MEDIATION

When	Who	What	Reference	How (summary of session flow)	Method
09:00		Recap day 2		Participants (recap group)	
09:15		Introduction day 3		Agenda (flip-chart)	
09:20		Session 12: ***1, 2, 3, Go!*** Purpose At the end of the session participants: ➜ have had a wake-up call to their brains; ➜ have been reminded of the importance of listening before acting when working with other stakeholders; ➜ are aware of the speed with which people can move from forming assumptions to taking action.	Session plan 12	1. Explain the activity. 2. Carry out the exercise. 3. Debrief the exercise: What happened? What can we learn from it? How do we take this into consideration during the training/during conflict management processes?	❑ Demonstration
9:30		Session 13: ***Introduction to consensual negotiation*** (part 1) Purpose At the end of the session participants: ➜ know the four basic principles of consensual negotiation.	Session plan 13	1. Explain that this session is the first in a series on what consensual negotiation is all about. 2. Introduce the four basic principles of consensual negotiation.	❑ Short presentation

see next page

DAY 3: INTRODUCTION TO CONSENSUAL NEGOTIATION AND MEDIATION

When	Who	What	Reference	How (summary of session flow)	Method
09:45		Session 14: ***Orange quarrel*** Purpose At the end of the session participants: ➜ are aware of how positional bargaining tends to produce unwise decisions and harms the parties' relationships.	Session plan 14	1. Explain that the following drama, called "Orange quarrel", illustrates differences in negotiation styles. 2. After the drama, debrief the exercise: What have you observed? What happened? What can we learn from this? 3. The drama illustrates the usefulness of the first two principles of consensual negotiations.	❑ Drama
10:15		Session 15: ***Thumb wrestling*** Purpose At the end of the session participants: ➜ have questioned their own assumptions; ➜ have experienced how these assumptions can lead to competition instead of collaboration.	Session plan 15	1. Explain the instructions. 2. Carry out the exercise. 3. Debrief the exercise: What happened? What can we learn from this? How do we take this into consideration during negotiations/conflict management processes?	❑ Interactive group exercise
10:30		Break			
11:00		Session 13: ***Introduction to consensual negotiation*** (part 2) Purpose At the end of the session participants: ➜ can explain why they need to generate a variety of options when applying consensual negotiations.	Session plan 13	1. Explain the third principle of consensual negotiations – generating options – and explain that consensual negotiations require the generation of a variety of options.	❑ Short presentation
11:30		Session 16: ***Whose land is it?*** (part 1) Purpose At the end of the session participants: ➜ second principles of the consensual negotiation approach; ➜ have practised developing options for mutual gain.	Session plan 16	1. Explain the purpose and structure of the exercise. 2. Form two groups: Alpha and Omega. 3. Groups prepare their strategies as Alpha and Omega. 4. Divide the participants into pairs of one Alpha and one Omega for bilateral negotiations. 5. Pairs record their negotiation outcomes (agreements) on cards.	❑ Negotiation simulation
12:30		Lunch			
13:30		Session 16: ***Whose land is it?*** (part 2)	Session plan 16	6. Debrief the exercise in plenary. Ask the pairs of participants briefly to present the agreements they have reached. 7. Pin the agreements on to a flip-chart or board so that all the options can be seen.	❑ Pair-wise exercise
13:30		Session 13 ***Introduction to consensual negotiation*** (part 3) Purpose At the end of the session participants: ➜ why they have to use objective criteria to assess options.	Session plan 13	Explain the fourth principle of negotiations – ensuring that the result and the process are based on objective criteria.	❑ Short presentation

see next page

DAY 3: INTRODUCTION TO CONSENSUAL NEGOTIATION AND MEDIATION

When	Who	What	Reference	How (summary of session flow)	Method
14:30		Session 17: ***The role of a mediator*** Purpose At the end of the session participants: ➜ have greater understanding of the role, skills and qualities of a mediator.	Session plan 17	1. Review the definition of “mediator” and the two core features of a facilitator/mediator: content neutrality and process guidance. 2. Ask participants why a facilitator/mediator needs to be content-neutral. 3. Facilitate participants’ self-assessment with “Review what stake you hold?”. 4. Ask participants to brainstorm on what confers credibility and what generates trust. 5. Review the second core feature of a mediator – guiding the process. A process guide requires good communication and facilitation skills. Mediators’ power stems from their people and communication skills: their ability to steer discussions, articulate issues and concerns clearly, and establish rapport, trust and understanding among the parties. 6. Distribute the handout.	❑ Short presentation ❑ Plenary discussion
15.30		Break			
16:00		Session 18: ***Simulation of multi-party negotiation*** (introduction to scenario and roles) Purpose At the end of the session participants: ➜ know the scenario for multi-party negotiations, have been assigned roles, and know the structure of the simulated negotiation exercise; ➜ understand how to analyse a conflict using the conflict analysis chart.	Session plan 18	1. Explain that this session marks the start of a simulated negotiation exercise, which will be conducted over a day and a half and which contains two negotiation rounds with opportunities for reflection and feedback in between. 2. The goal of the negotiation exercise is to practise good consensual negotiations (given the complexity of the case it is not realistic to expect that an agreement can be reached in the time available). 3. Explain or read out the negotiation scenario. 4. Assign roles to participants. 5. Introduce the conflict analysis chart. 6. Explain the purpose and structure of informal backdoor talks (flip-chart).	❑ Short presentation ❑ Plenary discussion
16:45		***Rapid daily feedback***			
17:00		Close of day			

DAY 4: BUILDING NEGOTIATION AND MEDIATION SKILLS

When	Who	What	Reference	How (summary of session flow)	Method
09:00		Recap day 3		Participants (process observers)	
09:15		Introduction day 4		Agenda (flip-chart)	
09:20		Session 18: ***Simulation of multi-party negotiation*** (strategic preparations) Purpose At the end of the session participants: ➜ have understood how important preparation is for the outcome of a negotiation.	Session plan 18 and case study	Use the conflict analysis chart to explain that negotiation is a process and thorough preparation is as critical for the outcome of a negotiation as the negotiation over substantial issues itself is. Parties must take time to consider questions such as: Who will be negotiating? What issues will be discussed? How will they be discussed? What should the order and value of the issues be? and How will commitments be decided?	❑ Individual and group work
10:30		Break			
11:00		Session 18: ***Simulation of multi-party negotiation*** (first round) Purpose At the end of the session participants: ➜ have practised the initial stages of a consensual negotiation process.	Session plan 18	1. Set participants on the first negotiation round. 2. Watch the negotiations and record the main observations.	❑ Simulated negotiations

see next page

DAY 4: BUILDING NEGOTIATION AND MEDIATION SKILLS

When	Who	What	Reference	How (summary of session flow)	Method
14:30		Session 18: ***Simulation of multi-party negotiation*** (debrief of first round, part 1) Purpose At the end of the session participants: ➜ have reflected on their performance in consensual negotiations; ➜ have received constructive feedback on the challenges observed; ➜ are informed about the next steps of the negotiation process.	Session plan 18	1. Explain that reflection and feedback are an important part of learning. 2. Provide participants with cards and ask them to record their two main observations for each question, to return to their stakeholder groups, and to select the two key insights for their group. 3. Ask them to present these two main insights to the overall group.	❑ Individual and group exercises
15:00		Break			
15:30		Session 18: ***Simulation of multi-party negotiation*** (debrief of first round, part 2)	Session plan 18	1. Provide feedback by making additions and/or reinforcing or challenging statements made by participants. 2. Remind participants to take these insights into consideration for the second round of negotiations.	
16:00		Session 18: ***Simulation of multi-party negotiation*** (preparation for second round of negotiations) Purpose At the end of the session participants: ➜ are provided with hints and techniques for decision-making; ➜ are informed about the next steps of the negotiation process.	Session plan 18	1. Remind participants about the goals of the second negotiation round. 2. Provide instructions for round two.	❑ Short presentation
16:45		***Rapid daily feedback***			
17:00		Close of day			

DAY 5: BUILDING NEGOTIATION AND MEDIATION SKILLS

When	Who	What	Reference	How (summary of session flow)	Method
09:00		Recap day 4		Participants (process observers)	
09:15		Introduction to the programme		Agenda (flip-chart)	
09:20		Session 18: ***Simulation of multi-party negotiation*** (second round) Purpose At the end of the session participants: ➜ have practised the middle stages of a consensual negotiation and mediation meeting.	Session plan 18	1. Remind participants about the goals of the second negotiation round. 2. Provide instructions for round two.	❑ Simulated negotiations
10:30		Break			

see next page

DAY 5: BUILDING NEGOTIATION AND MEDIATION SKILLS

When	Who	What	Reference	How (summary of session flow)	Method
10:30		Session 18: ***Simulation of multi-party negotiation*** (debrief of second round and outlook on subsequent stages) Purpose At the end of the session participants: ➜ have reflected on their performance in consensual negotiations; ➜ are provided with constructive feedback on the challenges observed; ➜ are informed about the next steps of the negotiation process.	Session plan 18	Explain how the negotiated/mediated process would continue in real life by: • developing a written plan; • ratifying the agreement • integrating the agreement into the public decision-making process; • implementing the agreement and monitoring compliance with it.	❑ Short presentation
12:00		Lunch			
13:30		***Training evaluation***	Sample final evaluation questionnaire		
14:00		Close of training			

Training session plans

SETTING THE CONTEXT

Session plan 1: Putting things together

PURPOSE:
At the end of the session participants:
- and trainers have been introduced to one another and to the topic of collaboration.

TIME:
45 minutes.

PREPARATION:
- Collect various objects (such as a rock, a shell, a bell, a rubber band, a balloon, a whistle, etc.)[2] and put them into a bag.
- Prepare a flip-chart with the five points that the pairs are to discuss (see step 2).

STEPS:
1. Walk round the group and ask each person to reach into the bag and pull out one object.
2. Divide the participants into pairs. Explain that the pairs are to spend 10 to 15 minutes talking to each other and covering the following points:
   - their names;
   - where they work;
   - where they play;
   - where they would use their objects;
   - how they could use their objects together.
3. Reconvene the group and ask each participant to introduce her/his partner and explain what they would do together as a pair with their objects.

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[2] The objects should be as unusual as possible to encourage more interesting discussion.

Session plan 2: Orientation to the training programme

PURPOSE:

At the end of the session participants:

- are familiar with the training objectives and flow of training;
- recognize which expectations can, and which cannot, be achieved;
- can explain what experiential learning is and why such an approach is used.

TIME:

One hour.

MATERIALS:

Flip-charts, coloured cards, different coloured markers.

PREPARATION:

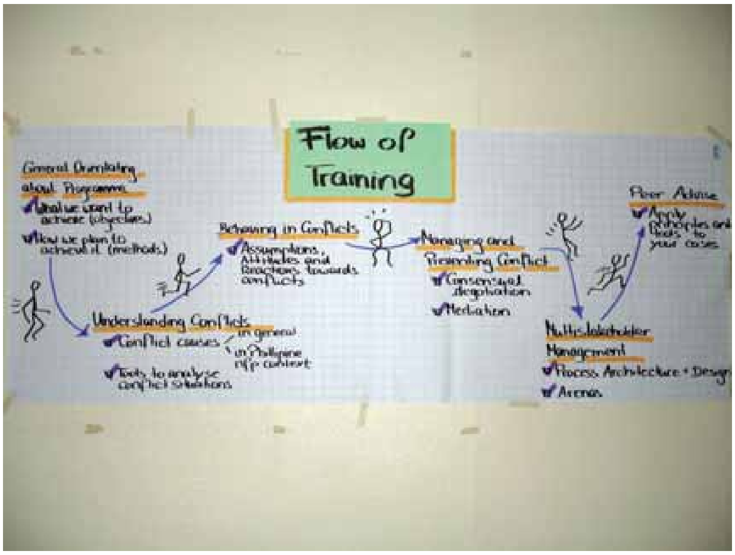
- From Handout 2, copy on to flip-charts the objectives of the training and the theory of adult learning and the flow of this training.
- Photocopy Handout 2 for each participant.

STEPS:

1. Explain that this stage of the training looks at objectives, content and methods. Explain that the overview starts with examining the training objectives.
2. Explain the "why" of the training by presenting a flip-chart with the objectives,and read these slowly. Add any necessary comments and explanations. Ask participants if they have any questions about the objectives. Do not go into lengthy discussions at this point, but say that these objectives will be revisited when looking into participants' expectations.
3. Explain the flow of the training. Consider presenting this on a flip-chart that stays near the wall to provide reference throughout the training and to help participants understand where the training stands (see photo 1 at new page).
4. Ask the participants what they expect to learn from this training, and discuss how these expectations will be met or not met.
5. Explain the methodology (the "how" of the training) by presenting flip-charts showing the theory of adult learning. Explain that adults can absorb and remember from what they hear (20 percent), see and hear (40 percent) and experience (90 percent). Explain that the training aims to enhance the knowledge and skills needed for effective conflict management. Learning therefore has to bring about changes in behaviour, knowledge, understanding, skills and attitudes. To facilitate such changes in adult learners, the training follows an experiential learning process – learning by doing. Each workshop day will therefore be a mixture of short presentations, interactive exercises, simulated negotiations, and plenary discussions during which participants can exchange experiences from their own work, etc.

It should be emphasized that the training may differ from what the participants are used to, but that it will be fun because it involves participants actively. Participants will be challenged to do things they have not done before, which requires them to stretch and extend their minds. They need not worry, however, as this will be done gradually over time. Participants who are afraid of doing things in new

PHOTO 1



ways will not learn much – they need to open themselves up to new ideas and methods if they want to learn a lot. The value of the training will depend largely on participants' active involvement in the exercises, simulations and discussions.

Hints

The training objectives should be outlined before the participants identify their expectations. Although participants' wishes and needs influence the final programme, participants need to know the training's objectives and contents before they can formulate specific expectations.

Orientation to the training programme (Handout 2)

Training objectives

This training course teaches the conceptual background of collaborative conflict management. It aims to assist nfp stakeholders by reviewing the basic requirements and principles for dialogue processes and by providing practical theory, guidelines and useful tools for analysing problems, building consensus and solving conflicts collaboratively.

At the end of the course, participants should have the capacity and knowledge to initiate and oversee a collaborative conflict management process or to participate meaningfully in one. Facilitating and leading such a process without external guidance requires more advanced training in mediation.

Overall objective: The capacity of nfp stakeholders to initiate or participate in a collaborative process to resolve differences and build consensus agreements is expanded and strengthened.

At the end of the training, participants:
- have greater understanding of the major causes, elements, dimensions and characteristics of conflict;
- know about different ways of managing conflict and their inherent strengths and weaknesses;
- can explain the process and objectives of collaborative conflict management;
- understand the role of a third party (facilitator/mediator) and how a facilitator/mediator can assist consensual negotiations;
- have greater understanding of the principles and process of consensual negotiation and the scope of its application;
- have improved their skills in consensual negotiations through practice.

Training methodology

Experiential learning is the process of deriving knowledge and expertise from direct experience.

Aristotle said, "For the things we have to learn before we can do them, we learn by doing them."

David A. Kolb helped to popularize the idea of experiential learning drawing heavily on the work of John Dewey, Kurt Lewin and Jean Piaget. His work on experiential learning has contributed greatly to expanding the philosophy of experiential education.

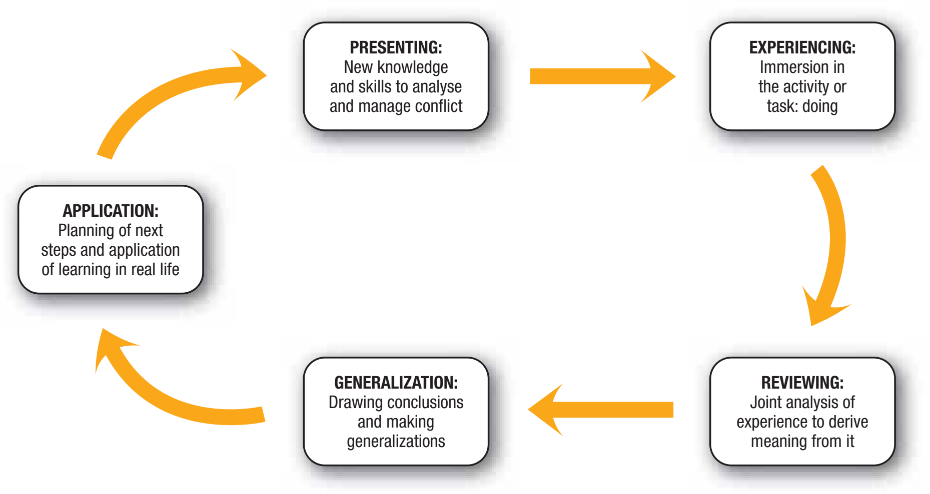
Experiential learning focuses on the learning process for the individual. An example of experiential learning is going to the zoo and learning through observation and interaction with the zoo environment, as opposed to reading about animals from a book. Thus, the learner makes discoveries and experiments with knowledge directly, instead of hearing or reading about others' experiences.

Experiential learning is about creating an experience where learning can be facilitated. How can a well-crafted learning experience be created? The key lies in the facilitator and how he/she facilitates the learning process.

In training courses that are based on experiential learning, knowledge is continuously gained through both personal and environmental experiences. To gain genuine knowledge from an experience, the learner must:

- be willing to be actively involved in the experience.
- be able to reflect on the experience.
- possess and use analytical skills to conceptualize the experience.
- possess decision-making and problem solving skills so that she/he can use the new ideas gained from the experience

THE EXPERIENTIAL LEARNING PROCESS



Source: Adapted from Kolb, 1984.

Why use an experiential learning approach for conflict management training?

Experiential learning is based on the theory of adult learning, which says that because adults already know a lot, they learn better by building on their own experiences. In other words, they learn better by doing than by listening.

Adult learning theories stress that adult learners need opportunities to think, to understand and to apply:

- To learn by thinking, learners need to take the responsibility for working out their own conclusions.
- To learn by understanding, learners need to relate the training experience to their own values, beliefs and previous experiences.
- To learn by applying, learners need to use and test a new skill and receive feedback on their performance.

Learning is demonstrated by change – in behaviour, knowledge, understanding, skills, values, awareness and attitudes. To facilitate these changes in adult learners, experiential activities in which participants work out their own conclusions are more effective than lectures. Thus, in participatory training, trainers need to match the learning activities to the learning outcomes. Good training courses include a broad variety of learning activities – presentations, games and role playing – each with its own merits and uses.

Adults can remember...		
Of what they themselves do and explain	90%	Such as through simulation games, class or field exercises using new insights or skills and presenting results.
Of what they themselves explain	70%	Such as by presenting information.
Of what they see and hear	50%	Such as from a lecture with visual aids and demonstrations.
Of what they see	30%	Such as from a poster or demonstration with no explanation.
Of what they hear	20%	Such as from a lecture with no visuals.
Of what they read	10%	Such as from training materials and handouts with no accompanying explanation.

Session plan 3: Experience change*

Purpose:

At the end of the session participants:

- have identified feelings of embracing and resisting change;
- can relate these to a different approach to training and understand what experiential learning is;
- understand that successful conflict management requires change at all levels.

Time:

30 minutes.

Materials:

None.

Preparation:

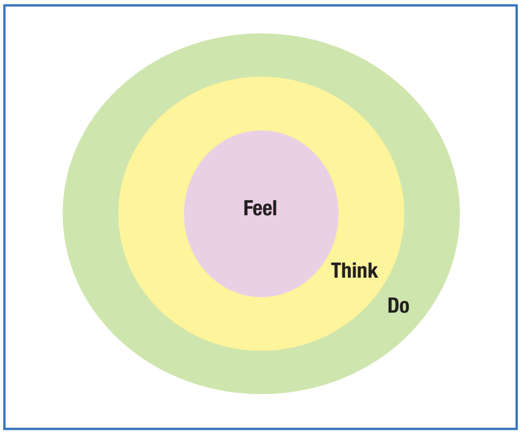
None.

Steps:

1. Ask the participants to form pairs and to stand facing each other, looking carefully at each other for one minute.
2. Ask them to turn away from their partners and to change three things about their appearances. If needed, give some examples, such as “If you wear glasses, take them off”.
3. When everybody has changed three things ask the participants to face their partners and to see whether they can identify what has changed.
4. Next ask them to turn around again and change three more things. Repeat step 3. Stress that people have to change different things from the time before, and not merely to change them back.
5. Ask the participants to change more things until most of them resist.
6. Reflect on the following questions:

* (From RECOFTC, 2002b).

- What were your feelings? Why? (People often think of change as something undesirable or uncomfortable, but it can be fun or enriching.)
- What made you uncomfortable? (People often think that change is giving up, but it can also mean adding to.)
- Which do you find more comfortable, the known or the unknown? (Most people prefer the known because change involves risks.)
- Did anyone help anyone else? Did anyone ask for help? (People do not usually have to go through change alone, but they sometimes think they do; people can help and encourage each other to change through their own behaviour).
- Is change related to training? How? (Real learning means changing something – the learner's understanding, beliefs, habits, attitude or behaviour).



Explain that people change what they do, what they think and what they feel. The inner circle is where the deepest learning takes place. This includes experiencing feelings of resentment, as well as having fun. Most of us prefer the known, because change involves risks. However, change does not only mean to give up something, change means also means to gain – to learn – something. It is the trainer's task to involve all three circles.

7. Explain that this warming-up is used at the beginning of the workshop because many of the activities during the workshop require openness to change – particularly to the training methods and approach being used.

Hints

This is a very powerful exercise because it simulates personal change really well. It generates interesting discussions about change and training and is therefore most useful during one of the first days of the training.

Session plan 4: Housekeeping rules

Purpose:

At the end of the session participants:

- have understood that successful training is the joint responsibility of trainers and participants, and that both have something to contribute;
- have agreed on group norms or guidelines for group functioning during the workshop.

Time:

One hour.

Materials:

Flip-charts, index cards and markers.

Preparation:

Prepare a flip-chart showing the three task teams (see step 2) for each training day.

Steps:

1. Explain how establishing a participatory process in training is similar to establishing a collaborative process in conflict management (the latter will be dealt with in subsequent sessions of the training).
2. Explain that training is the joint responsibility of trainers and participants, and that both have something to contribute. Introduce the idea of having three teams of participants to share tasks and responsibilities with the trainer. Introduce the tasks and distribute them so that responsibilities are equally shared among participants.
   - *Law enforcement*: This team monitors compliance with the principles guiding interaction and sets penalties for anyone who breaks these norms.
   - *Entertainment*: This team conducts an energizer[3] after lunch and/or during the afternoon.
   - *Recap*: This team recapitulates on the day's learning. The team will meet at the end of the day to review the day's activities, and will summarize the main learning points and make observations the following morning.
3. Ask what principles are needed to guide interaction so that everybody can perform her/his role. Make sure that all participants agree with each suggestion before it is written on the flip-chart.
4. Post the principles in a prominent place. Explain that this list forms the basis of a mutual contract for how the training group will work together. Ensure that the group is committed to keeping the contract.
5. Whenever there is a problem with group dynamics refer back to these norms and ask for ways of adapting, improving or adding to them.
6. Explain that rapid feedback will be conducted at the end of each day. This feedback is important as it gives the trainer information about the training from the participants' point of view, enabling the

[3] An energizer is a brief activity that is intended to increase energy in a group by engaging group members in physical activity, laughter or cognitive thinking (problem solving). For a free collection of energizer activities see the International HIV/AIDS Alliance *100 ways to energise groups: Games to use in workshops, meetings and the community*: www.whatsinyourcloset.co.uk/assets/cd2/4%20coming%20out%20-%20a%20guide%20for%20those%20who%20work%20with%20young%20people/energiser%20icebreaker%20games.pdf.

trainer to adapt the programme accordingly. It provides participants with opportunities to influence the training according to their expectations.

Hints

Choice of rapid daily feedback methods can be found at the end of the manual.

UNDERSTANDING CONFLICT

Session plan 5: A picture of conflict

Purpose:

At the end of the session participants:

- have explored the kind of conflicts they encounter in their work;
- have developed a common understanding of conflict;
- are encouraged to consider the positive as well as the negative outcomes of conflict.

Time:

Two to three hours, depending on group size. Calculate ten minutes for introducing the exercise, 15 minutes for poster preparation, five minutes per participant for poster presentation, and 30 to 40 minutes for plenary discussions summarizing the key learning points.

Materials:

Flip-charts, index cards and coloured pens.

Preparation:

- Prepare a flip-chart from Attachment 5.B "Instructions for individual and group work".
- Photocopy Handout 5 for each participant.

Cross-reference:

Chapter 1.2 of the handbook (FAO, 2012).

Steps:

1. Ask participants what they associate with conflict: "What words come to your mind when you think of conflict?" Write their associations on a flip-chart, clustering positive, negative and neutral associations in separate areas (see photo 2 at next page).
2. Ask participants how they would define conflict. Compare ideas with the suggested definition in the handout and explain and clarify key terms of the definition.
3. Ask participants to select a natural resources conflict that they have encountered in their work and are very familiar with. Ask them to draw a picture of the conflict following the instructions on the flip-chart (for examples see Attachment 5.A Examples of conflict pictures).

PHOTO 2

4. After 15 minutes, ask participants to post their pictures on the wall. Each participant has five minutes to explain his/her conflict (either in subgroups or plenary).
5. After hearing from everybody, start a discussion with the following questions:
   - What positive and negative outcomes of these conflicts did you notice? (Make sure that the positive outcomes mentioned under Key learning points are discussed.)
   - What makes the management of these particular conflicts challenging?
6. Wrap up the session by summarizing the following key learning points.
7. Distribute the handout.

Key learning points

Conflict is a normal part of life and society, and is often necessary to the dynamics of change.

Viewing any conflict as either positive or negative is not particularly helpful. It is not the conflict itself that is positive or negative, but its outcomes and the ways in which people respond to them.

Conflict can have constructive and positive outcomes, depending on the way people handle it. The following are examples:

- Conflict can help to clarify and improve policies, institutions and processes that regulate access to resources.
- Conflict can be an important force for social change, because it alerts people to:
  - competitive or contradictory laws or policies regulating access to or control over natural resources;
  - lack of or insufficient coordination in the implementation of polices or laws for natural resources management;
  - neglect of people's needs, rights, interests and priorities.

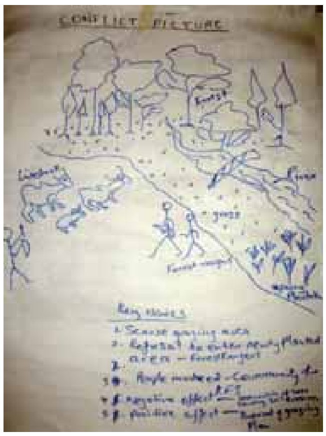
Conflict management can be challenging because:

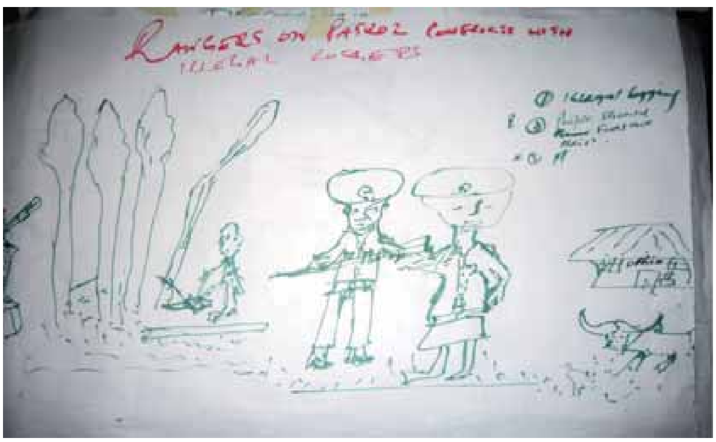
- the origins of a conflict are often complex and diverse and multiple conflicts may be going on at the same time;
- conflicts are dynamic (ever-changing) and interactive social processes;
- here is no such thing as a “true” or “objective” account of a conflict (everybody interprets or frames it differently).

Hints

If the group is large, presentation of all the participants’ pictures may be too time-consuming. The trainer can suggest either a “bazaar” approach in which participants walk around the room, looking at the pictures and asking and answering questions, or the formation of subgroups for discussing the pictures.

Attachment 5.A: Examples of conflict pictures





ATTACHMENT 5.B: INSTRUCTIONS FOR INDIVIDUAL AND GROUP WORK

Your task is to draw a picture of a conflict that you have encountered in the context of your work.

1. On a flip-chart or brown pin-board paper draw a picture containing the following elements:
   - What the conflict is about (the key issues).
   - The main causes of (reasons for) the conflict.
   - The key individuals or groups that either influence the conflict or are affected by it (the stakeholders).
   - Some of the negative and positive effects or outcomes of the conflict.
2. In the picture you can use sketches, symbols and graphs. Artistic perfection is not required.
3. Present and explain your picture to the overall group.

A picture of conflict (Handout 5)

What is conflict?

Conflict is... a relationship among two or more opposing parties, whether marked by violence or not, based on actual or perceived differences in needs, interests and goals.

Notes on the definition

1. What does incompatible mean? Actions or ideas that are incompatible are not acceptable or possible together. For example, working hours are not compatible with family life.
   Two things that are incompatible are of different types, so they cannot be pursued or mixed together. For example, new computer software is often incompatible with old computers; two different blood groups are incompatible with each other.
2. Incompatibilities can be real, but they can also be only perceived, because people cannot see ways in which two elements can be brought together. This suggests that some incompatibilities may not have a real foundation. For example, working hours may not be fixed and may instead depend on discussion with colleagues and bosses. It depends on whether or not arrangements can be found.
3. As relationships are based on perceptions, there are opportunities to transform conflict if people can be encouraged to change the ways they think and act. This suggests that by slowly broadening people's understanding of their own and others' interests and needs, and encouraging them to think outside often entrenched and emotional positions, new outcomes (other than conflict) may become possible.
4. Conflict does not necessarily involve violence. Violence is the threat or use of strong physical force. Violence can also consist of actions, words, attitudes or structures that cause damage and prevent people from pursuing their livelihoods and well-being. Violence is only one of a range of possible ways of expressing conflict or engaging in conflict behaviour.
5. The definition assumes that conflict is a generic phenomenon; it does not distinguish among the social levels at which conflict occurs. This definition implies that the dynamics of conflict are similar whether they involve the interpersonal or the international. Insights drawn from one arena of social interaction may be relevant to another.

The three elements, four dimensions and five characteristics of conflict

It may be useful to think of conflict as having three elements.

1. Problems: The specific issues and differences among the people, groups and agencies involved. These often include different values,[4] incompatible interests and needs,[5] or concrete differences regarding the use, distribution or accessibility of scarce resources. They are often referred to as the "root causes" of conflict, about which people tend to take clear and strong positions.

2. Processes: The way decisions are made, and how people feel about it. The decision-making process is often overlooked as a key cause of conflict. However, resentment, feelings of being treated unfairly and a sense of powerlessness are often rooted in this area. Process issues are often referred to as contributing factors; they have not caused the conflict, but triggered or aggravated it.

3. People: How people think about and relate to the conflict; their feelings, emotions and perceptions regarding the problems and the other people involved; and how these relate to each other and to natural resources in securing livelihoods.

There are also *four dimensions to conflict* that people should be aware about:

1. The *origins of a conflict* are often complex and diverse. They are embedded in local cultural systems, but are also connected to wider social, economic and political processes.
2. Conflicts are *changing, interactive social processes* rather than single, self-contained events. Each conflict has its own unique history and runs its own course of various phases and levels of intensity.
3. There is *no single "true" or "objective" account of a conflict*. Rather, participants and observers may interpret or frame the conflict in different ways, depending on their perspectives and interests. Conflicts are about perceptions and the (different) meanings that people give to events, policies, institutions, etc.
4. There are *often multiple conflicts going on at one time*, involving many different and yet overlapping groups of stakeholders. The dynamics and outcomes of these conflicts interact and influence each other.

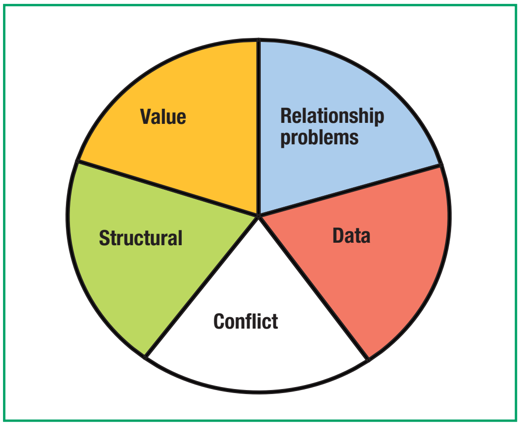
There are *five characteristics of conflict* that are often misinterpreted or overlooked:

1. *Conflict is an inevitable part of change*: It is not the result of personal failure, or of the failure of the system.
2. *Conflict is a step on the solution to a problem*: It signals the opening up of debate.
3. *Conflict is shared*: It is not the sole responsibility of one person, one group or one particular set of interests.
4. *Conflict is a process*: It is not the end result, a barrier or an excuse for accepting a condition as unfortunate but unchangeable.
5. *Conflict is manageable, and destructive outcomes can be prevented*: But management takes times and resources.

[4] Values are the long-range beliefs that people hold regarding how things should be.
[5] Needs are what people feel that they need in order to have security and respect. They may include material items, as well as justice, a sense of control over one's own life, freedom and identity.

What causes conflict?

There are five major sources of conflict (regardless of whether the conflict is viewed as interpersonal, intra- or interorganizational, communal or societal):
1. problems with relationships;
2. problems with data;
3. interests that are incompatible or perceived as being so;
4. structural problems;
5. differing values (which are non-negotiable).



1. Relationship conflicts occur because of the presence of strong negative emotions, misperceptions, poor communication, or repetitive negative behaviour.
   These problems often result in “unnecessary” conflict (Moore, 2003 because they may occur in the absence of objective conditions for a conflict (even when there are sufficient resources for everybody or when people agree on the goals, processes, etc.). Relationship problems often fuel disputes and lead to an escalating spiral of destructive conflict.
2. Data conflicts occur when people lack the information necessary to make wise decisions, interpret information differently, are misinformed, or disagree over what data are relevant.
   Some data conflict could be prevented by better communication among people; other data conflict is genuine because different people possess different information and interpret it differently.
3. Interest conflicts are caused by competition over perceived or actual incompatible needs. Conflicts of interests result when one party believes that satisfying his/her needs requires sacrificing the interests of her/his “opponent”.
   Interest conflicts occur over substantive issues (money, physical resources, time), procedural issues (the way decisions are made) and psychological issues (perceptions of trust, fairness, respect, desire for participation).
4. Structural conflicts are caused by oppressive patterns of human relationships (Galtung, 1975): limited resources or authority, geographic constraints (distance or proximity), time (too little or too much), organizational structures.
5. Value conflicts are caused by perceived or actual incompatible belief systems. Values are the beliefs that people use to give meaning to their lives. Values explain what is good or bad, right or wrong. Value differences cause serious disputes and cannot be solved through negotiations alone.

Note: Most conflicts have multiple causes because it usually takes more than one problem for a dispute to occur. Likewise attempts to manage a conflict have to address all the causes, not just one.

Reasons for forest policy-related conflicts

Policies, programmes and projects themselves can serve as sources or arenas of conflict, even though their intention is to reduce conflicts or enhance policy outcomes. Reasons include the following (FAO, 2000).

Policies imposed without local participation: Natural resource policies and interventions are often made without the active participation of communities and local resource users. For example, some governments rely on centralized management strategies controlled by administrative units and technical experts. These often fail to take into account local natural resources rights and practices.

Poor stakeholder identification and consultation: Stakeholders are people or groups that possess an interest in or influence over a resource. Examples of stakeholders are the local government and the community. However, such groups are often highly varied and contain many subgroups. Counting the community as one stakeholder group may therefore be meaningless; some people may have very different interests from others, according to gender, status, age, wealth, ethnicity, etc. Conflicts can occur because planners and managers identify stakeholders inadequately, or fail to acknowledge a group's interest in a resource.

Uncoordinated planning: Many government and other agencies still rely on sectoral approaches with limited cross-sectoral planning and coordination. For example, the agricultural service may promote the expansion of cash crops in forests, to raise incomes, without recognizing the adverse effects of this on other resource users. Overlapping and competing goals among agencies may lead to confusion when those agencies are unable to reconcile other stakeholders' needs and priorities

Inadequate or poor information sharing: Effective sharing of information on policies, laws, procedures and objectives can improve the success of programmes and reduce the likelihood of conflicts. In contrast, lack of information on the planning agencies' intentions may lead to suspicion and mistrust.

Limited institutional capacity: Conflicts arise when government and other organizations lack the capacity to engage in sustainable natural resource management. Not only do organizations face financial constraints for staff and equipment, but they also often lack the expertise to anticipate conflicts, or to handle the conflicts that arise in the course of their activities.

Inadequate monitoring and evaluation of programmes: Programmes and priorities are often designed without clearly defined monitoring and evaluation components, especially regarding natural resource conflicts. When there is no systematic monitoring and evaluation of natural resource management activities, it is more difficult to identify or address conflict.

Lack of effective mechanisms for conflict management: For natural resource management programmes to be effective, mechanisms for participatory conflict management need to be incorporated into their design and implementation. These should ensure that open or latent conflicts are constructively dealt with, to reduce the chances of conflict escalation.

Session plan 6: Different interpretations

Purpose:

At the end of the session participants:

- are aware that different interpretations exist;
- know ways of dealing skillfully with differences in understanding.

Time:

45 minutes.

Materials:

Flip-chart.

Preparation:

- Copy the questions on to a flip-chart (Attachment 6.A Participant's questionnaire).
- Photocopy Attachment 6.A for each participant.
- Photocopy Handout 6 for each participant.

Cross-reference:

Chapter 1.2 of the handbook (FAO, 2012).

Steps:

1. Explain the activity by using an example (Attachment 6.B, step 2) and let the participants decide whether each of the statements is true, false or cannot be judged because of lacking information.
2. Read the exercise text (Attachment 6.B, step 4) and distribute the participant's questionnaire (Attachment 6.A).
3. Give participants time to fill in their answers.
4. Record the results on a flip-chart by counting how many participants answered true, false and cannot be judged for each of the ten statements. This is most effective when each participant gives his/her answers to all the questions at once, before moving on to the next participant.
5. Give the "correct" solutions. Discuss the results.
6. Explain that this exercise demonstrates that two people can hear the same thing but understand different things from it. This happens virtually every time more than one person experiences a situation. As long as understanding is not compared and differences are not noticed, everyone takes away what she/he experiences as the only reality, and will not suspect that others might have different realities. Interpretations are not logical, they are psychological. Because many conflicts are based on differing interpretations of the facts, one of the most useful skills in conflict management is exploring the different understandings that different parties have of a situation. This requires continuous calm, respectful and specific communication to be able to see the other point(s) of view.
7. End the session by summarizing the following key learning points.
8. Distribute the handout.

Key learning points

Interpretations differ. They always will. Dealing skillfully with differences in interpretation is a large part of what conflict management is about.

Understanding depends on many factors. Ask participants to suggest the factors that influence the different interpretations of a speaker and a listener. Participants are likely to express these factors as negative aspects. Encourage them to rephrase these views into recommendations for good communication. (Compare with the factors influencing understanding in Attachment 6.C.)

Misunderstandings are common and not necessarily the result of bad intentions.

The following are hints for avoiding conflicts caused by misunderstanding:
- Accept that different interpretations exist. "The map is not the land". Everybody has her/his own interpretation, which forms the basis of his/her own subjective reality. There is no such thing as an objective truth.
- Adopt an understanding frame of mind. Seek to understand and show understanding. Senders should always explain themselves.

Show interest in the perceptions and experiences of other people. People are more willing to listen to somebody who shows willingness to listen back:
- The sender should communicate her/his message in a way that makes it easy to memorize and understand.
- The receiver should listen with an open mind and without preconceived ideas.
- The receiver can minimize misunderstandings by repeating what he/she has understood in her/his own words (summarizing).

ATTACHMENT 6.A: PARTICIPANT'S QUESTIONNAIRE

Decide which of the following statements:
- is true: agrees with the information given in the story;
- is false: contradicts the information given in the story;
- cannot be judged (?): because the story does not provide enough information.

1. The executive denied the employee a raise in salary	True	False	?
2. The employee did not receive a raise in salary	True	False	?
3. The employee was angry because he did not get a raise in salary and therefore gave notice to leave the organization	True	False	?
4. The employee wished to leave the organization because of the refusal to pay him more money	True	False	?
5. His colleagues were sorry because the employee had left the organization	True	False	?
6. His colleagues discussed the issue with the employee	True	False	?
7. The executive did not take part in the discussion	True	False	?
8. The executive asked the employee to leave the organization	True	False	?

9. His colleagues were sorry that the employee did not get a raise in salary	True	False	?
10. The employee was generally well liked and there was a discussion about whether something should be done	True	False	?

Attachment 6.B: Trainer's background sheet

1. Explain the task, and the meaning of "true", "false" and "cannot be judged (?)".
2. Give the following example:
   "A secretary did not appear in her office one day. Her colleague said that she had felt ill the day before. On her desk was the photograph of a young man called Charles, with a heart drawn around the name."
3. Let participants assess the following statements:

The secretary is ill	T	F	?
The secretary's boyfriend is called Charles	T	F	?

In both cases "?" is the correct answer.

4. Read the following story and distribute the answer sheets:
   "The boss of a big company did not propose to raise the salary of one of his employees. The employee gave notice to leave the organization. His colleagues felt sorry because he was generally well liked. There was a discussion among his colleagues about whether something should be done about it."
5. Answer sheet:

1. The boss denied the employee a raise in salary	True	False	?
2. The employee did not receive a raise in salary	True	False	?
3. The employee was angry because he did not get a raise in salary and therefore gave notice to leave the organization	True	False	?
4. The employee wished to leave the organization because of the refusal to pay him more money	True	False	?
5. His colleagues were sorry because the employee had left the organization	True	False	?
6. His colleagues discussed the issue with the employee	True	False	?
7. The boss did not take part in the discussion	True	False	?
8. The boss asked the employee to leave the organization	True	False	?
9. His colleagues were sorry that the employee did not get a raise in salary	True	False	?
10. The employee was generally well liked and there was a discussion about whether something should be done	True	False	?

Attachment 6.C: Factors influencing understanding

On the part of the sender:

- clarity of the message;
- amount of information provided;
- completeness of the information;
- channel of communication;
- language.

On the part of the receiver:

- language;
- quality of listening;
- attentiveness/ability to concentrate:
- judging: “That is a stupid idea, anyway, you don’t really understand”;
- defending: “But that was not my fault”;
- advising/problem solving: “It is obvious that you need to do this”;
- day-dreaming: “Wow, that girl/guy looks great”;
- interest;
- intelligence;
- memory/capacity to retain information;
- interpretations influenced by:
  - own past experience;
  - preconceived ideas/prejudices/stereotyping;
  - mood, temper;
  - attitude towards the issue or the sender;
  - assumptions.

Different interpretations (Handout 6)

Many conflicts are caused or aggravated by different understandings of data. Conflicts occur when people lack the information necessary to make wise decisions, interpret information differently, are misinformed, or disagree over what data are relevant. Some data conflict could be prevented by better communication between people; other data conflict is genuine because different people possess different information and interpret it differently.

The focus is therefore on interpreting data and the importance of good communication to prevent and manage conflicts.

This training session deals with the phenomenon of two people hearing the same thing, but understanding different things from it. This happens virtually every time more than one person experiences a situation. As long as understanding is not compared and differences are not noticed, everyone takes away what he/she experiences as reality, and will not suspect that others might have different realities.

Interpretations are not logical, they are psychological. Because many conflicts are based on differing interpretations of the facts, one of the most useful skills in conflict management is exploring the different understandings that different parties have of a situation. This requires continuous calm, respectful and specific communication to be able to see the other point(s) of view.

Each individual has a subjective reality, made up of what that person knows, perceives, believes, etc. and influenced by her/his culture, education and so on. What a person does not know and cannot perceive is not part of his/her reality; for example, a colour-blind person might know about colours but cannot perceive them.

When people agree about something they share a common or agreed reality. The fact that most or even all people agree about something does not mean that this view of reality is true. For example, for a long time, people believed that the earth was the centre of the universe.

Key learning points

Interpretations differ. They always will. Dealing skilfully with differences in interpretations is a large part of what conflict management is about.

Understanding depends on many factors. Many factors influence the different interpretations of the speaker and the listener.

Misunderstandings are common and not necessarily the result of bad intentions.

To avoid conflict caused by misunderstandings there are a number of points to consider. Some points concern attitudes and others are principles of good communication.

Develop the right attitude

Show respect for differences and accept the fact that different interpretations exist. “The map is not the land”. Everybody has her/his own interpretation, which forms the basis of his/her own subjective reality. There is no such thing as an objective truth.

Adopt an understanding frame of mind. Seek to understand and show understanding. Senders should always explain themselves.

Show interest in the perceptions and experiences of other people. People are more willing to listen to somebody who shows willingness to listen back.

Practise good communication

The sender should communicate her/his message in a way that makes it easy to memorize and understand.

The receiver should listen with an open mind and without preconceived ideas.

The receiver can minimize misunderstandings by repeating what she/he has understood in his/her own words (summarizing).

COMMUNICATION AND FACILITATION

Session plan 7: Communication exercise – active listening and summarizing

PURPOSE:
At the end of the session participants:
- have practised communication skills that are important for conflict management: active listening and summarizing statements;
- have experienced how the style and atmosphere of a discussion are influenced when active listening and summarizing are used and the listener acknowledges and demonstrates his/her understanding of the speaker's message, before giving her/his own arguments.

TIME:
45 minutes.

MATERIALS:
None.

PREPARATION:
- Copy Attachment 7.A "Controversial topics" on to a flip-chart.
- Copy Attachment 7.B "Instructions" on to a flip-chart.

CROSS-REFERENCE:
Part 3 of the handbook (FAO, 2012).

STEPS:
1. Explain the purpose and design of the exercise. Demonstrate with a volunteer how the activity should be done.
2. Divide participants into groups of four. Two members of each group will do the exercise while the other two observe.
3. The two active group members select a controversial topic for discussion, and take sides – one for and one against.
4. The active participants discuss the issue for about five to ten minutes. Each has to summarize the arguments of the other to that person's satisfaction before giving his/her own arguments.
5. After the discussion, the observers give their feedback to the active players, focusing on how well the players observed the rules, difficulties on the part of the sender or the receiver and suggestions on how to improve.
6. The participants change roles and repeat the exercise.
7. After the exercise, reconvene the participants and discuss the experience using the following questions:
   - Did people keep to the rules?
   - How easy or difficult was it to summarize statements to the satisfaction of the speaker?
   - What typical communication patterns and mistakes made it difficult for people to understand each other? (See Attachment 7.C "Common communication mistakes".)

8. Wrap up the session by explaining that good listening derives from a basic attitude. People with the right attitude usually do the right thing. An attitude that supports good listening makes the listener:
   - care about what the other person is saying;
   - avoid assuming that she/he knows what the other will say;
   - avoid assuming that he/she has understood, without summarizing or inquiring to test that understanding;
   - willing to take time to listen and acknowledge what the other is saying.
9. Conclude by emphasizing that the key to good listening is being genuine. Wrap up by discussing the following key learning points.

Key learning points

Active listening is a key skill for conflict management as it creates attention and empathy, helps to clarify misunderstandings, and gives the sender a sense of being heard and accepted.

However, when applied mechanically, active listening can be quite irritating. Successful active listening depends on developing the right attitude, and wanting to understand the other person and to show this understanding by mirroring back her/his feelings – to "resonate with the other".

Note that the listener should not attempt to steer the sender in any direction. The listener is simply offering the sender a mirror of what he/she is saying or feeling. Active listening requires the listener to step back from being a doer, fixer or knower, and simply to reflect back to the sender what he/she is saying.

Incorrectly mirrored back statements are not mistakes, instead they encourage the sender to explain and clarify what she/he means.

Hints

Some participants may question whether real-life conversation ever follows the pattern of this exercise. The trainer can ask participants to identify situations where it is necessary to summarize statements; these skills can be useful in emotional situations, where communication is difficult, when the meaning is unclear, when the conversation is going round in circles, and when the speaker is not being listened to.

Attachment 7.A: Controversial topics

- People should eat only vegetarian food.
- Professional boxing should be forbidden.
- Authoritarian education is good for children.
- Women do not make good managers or leaders.
- Violent movies should be forbidden.
- Smokers should pay higher health insurance fees.
- People should always tell the truth.
- People should not use cell phones inside restaurants.
- Horoscopes are a hoax.

Attachment 7.B: Instruction

Communication Exercise: Active Listening and Summarizing

Steps:

1. Form groups of four. Two members of each group will do the exercise while the other two observe.
2. The active pair of group members select a controversial topic to be discussed, and take sides – one for and one against.
3. The active participants discuss the issue for about five to ten minutes. Each has to summarize the arguments of the other to that person’s satisfaction before commencing his/her own arguments.
4. After the discussion, the observers give their feedback to the active players, focusing on how well the players observed the rules, difficulties on the part of the sender or the receiver and suggestions on how to improve.
5. The participants change roles and repeat the exercise.

GOAL: Summarize the statements made by your partner by repeating with your own words what you have understood.

Attachment 7.C: Common communication mistakes

Frequent mistakes on the part of senders:

- not organizing their thoughts before speaking;
- not formulating arguments clearly;
- trying to cover too many aspects in one argument;
- using too many arguments, one after the other, without giving receivers time to take them in and digest them;
- continuing to talk without taking into account the receiver's capacity to retain messages;
- not reacting to statements made by others: conversations do not progress logically, according to a predetermined pattern.

Frequent mistakes on the part of receivers:

- not giving their full attention to the sender;
- thinking about their own arguments instead of listening: forgetting what has been said and their own arguments;
- focusing on details rather than the essence of the sender's argument;
- including in their summaries things that the sender has not actually said;
- mixing summaries with their own assumptions;
- adding their own opinions and conclusions to summaries.

COLLABORATIVE PROCEDURES FOR MANAGING CONFLICT

Session plan 8: Ways of managing conflict

PURPOSE:

At the end of the session participants:

- have an overview of possible ways to manage conflict;
- know that the training focuses on collaborative ways to manage conflict;
- are aware of the advantages of a collaborative approach to managing conflict.

TIME:

One hour.

MATERIALS:

Markers, flip-charts, cards.

PREPARATION:

- Prepare cards for each of the terms "negotiation", "mediation", "arbitration" and "adjudication" (Attachment 8.A "Definition of terms");
- Copy Attachment 8.B "Continuum of conflict management approaches" on to a flip-chart.
- Photocopy Attachment 8.C "Inputs for discussion" for each participant.
- Photocopy Handout 8 for each participant.

STEPS:

1. Explain that the purpose of this session is to examine the various procedures available for managing conflict. Participants are likely to be familiar with these procedures, or will at least have heard of them. Display the cards with the terms, and explain that participants will have an opportunity to reflect on the experiences they have had with these different procedures.
2. Ask participants to form groups to discuss each of the procedures and to agree on a definition. Ask them to discuss the inherent strengths and weaknesses of each approach. Give them 30 to 40 minutes to do so.
3. After 30 to 40 minutes, ask participants to note their definitions on a piece of paper and to discuss and agree with their groups where to place them on the continuum.
4. Point out differences among groups' positioning of the procedures and clarify the main considerations determining the approaches to conflict: 1) the question regarding who makes decisions; and 2) the extent to which conflict parties can influence the final outcome of conflict management.
5. Explain that the focus of this training is on negotiation and mediation as collaborative approaches to conflict management because of the many advantages for forest policy making, when the necessary frame conditions are in place.
6. In conclusion distribute Attachment 8.C and the handout and emphasize the key learning points.

Key learning points

The various conflict management approaches differ in terms of the amount of influence that the conflict parties have on the process and outcome. The further towards the right of the continuum (Attachment 8.B) the process is, the less influence the conflict parties will have.

Different approaches are often combined.

All approaches have their own inherent strengths and limitations; no conflict management approach works in all situations.

Determining an appropriate response is an important outcome of conflict analysis.

This training focuses on negotiation and mediation as informal and collaborative approaches to conflict management. Informal approaches are voluntary in that nobody can be forced into the negotiation process or into compliance with an agreement. Parties' willingness to enter negotiations depends on such factors as:

- the perceived benefits of resolving differences rather than prolonging the conflict;
- trust in the process;
- the availability of alternatives.

Attachment 8.A: Definition of terms

Negotiation: a discussion and decision-making process among opposing parties. It aims to find an agreement that ends the dispute.

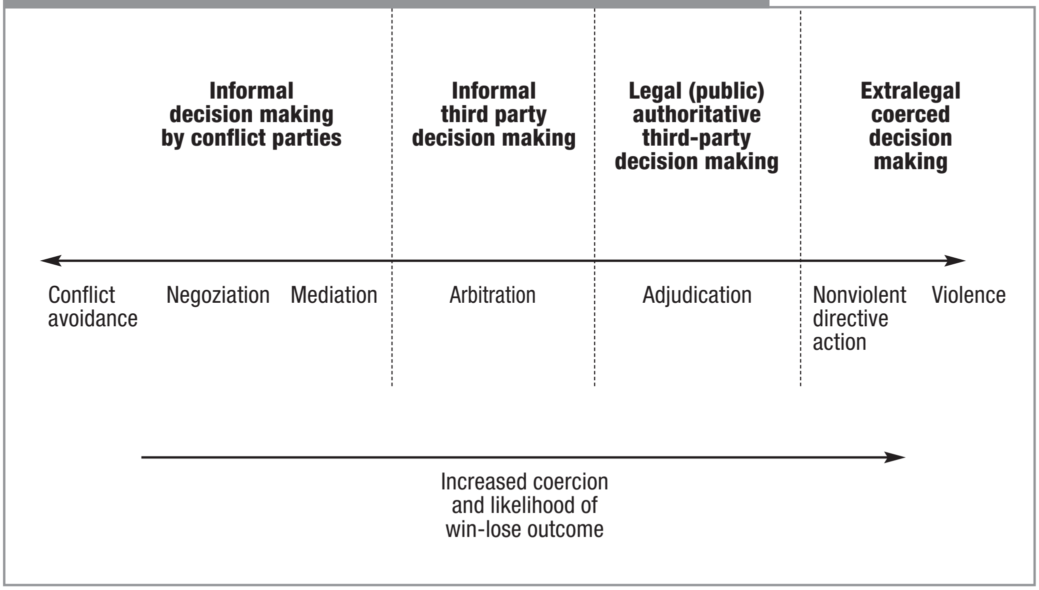
Mediation: the process whereby an acceptable third party with limited or no authoritative decision-making power assists the main parties in a conflict to resolve their dispute.

Arbitration: an informal process whereby the parties submit the issues at stake to a mutually agreeable third party, who makes the decision for them.

Adjudication: a process whereby an authority (a judge or other official) makes a decision based on the norms and values of the society and in conformity with legal statutes.

ATTACHMENT 8.B: CONTINUUM OF CONFLICT MANAGEMENT APPROACHES

FIGURE 2.1: CONTINUUM OF CONFLICT MANAGEMENT APPROACHES



ATTACHMENT 8.C: INPUTS FOR DISCUSSION

Negotiation and mediation[6]

Strengths	Limitations
Can help overcome obstacles to participatory conflict management that are inherent to legislative, administrative, judicial and even customary approaches. Promote joint decision-making and seek voluntary agreement among disputants. Involve processes that resemble those already existing in most local conflict management systems, including flexible, low-cost access. Foster a sense of ownership in the process of implementing solutions. Emphasize capacity building within communities so that local people become more effective facilitators, communicators, planners and managers of conflict.	Often fail to address structural inequalities. May encounter difficulties in getting all stakeholders to the bargaining table. Cannot overcome severe power differentials among stakeholders, so vulnerable groups such as the poor, women and indigenous people remain marginalized. Usually result in decisions that are not legally binding, so enforcement depends solely on the willingness of all parties to comply with an agreement. May lead some practitioners to use methods developed in other contexts and cultures, without adapting them to local conditions.

[6] In general, it is useful to deal with the different procedures one by one. However, negotiation and mediation are discussed together because their strengths and weaknesses are similar.

Arbitration

Strengths	Limitations
When the subject of the dispute is highly technical, arbitrators with the appropriate expertise can be appointed. Is often faster and cheaper than adjudication in court. Is more flexible than the courts, so parties can choose procedures that are convenient to them. Provides a private and confidential procedure.	In some legal systems, arbitral decisions are less fully enforced than judgments. Arbitrators are generally unable to order interlocutory measures against a party, making it easier for parties not to adhere to a decision. Rule of the applicable law is not binding, and arbitrators are not subject to overturning on appeal, making it more likely that they will make decisions based on their own ideals. Allows conflict parties only limited participation in decision-making.

Adjudication

Strengths	Limitations
Uses official legal systems, thereby strengthening the rule of State law, empowering civil society and fostering environmental accountability. Is officially established with well-defined procedures. Takes national and international concerns and issues into consideration. Involves judicial and technical specialists in decision-making. Where there are extreme power imbalances among the disputants, it may better protect the rights of less powerful parties because decisions are legally binding. Decisions are impartial, based on the merits of the case, and with all parties having equity before the law.	Is often inaccessible to the poor, women, marginalized groups and remote communities because of cost, distance, language barriers, political obstacles, illiteracy and discrimination. May not consider indigenous knowledge, local institutions and long-term community needs in decision-making. May involve judicial and technical specialists who lack the expertise, skills and orientation required for participatory natural resource management. Uses procedures that are generally adversarial and produce win–lose outcomes. Gives conflict parties only limited participation in decision-making. May be more difficult to reach impartial decisions when there is a lack of judicial independence, corruption among State agents, or an elite group that dominates legal processes. Uses the highly specialized language of educated elite groups, thereby favouring business and government disputants over ordinary people and communities.

Different ways of managing conflict (Handout 8)

The different ways of making decisions and managing conflict are often portrayed as a continuum that extends from avoidance of the issue, through forms of negotiation and the legitimate use of power by the legal institutions of government to violent exchanges such as industrial action or war.

One of the fundamental distinctions among the various ways is who is responsible for making the final decision. The extremes of this continuum – avoiding the issue and unilateral use of power – represent the greatest losses of control and hence the greatest risks to the disputant parties. In other words, parties have the greatest degree of control when they are directly involved in decision-making. This is the case when they negotiate. Negotiations can be direct (without assistance) or indirect – with assistance from a third party in the form of a facilitator or mediator.

The terms “facilitator” and “mediator” are used interchangeably in this material because both facilitators and mediators help with the process of negotiations and leave the content and ultimate decision to the negotiating parties. The goal of their intervention is to improve communication and understanding on the procedures and to create the psychological conditions necessary for productive talks.

Related to the issue of who makes decisions is the process used for making decisions and its likely effects on the parties. The further towards the right of the continuum the process is, the more likely it is that the decision is premised on one party being right and one wrong. The outcome therefore tends to produce a winner and a loser.

Important points to remember

In conflict management there is *no single best* way that works in all situations. Deciding the most appropriate and legitimate means of addressing a conflict depends on the situation:
- parties’ capacity to manage conflict (negotiate);
- the openness of each party to using each method of managing conflict;
- the amounts and kinds of resources required to implement the method selected;
- the risks and opportunities entailed;
- the method’s likely impacts on relationships;

Options vary in terms of the:
- legal recognition of processes and outcomes;
- privacy of the approach;
- specialization required by any third party assisting the conflict management;
- role and authority of any third party involved;
- type of decision that results;
- amount of coercion that is exercised by or on the disputing parties.

The different ways of resolving conflicts can – and arguably should – be used in combination. For example non-violent industrial action can lead to negotiation, and the outcomes of an informal negotiation may be made binding by being expressed in a legally binding agreement.
The focus of this training is on negotiation and mediation as collaborative approaches to conflict management because of their many advantages for forest policy-making, when the necessary frame conditions are in place.

The strengths and weaknesses of collaborative conflict management approaches for forest policy-making are shown in Attachment 8.C.

Session plan 9: The process map of collaborative conflict management

PURPOSE:

At the end of the session participants:

- are aware that conflict management is a process;
- have explored the various stages of the process in a participatory way.

TIME:

At least 90 minutes.

MATERIALS:

Flip-chart, cards.

PREPARATION:

- Copy attachment 9.A Map of collaborative conflict management on to a flip-chart or use PowerPoint to show the map.
- Photocopy Handout 9 for each participant.
- Prepare A4 pages or cards, each with one of the following steps of conflict management:
  Step 1: Analyse the conflict
  Step 2: Develop a conflict management strategy
  Step 3: Inform stakeholders about the strategy
  Step 4: Establish ground rules for the negotiation
  Step 5: Explore issues and interests (from the perspectives of conflicting parties)
  Step 6: Specify the information needs
  Step 7: Prioritize the issues
  Step 8: Generate options
  Step 9: Develop criteria for evaluating options
  Step 10: Evaluate the options
  Step 11: Reach an agreement
  Step 12: Develop a written agreement
  Step 13: Approve the agreement
  Step 14: Implement the agreement

CROSS-REFERENCE:

Chapter 2.2 of the handbook (FAO, 2012).

STEPS:

1. Start by explaining the following exercise: "The World Bank is seeking expressions of interest in developing a conflict management strategy for Southeast Asia. The project is worth USD 10 million to the winning company. SDC and ADB each submits project documents to win. Each group must design a conflict management strategy and will be given an envelope that contains slips of paper with key steps and important principles to be considered in the process of mediation."
2. Divide the participants into two groups: SDC and ADB.
3. Ask the groups to read through and discuss these steps and considerations to ensure that they understand the meaning of each. In their groups, participants are to do the following:

- Place the A4 sheets of paper with the conflict process steps on the floor.
- Place the steps in the correct order for a logical mediation process.
- If there is time, list activities (sub-steps) for each of the stages, based on their own experiences of working to resolve disputes among parties.
- Add any steps if they feel anything is missing.

Give them 45 minutes to complete the task.

4. After 45 minutes, reconvene the participants and allow a few minutes for them to look at the other group's results. After they have had a chance to do this, initiate a discussion around the following questions:
   - What differences or similarities were there among the groups' maps, and why?
   - Did any group add its own conditions or steps? What were these? Why did the group consider these important?
   - What did you learn from this map?
5. Demonstrate the map (Attachment 9.A) and explain the importance and main considerations of each step (see handbook, Chapter 2.2).
6. Distribute the handout.

Key learning points

Maps differ. There is no right or wrong, better or worse map. Each map is a reflection of the collective group experience. Each group produced a map based on the types of conflict its members had in mind.

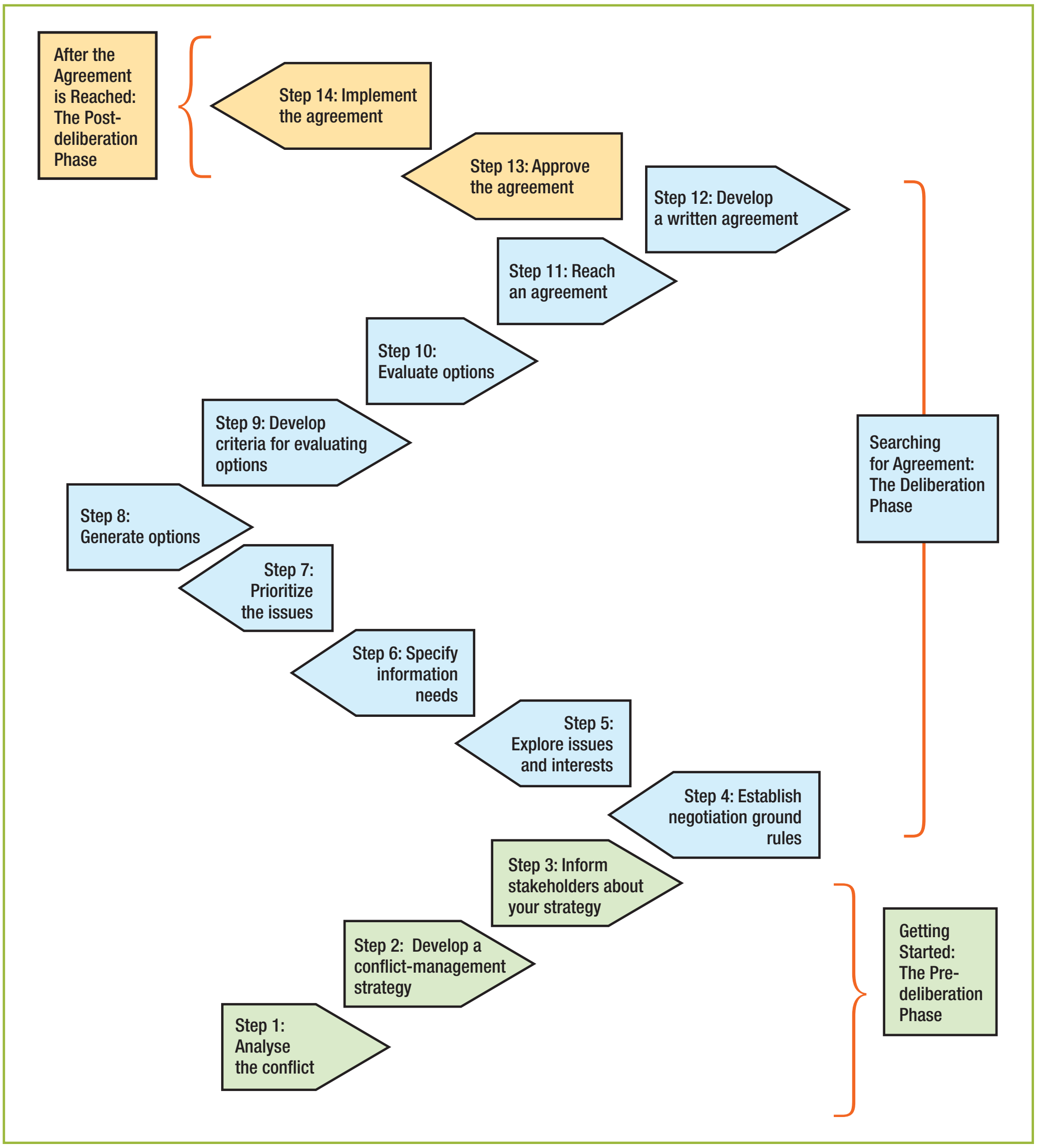
In reality, a mediation process is not as straightforward as the map suggests. While the map provides a neat step-wise process, the actual process in the field moves back and forth among steps.

The most important issue is finding *an appropriate* process that responds to the specific conflict issues to be addressed. In some cases, detailed data collection may be required, to understand causes and dynamics, while in other cases, a joint interview with parties at a meeting is sufficient. In some cases, a written agreement is necessary; in others a handshake is fully sufficient.

It is important to consider the complexity of the dispute when determining the type of initiative and level of intervention required. Sometimes parties need minimal help, at other times they need help on all sorts of issues. The map should be understood as a process for joint learning and development of mutual understanding.

Procedures must be clearly described (in training and in real life) to show how they might work and for parties to take an informed decision about the viability of a particular process.

Attachment 9.A: Map of collaborative conflict management



The process map of collaborative conflict management (Handout 9)

Stage 1: Getting started – the pre-deliberation phase

A stakeholder or a trusted outsider raises the possibility of collaboration and initiates the process. Following initiation, the pre-deliberation or planning stage should be carried out with stakeholders who are willing to participate in the process from the beginning.

Step 1: Analyse the conflict

The first step in managing a conflict is to gain a preliminary understanding of the nature of the problem: who is involved, what the parties are concerned about, and what interests the parties have in resolving their issues.

A formal analysis starts by collecting detailed information about the dispute. Information about a conflict is gathered through three sources: direct observation, secondary sources, and personal interviews.

Often people assume that if they understand the issues they will be able to find a reasonable solution to their problem, but conflicts are a mixture of people, procedures and substance. If one group distrusts another or thinks the process being proposed is unfair, a substantive agreement will be difficult to reach no matter how reasonable the proposed solution might be.

A properly conducted conflict analysis lays the foundation for developing a successful conflict management strategy. The analysis should be updated throughout the process as new information is introduced and as people and their relationships change.

Define the issues: An issue is a matter or question that must be addressed if a conflict is to be resolved. It can best be stated as a problem to be solved such as “How can we…”. Issues can involve substantive matters (resources, money, etc.), appropriate procedures (who does what and when) and relationships.

Determine who should participate: Generally, stakeholders are defined as the parties that can influence and/or be affected by the issue. It is also necessary to decide whether participation should be representative or open to all interested individuals. Representative participation is appropriate for task groups or direct negotiations. Open participation is used for public meetings and workshops where formal agreement is not required.

Identify the conditions for collaboration: Are all the parties ready to negotiate? Two factors influence readiness. The first is the actors’ motivation to reach an agreement, which depends on their estimation of the state of the conflict and their perception of the costs and benefits of solution. The second is the actors’ level of optimism, which is based on their skills, previous experiences and resources.

Identify the existing local capacities to manage the conflict: Existing conflict management mechanisms and their capacity need to be assessed before starting new processes. If customary or traditional ways of managing conflicts exist, they are worth exploring if they still have the leadership, authority, resources or incentives to carry out their roles and duties. Taking note of existing local capacity to manage conflicts is important for three reasons:

- Much can be learned from reflecting on previous attempts to manage a particular dispute and considering the reasons why these have failed.
- The ultimate aim of conflict management is to strengthen people's ability to manage their differences constructively. Local capacities to manage conflicts should therefore be strengthened rather than undermined.
- Previous experience of conflict management is likely to shape the parties' optimism (see the conditions for collaboration).

Step 2: Develop a conflict management strategy

Analysis of the conflict will clarify whether or not a particular conflict management process is an appropriate way of handling the problem. If the parties are interested in resolving the issue and there is room for negotiation, a manager will be made responsible for completing the remaining two steps in the preparation phase: designing a strategy and setting up a programme.

Every conflict is unique. No simple process template fits all the problems. Conflict management programmes must therefore be tailored to the particular characteristics of the issue and the parties involved.

Determine who should participate: Forms of participation, categories of participants, number of participants, the individuals who can best represent interests.

Define the roles that each individual associated with the negotiation is expected to play: Including participants, the initiator, convener, chairperson, sponsor, technical resource expert and recorder, observers, and the logistics support person.

Identify external constraints: External constraints on the parties must be considered in the process design. Does an organization have deadlines that are likely to influence the path of discussions? Are there active legal proceedings that affect the conflict management process? Are all the principal stakeholders available to participate or are they tied up in other matters?

Establish a conflict management goal: Reaching an agreement may be the most obvious goal, but analysis of the conflict may suggest other more appropriate goals. For example, if analysis suggests that the parties do not have major substantive differences but do have serious misperceptions of each other's activities, a programme designed to bring participants together to exchange information may be all that is required.

Select the most productive meeting format: Public meetings, task groups or advisory committees, problem-solving workshops, formal negotiation sessions.

Step 3: Inform stakeholders about the strategy

Conflict analysis will disclose whether the parties have worked together in the past and how successful their efforts have been. Parties should always understand the process being proposed. The less familiar parties are with negotiations, the more important it is to explain in detail how the programme works.

Educate the parties: Parties must understand the context of the problem, the issues, and their own and other parties' interests. They must review and agree on relevant data. This is particularly important when parties' perceptions of the problem differ a lot.
Agree on process steps, including timing, location and funding strategies.

- *Timing*: People should know what they are committing themselves to. The responsible manager should be prepared to outline how long the process is likely to take. Naturally, he/she cannot promise that everything will follow a predictable and orderly sequence. Parties should be prepared for adjustments to be made along the way.
- *Location*: The question of where meetings will be held is an important one, symbolically and logistically. The setting can set the atmosphere for discussions and have an influence on the productivity of a negotiation.

Define meeting ground rules, which are also called a group charter, meeting plan or convening document. Ground rules are the rules of conduct by which all parties abide during negotiations or other conflict management activities. The concept of ground rules is based on the belief that a negotiation process should treat all parties equally and fairly. Some ground rules define the behaviour of individual participants (such as "Personal attacks will not be permitted"), others apply to procedures used by the group (such as "All decisions will be made by consensus") or define the role of observers (such as "Only recognized and invited observers will be allowed to attend").

Stage 2: Searching for agreement – the deliberation stage

Once all the stakeholders have been contacted, the first meeting convened and the protocols ratified, the participants can begin to deliberate the substantive issues. The role of the facilitator/mediator in the deliberation stage is described in Handout 18.

Step 4: Establish ground rules for the negotiation

The group should adopt the ground rules and protocols drafted during the planning phase. Ground rules work only when all the parties agree to use them. Rules can be added or modified as necessary, but the entire group must approve any change before it is adopted.

Step 5: Explore the issues and interests

Parties educate each other: They describe their perceptions of the problem, identify and discuss the issues, explain their concerns and list their assumptions. This may be a time-consuming procedure, as it is very different from asking one individual to summarize all the issues. Education serves the important function of letting different participants describe their different sides of the story directly to other groups.

Identify and share interests – the reasons, needs, concerns and motivations underlying participants' positions – rather than assert positions.

A list of all the problems or issues that the parties wish to talk about is drawn up.

Reframe issues in ways that make other parties willing to talk about them: If issues are formulated in a biased and blunt way (blaming or attacking other participants) they should be reformulated to make them more diplomatic: the original content of the message is kept, but the form is made neutral and acceptable to other stakeholder groups.

Step 6: Specify the information needs

- Elicit more information about issues and interests.
- Identify technical background information that is pertinent to the issues.
- Identify information that is available, and additional necessary information that is missing.
- Agree on methods for generating answers to technical questions, or an activity or process to implement when there is no consensus over technical issues: field trips, data collection and reporting, briefings, interviews, etc.

Step 7: Prioritize the issues

Put the issues into a sequence such as high-priority, medium-priority, low-priority, and undecided. Easier topics are usually put early in the agenda. Defining the entry point for talks is another important decision, as it can have an impact on all the issues in the conflict. The entry point should be an issue that is important to everybody, but not so complicated that it takes a long time to resolve. Starting with a procedural or psychological agreement is a good strategy. For example, an apology when another party is willing to forgive sets the scene very well. It is also helpful to prioritize the issues that need to be resolved immediately, and then move on to those that can be resolved later.

Step 8: Generate options

Negotiators are encouraged to create multiple options for each issue, because the search for a good solution requires a broad discussion and ‘thinking outside the box”. Multiple options are also advisable because it is quite common for party x to suggest an option that party y rejects. The goal at this stage is to produce the broadest possible selection of alternatives.

The following techniques can be used to produce settlement options (Moore, 2003):

- *Expansion of the resource*: Often used in union–management negotiations, the idea is to include issues such as cost-of-living benefits, goodwill, insurance options or working conditions in discussions of a basic issue such as wage increases to make mutually satisfactory outcomes more likely.

- *Log-rolling*: This refers to negotiators trading components of differing importance without compromising on principles. Every negotiation contains a range of requests that are of differing importance for each negotiator. When pressed in an exchange, negotiators may concede on issues that are of lower priority to them in order to obtain their higher-priority issues.
- *Alternation*: When there is no way of expanding resources, parties may agree to alternate their use of a resource. For example, each is allowed to enjoy the same land at a different time.
- *Designing new and integrative interest-based solutions*: These meet the needs of each party, but not at the expense of others' needs. The classic example of this type of solution is the conflict between two children fighting over the last orange left in the fruit bowl. Each child adamantly demands the orange. The wise parent intervenes and offers to help the children to decide who should get it. On first examination, it appears that each child has an equal claim to the orange. What should the parent do? She/he could halve the orange and give each child a piece. However the parent is dissatisfied with this solution and decides to explore each child's interests more deeply. He/she discovers that one child wants to eat the orange while the other wants to peel it to prepare icing for a cake.
- All the parties work together to develop options with the expectation that the more people involved, the more options produced.
- Outside experts can supplement the group's thinking and expand the number of options on the table.
- Each party is asked to develop a proposal that reflects the interests of her/his own constituency and those of the other parties.
- An intermediary conducts individual brainstorming sessions with each party and presents a list of the ideas that emerge for discussion by the group.

Step 9: Develop criteria for evaluating options

In this step, the parties need to assess how well their interests will be satisfied by each of the options that have been generated collaboratively. Using objective criteria facilitates the process of deciding which options will be most satisfactory to all groups. It also ensures that there are fair and independent standards for decision-making.

General achievability:
- cost and inputs;
- time scale;
- advantages (pros) and disadvantages (cons);
- opportunities and risks.

A decision grid can help the analysis and comparison of alternative solutions using indicators.

Sample decision grid

Criterion/option	Option 1	Option 2	Option 3
General achievability			
Cost and inputs			
Advantages (pros)			
Disadvantages (cons)			
Fairness			
Opportunities			
Risks			

Step 10: Evaluate the options

Apply the criteria for evaluating options: Compare the options with the parties' interests to determine whether the options adequately address and meet parties' key interests.

Encourage the parties to look closely at their BATNAs (best alternatives to a negotiated agreement): Each party needs to determine whether it is better off with or without the proposed agreement. Among the most influential factors determining the outcome of a negotiation are the parties' alternatives to a negotiated agreement – their BATNAs. Parties are often motivated to find common ground by their knowledge of what will happen if no agreement is reached. The no-agreement alternative is an important baseline from which all parties can evaluate the merits of the various options.

Step 11: Reach an agreement

There are several ways of coming up with an agreement:

- *Standards and criteria*: For example, find out which basic standards would be reasonable to all the parties. These should be reformulated to form the criteria on which to base future decisions.
- *The* status quo: Consider what aspects of the parties' relationship are currently working, and include these in the agreement. Seek mutually acceptable and fair standards and criteria for framing the agreement
- *Agreements in principle*: Start with general principles that all the parties can agree to. Then work on clarifying how these principles can be put in place to lead to an agreement.
  Example:
  Problem: How can we make sure that local people have the same chances of finding employment with companies as workers from outside the area?
  First agreement in principle: The companies and the community agreein principle that the companies should employ more local people.
  Second agreement in principle: The companies and the community agree in principle that those hired should have certain qualifications or skills.
  Third agreement in principle: The companies and the community agree in principle to develop a list of specific qualifications and skills that those employed must have. These are listed in the resulting agreement.

The building block approach divides an issue into sub-issues or components. These smaller components comprise manageable tasks for problem solving. Options are generated to address each sub-issue.

- *The building-block approach*: Break down the overall problem into several smaller problems, and put the solutions to each of these together to get an agreement.
- *Links and trades*: To solve one problem, link it to another. If a local community wants compensation and jobs, a company can offer a set number of jobs as part of a compensation package.
- *Procedural solutions to substantive problems*: For example, a company has cut a lot of trees in the watercourse, and water quality has declined. To reduce runoff, the community wants large numbers of certain types of tree to be planted in specific places. The company thinks that this would involve a lot of unnecessary effort, and disagrees with this solution. Instead of finding one solution, the company and the community therefore need to find a process for tackling the restoration issue. Start by implementing the company's suggested solutions, but have both the company and the community monitor the water quality. After a season of implementing the company's solution, if the water quality has not improved, the company should increase its planting efforts. This procedural process is useful when the parties cannot find an answer to their problems.
- *Vision building*: This means getting the parties to imagine the future and working back from that vision. For example, a future vision sees that in five years time, a joint forest management plan will have established good working relations, improved forest health and brought better economic outcomes for the community. If all the parties want this, they can work backwards from the vision, defining the steps required to get there.
- *Model agreement*: Past successes from other areas can be used to build/revise a suitable agreement for the current case.
- *Single-text document*: This is effective when some parties cannot read. The mediator listens to all the possible options and writes a draft. One by one, the parties add to or change the draft so that it works for them, until the document works for everybody.

Step 12: Develop a written agreement

Generally, one individual or a group of negotiators is assigned the task of preparing a draft agreement. If the agreement contains specialized information such as complex legal or scientific language, the job of drafting may be assigned to a subgroup of negotiators who are familiar with the subject. All parties should review the document to determine whether it reflects the oral agreement they have already reached.

Present the draft to constituents or lawyers for review and approval: The parties to the conflict need time to confirm the options they agree to and obtain support from their constituents. One of the greatest pitfalls in negotiations occurs when the negotiator for party exceeds his/her authority in reaching an agreement. For example, public officers involved in managing conflicts may need to obtain approval – and authority to act – from their superior officers. This is especially true in situations where changes to policy or administrative practice are required. It may therefore be beneficial to interrupt the negotiation process, especially at important times. The final agreement should not be worked out until all the representatives can provide assurance that they have the mandate and support of their constituencies.

Draft a final written agreement: Writing an agreement can be a powerful tool for facilitating the termination of a dispute. Questions related to the timing of the agreement, who should write it, the form the document should take, and the language used all influence the acceptability of the settlement.

The final version of the agreement should include agreement on how to resolve future disputes: To save participants' time and money if problems arise later, mechanisms for resolving future conflicts should be built into the framework of the negotiations.

Stage 3: After the agreement is reached – the post-deliberation phase

Once an acceptable solution has been identified, it must be approved and implemented by all the stakeholders.

During stage 3, the objectives of the collaborative process are to approve and implement the agreement.

Step 13: Approve the agreement

Confirm the agreement with a larger constituency: Once an agreement has been drafted, the negotiating parties may wish to confirm its acceptability to their broader constituencies. This is an important step in obtaining broad support and acceptance. Before final agreement, the full support and commitment of all stakeholders must be confirmed. If some subgroups remain apart from the main group, the document needs to clarify which participants are party to the agreement and which are not.

Make the agreement public: A final point of discussion is the extent to which stakeholders wish to make their agreement public. Depending on its nature, the final agreement may be enacted through a formal signing in front of witnesses, or may require government approval. If the agreement affects many people, stakeholders may consider holding a public forum. Some groups choose to bind their decision formally by entering their agreements into the legal system. Others announce their agreements at local council meetings or through the media.

Step 14: Implement the agreement

A negotiation is not successful until the methods for achieving its goals have been mapped out. For this reason, a plan for implementation should be included in the final agreement, and not added as an afterthought. Although the parties will now understand other stakeholders better and are likely to have developed a greater understanding of their differences, they may remain adversaries. It would be very risky to assume that differences of opinion and competition for resources will disappear completely.

Any effort to implement agreements should involve the following actions:

- *Monitor results*: A monitoring system provides a central point to which all parties can direct their concerns and suggestions. It should outline specific tasks associated with implementation and set reasonable deadlines for completing these. It should also keep the parties informed of progress, including governing bodies and agencies not directly included in implementation. Monitoring can be conducted by a political official, local leader, government agency or committee made up of representatives involved in the negotiation.

- *Decide which actions constitute violations of the agreement and how to handle them*: Violations will occur: public disputes involve organizations, and organizations change their staff and policies. The monitoring committee must take responsibility for naming violations and exploring the reasons for any infraction with the offending party. If the possibility of violations is anticipated and sanctions established, the job of the committee is easier.
- *Renegotiate, if necessary*: Agreements regarding nfps are made in the context of a larger framework of national and international policies that are subject to change. It is therefore not surprising if some sections of an agreement require renegotiation.
- *Celebrate the success*: A collaborative conflict management procedure is successful when it leads to a consensual negotiated settlement. The implementation of an agreement is another measure of success. In both cases, success can be claimed only when all the participants rate the outcome as better or more time- and cost-efficient than other forms of conflict management (such as court decisions).

However, measuring success in terms of results and their implementation does not take fully into account the benefits of collaborative conflict management. Even when it is not possible to reach a consensus, the participants may acquire useful experience:

- The joint search for solutions builds trust among all participants and prevents policy strangulation when the State is one of the conflicting parties. Citizens see themselves as the subjects and not only the objects of policy and administrative decisions.
- The stakeholders' future relationships are improved.
- Participation creates competence. Collaborative conflict management is a learning process for all participants. Parties may have gained new insights on their means of influencing decisions, learned new ways of managing differences and developed a better understanding and greater respect for each other's interests in the future. For this reason, collaborative conflict management processes are likely to result in increased competencies for handling conflict situations, a strengthened sense of responsibility in conflict-charged situations, and – ultimately – even political change.

Session plan 10: Moving chairs

Purpose:

At the end of the session participants:

- have experienced how the interpretation of a situation influences the response and outcomes;
- understand that competition can lead to either conflict or cooperation;
- have experienced how competing interests can be met through cooperation.

Time:

One hour.

Materials:

About 20 chairs.

Preparation:

- Copy equal numbers of instructions A, B and C (see Attachment 10.A Instructions) on to separate pieces of paper, ensuring that there is one instruction for each participant.
- Clear the room of all tables and all but about 20 chairs, which should be placed randomly in the centre.
- Choose two points at opposite corners of the room, and mark these prominently as “X” and “Y”.

Cross-reference:

Chapter 2.2.2, step 5 of the handbook (FAO, 2012).

Steps:

1. Do not explain the purpose of the activity, but tell participants that this will become apparent at the end.
2. Give each participant an instruction A, B or C from Attachment 10.A. Distribute equal numbers of each instruction randomly among the group. Tell participants not to read the instructions until they have been told to. Tell them not to show their instructions to anyone else, but do not say anything about not talking to anyone else.
3. Explain that the participants will be asked to carry out the instructions given to them.
4. Once all the participants understand what they are to do, ask them to read their instructions and carry out the tasks described.
5. Watch the process in the different groups, and in the overall group, noting whether and how participants start to cooperate and reach a solution. If participants do not reach agreement, stop the activity.
6. Start a discussion with the following questions:
   - What did you experience during this activity? (Answers will probably range around conflicts, confusion, communication breakdown, etc.)
   - How did you interpret the instructions? Did you follow them? Why or why not?
   - How does this activity relate to a real situation in your work context? (Bring out issues of conflict, collaboration, working in isolation, partnerships, etc.)
   - What does this tell us about conflicts over limited resources?

Conclude the session by emphasizing the key learning points.

Key learning points

Incompatibilities can be real or only perceived, because people cannot see ways of bringing their different goals/views/interests together. Because conflicts are based on perceptions, there are opportunities for resolving a conflict through changing the ways in which people think and act. This might sometimes be the only way to move a conflict forward.

This exercise shows that a conflict caused by seemingly incompatible interests can be resolved through creative thinking so that everyone's interests are met.

Attachment 10.A: Instructions

- Arrange all the chairs in a circle.
- Put all the chairs near the point marked "X".
- Put all the chairs near the point marked "Y".

Session plan 11: How are we different?

Purpose:

At the end of the session participants:

- appreciate people's different ways of responding to conflict;
- understand the advantages and disadvantages of the different responses to conflict;
- understand that the focus of the training is collaboration.

Time:

45 minutes.

Materials:

Markers, flip-charts, cards.

Preparation:

Copy:

- Attachment 11.A "Determinants of personal responses to conflict" on to a flip-chart;
- a set of cards from Attachment 11.B Five different responses to conflict for each small group of participants;
- Attachment 11.C "Conflict responses answer sheet" for each small group of participants.

Cross-reference:

Chapter 3.4 of the handbook (FAO, 2012).

Steps

1. Explain that the purpose of this activity is to look at some of the behaviours that were displayed in session 10 “Moving chairs” and the way in which individuals respond to conflict.
2. Introduce the determinants of personal responses to conflict graph (Attachment 11.A) and explain that two key considerations determine individual responses to conflict: relationships with the other parties; and the reaching of personal goals. Point out that there are five main responses to address conflict – avoidance, accommodation, compromise, force and collaboration – but do not explain them at this stage.
3. Divide the participants into small groups. Explain that each group will receive a set of cards describing different responses to conflict. Each set contains one card for each of the different responses to conflict and additional cards that describe actions. Each group is to sort the action cards and place them under the appropriate response card.
4. After 15 minutes, provide each group with a copy of the conflict responses answer sheet (Attachment 11.C) and ask them to:
   - assess how their categories match those on the answer sheet;
   - discuss the terms as shown on the determinants of personal responses to conflict graph.
5. Reconvene the overall group, and ask for suggestions of where the terms should be placed on the graph.
6. Initiate a discussion with the following questions:
   - What are the inherent advantages and disadvantages of each approach (see Attachment 11.D Trainer’s background to the five main responses to conflict)?
   - Why is it important to know about the five main responses and their inherent advantages and disadvantages?
   - What do you think influences your personal response to conflict?
7. Close by summarizing the key learning points and explaining that the focus of this training is on collaboration because of its many advantages for natural resources management, when the necessary frame conditions are in place. Mention that these advantages and frame conditions will be reviewed in later sessions.
8. Distribute the handout.

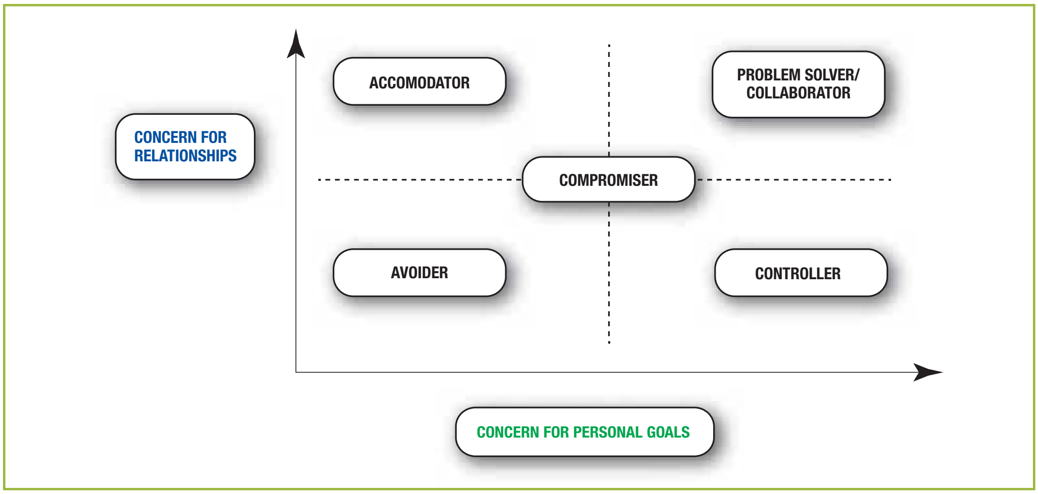
Key learning points

There is no right or wrong way of responding to conflict. Every response has its own advantages and disadvantages, and any might be the most appropriate for the specific circumstances. For example, it may be difficult to avoid conflict in the long term when a situation is escalating; in other situations avoiding conflict for the moment may be the most appropriate response. It is important to know why one response (or several) has been selected and not others.
Everybody has personal preferences that influence their responses to conflict. Factors that influence personal preferences include:

- past experiences of conflict;
- culture;
- family history;
- the specific conflict situation.

Learning to identify and work with personal and cultural differences – others’ and one’s own – is an important component of effective conflict management.
The response selected depends on many factors: personal preferences, the conflict situation, the time and other resources available for finding a resolution, the readiness and abilities of main stakeholders, etc.

ATTACHMENT 11.A: DETERMINANTS OF PERSONAL RESPONSES TO CONFLICT



ATTACHMENT 11.B: CARDS FOR FIVE DIFFERENT RESPONSES TO CONFLICT

Force	Works to satisfy all interests and needs
Avoidance	May be used when participants are unwilling to spend much time
Accommodation	Is the attempt of one group to impose its interests over others
Compromise	Results in win–win situation
Collaboration	Parties have no interest in maintaining a relationship
Neglects interests of all parties by postponing decisions, retreating, using delaying tactics	Can involve threats, harassment, use of supernatural powers, peer pressure, etc.
May be used when one party has more power or is willing to preserve the relationship	Useful for quick solutions
Requires time to involve all parties actively and equally in the process	Satisfies the other parties' interests, while foregoing own needs
Results in lose–lose situation when used in isolation	Creates hostility and resentment
Parties sacrifice something to gain something else	Used when it is important that all parties are committed to the resolution
Results in lose–win situation	Outcome uncertain
Results in a sort of win–win/lose–lose situation	All parties sacrifice something in order to achieve a mutually workable solution
Results in only a temporary solution	Results in win–lose situation
May seem easier than getting involved	Focuses on goals and consensus agreements

Attachment 11:C. Conflict responses answer sheet

Responses to conflict	Characteristics
Force	▪ Is the attempt of one group to impose its interests over others ▪ Can involve violence, threats, harassment, use of supernatural powers, peer pressure, etc. ▪ Creates hostility and resentment ▪ Outcome uncertain ▪ Parties have no interest in maintaining a relationship ▪ Results in win–lose situation
Avoidance	▪ Neglects interests of all parties by postponing decisions, retreating, using delaying tactics ▪ May seem easier than getting involved ▪ Results in lose–lose situation when used in isolation ▪ Results in only a temporary solution
Accommodation	▪ Satisfies the other parties' interests, while foregoing own needs ▪ May be used when parties are unwilling to spend much time ▪ May be used when one party has more power or is willing to preserve the relationship ▪ Results in lose–win situation
Compromise	▪ Useful for quick solutions ▪ All parties sacrifice something in order to achieve a mutually workable solution ▪ Parties sacrifice something to gain something else ▪ Results in a sort of win–win/lose–lose situation
Collaboration	▪ Works to satisfy all interests and needs ▪ Focuses on goals and consensus agreements ▪ Requires time to involve all parties actively and equally in the process ▪ Results in win–win situation ▪ Used when it is important that all parties are committed to the resolution

Attachment 11.D: Trainer's background to the five main responses to conflict

Response	Characteristics	Advantages	Disadvantages
Force	A person or group attempts to impose her/his/its interests over those of others	Can induce changes or lead to progress	Can result in violence, threats, harassment, use of supernatural powers, peer pressure, economic and policy sanctions, and pressure through mass media and intimidation Creates hostility and resentment Puts the relationship among parties at risk Results in win–lose situations

see next page

Response	Characteristics	Advantages	Disadvantages
Avoidance	Delays a response temporarily	Buys time for exploring the situation or devising an appropriate response Can save time and energy Can save face in delicate situations	Neglects the interests of all parties Results in lose–lose situations when used in isolation Might result in only a temporary solution
Accommodation	Satisfies the other parties' interests while foregoing own needs	Useful when quick solutions are required Useful when resources (time, money, etc.) for seeking solutions are limited Useful as a temporary solution or where a partial solution is better than none Useful when preserving the relationship is more important than finding a solution	Results in lose–win situations Sometimes arises because one party has more power than the other(s)
Compromise	All parties sacrifice something in order to achieve a mutually workable solution	Useful when quick solutions are required Useful when resources (time, money, etc.) for seeking solutions are limited Useful as a temporary solution or when a partial solution is better than no solution Useful when preserving the relationship is more important than finding a solution	Results in a sort of win–win/lose–lose situation Parties have to sacrifice something to gain something else
Collaboration	Works to satisfy all interests and needs Focuses on goals and consensus agreements	Improves relationships Offers shared benefits to all parties Is the best possible outcome when many different people have different and sometimes divergent interests	Requires time to involve all parties actively and equally in the process Works only when all parties are committed to finding a solution

Session plan 12: 1, 2, 3, Go!*

PURPOSE:

At the end of the session participants:

- have had a wake-up call to their brains;
- have been reminded of the importance of listening before acting when working with other stakeholders;
- are aware of the speed with which people can move from forming assumptions to taking action.

TIME:

10 minutes.

MATERIALS:

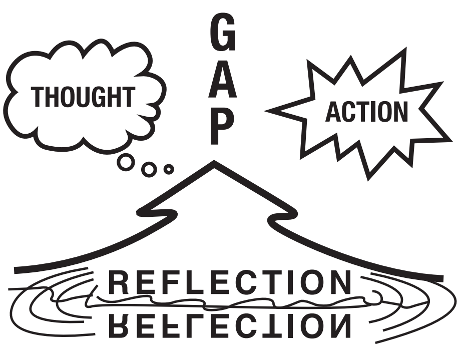
None.

PREPARATION:

None.

STEPS:

1. Ask the participants to stand up where they can see the trainer, with about 1 m between them.
2. Ask the participants to hold their arms out in front of them.
3. Tell them "Now I am going to count slowly to three and then say 'Go'. When I say 'Go' everyone should clap their hands together".
4. Slowly count "1, 2, 3" then clap your hands together loudly, pause for one second, and say "Go".
5. When you clap your hands together before saying "Go", almost everyone will clap their hands together, without waiting until you say "Go".
6. Pause a moment and let everyone realize what happened.
7. Repeat your instructions and then try again. Do not focus attention on those individuals who still clap prematurely, because they are usually quite embarrassed.



adapted from Dawna Markova

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* (From Booth Sweeny and Meadows, 1996).

Key learning points

In many ways the exercise supports the aphorism "actions speak louder than words". For a conflict manager (or mediator), it is crucially important that her/his actions are consistent with what he/she is telling people. Otherwise people start to doubt what the conflict manager says.

The exercise examines automatic responses or "hard-wiring". The participants' clapping is an automatic response, which shows how quickly they move from forming an assumption to taking action. The leads to the questions "Where else do we have automatic responses?" "Where do they serve us"? "Where do they not serve us?". Where they do not serve, people need to introduce space (for reflection) between thought and action.

This exercise illustrates a new way of looking at things and learning. It encourages participants to adopt a broader perspective when trying to understand a (conflict) situation. Conflict managers have to combine different messages (in this case body language and verbal message) to understand how things happen.

Session plan 13: Introduction to consensual negotiation

Purpose:

At the end of the session participants:

- can explain the four basic principles of consensual negotiation;
- understand the usefulness to negotiate on the basis of interests
- can explain why they need to generate a variety of options when applying consensual negotiations;
- understand why they have to use objective criteria to assess the options.

Time:

Two to three hours.

Materials:

Flip-charts.

Preparation:

Prepared flip-charts with main messages or graphs from steps 1 to 8.

Steps:

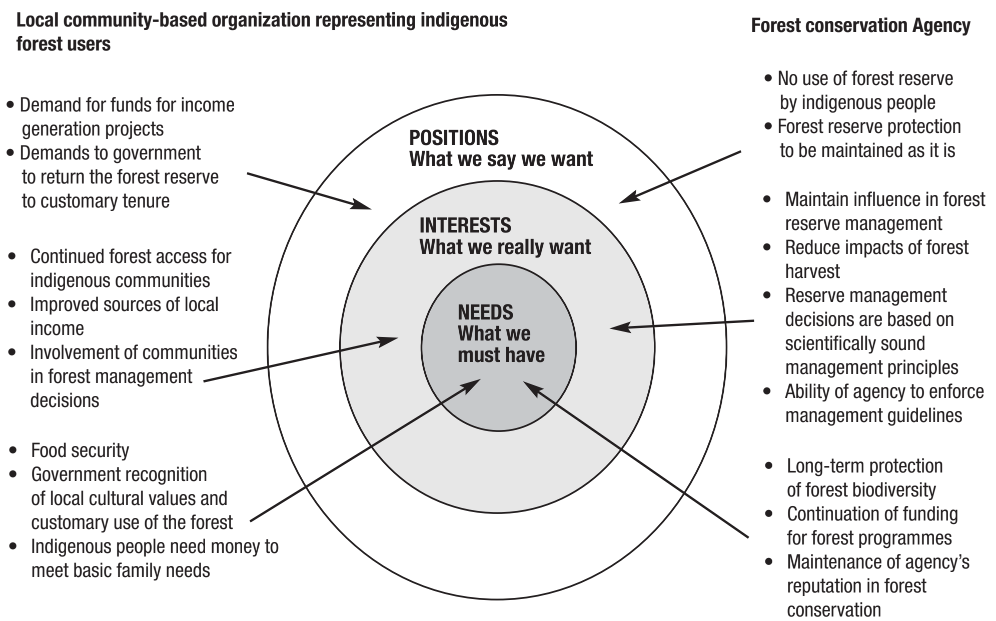
1. Explain that this is an introduction to what consensual negotiation is all about. The interest-based or consensual negotiation approach (also known as the "integrative negotiation approach", "principled negotiations" or "Harvard negotiations") is at the heart of the process map introduced in session 9. This approach to negotiations has its roots in international relations, political theory, research on labour disputes and social decision-making.
2. Underlying the approach are four basic principles, which provide a framework for thinking about how to deal with negotiations and conflict. These principles are easy to learn but require diligence to master.

3. The four principles of negotiation can be used effectively in almost any type of dispute. These principles should be observed at each stage of the negotiation process:
   - *People*: Separate the people from the problem.
   - *Interests*: Focus on interests, rather than positions.
   - *Options*: Generate a variety of possible ways forward.
   - *Criteria*: Make sure that the result and the process are based on objective criteria.

4. **People** tend to become personally involved with the issues and with their own positions. They therefore tend to interpret responses to those issues and positions as personal attacks. Separating the people from the issues allows the parties to address the issues without damaging their relationship. It also gives them a clearer view of the substantive problem.
   There are three basic sorts of “people problems”:
   1. Differences of perceptions among parties: Participants need to understand different perception, others’ and their own (refer to session 6 “Different interpretations”).
   2. The involvement of a wide range of emotions: People often react with fear or anger when they feel that their interests are threatened – participants need to recognize and understand emotions, others’ and their own.
   3. Poor communication: Participants need to practise good communication, which includes active listening, using clear and simple language, speaking about themselves and not about others, etc.
5. Good agreements focus on the parties’ **interests**, rather than on their positions. People decide their positions, and interests are what guide their decisions. Interests explain the underlying motivations behind a position, or what is driving a person to take a certain position (needs, desires, concerns, fears, etc.). When a problem is defined in terms of the parties’ underlying interests it is often possible to find a solution that satisfies all parties.
   The conflict layer model (or “conflict onion”, Figure 13.1) helps the parties involved in conflict to examine their own positions, interests and needs and to gain a better understanding of the interests and needs of the other side(s). The conflict layer model consists of concentric circles showing the needs, interests and objectives or positions of the various parties to the conflict, broken down into different categories – positions, interests and needs.
   The outer layer of the onion can be thought of as the public *positions* of the various opposing groups – what they say and do. The second layer is their *interests* – what they want to achieve from a particular situation. At the core are the most underlying motivations – the needs, which must be satisfied. While interests can often be negotiated, basic needs, such as recognition, are usually non-negotiable.
   Interests are more long-term, and reflect the broader hopes of a person or group. Some interests may be central to all parties, and these may have been overlooked. Such shared interests could include reducing conflict, increasing peace and restoring healthy relationships. Stakeholders may be tired of the dispute disrupting their daily life and may want to move forward. The mediator can remind stakeholders about the impacts of violence, the costs of conflict and, possibly, the damage to their public image or legitimacy. Confidence that their interests can be met is often very persuasive to conflict stakeholders, particularly after a protracted conflict.
   The positions taken by the indigenous forest users and the forest conservation union in the “conflict onion” (Figure 13.1) seem quite incompatible; there does not seem to be much room for negotiation. The demand to return the forest reserve to customary tenure is counterbalanced by a demand to prohibit indigenous people’s use of the reserve.

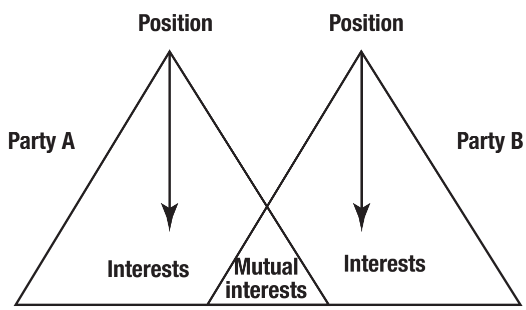
However, when the situation is considered from the viewpoint of interests it looks different. Reduced-impact logging or the desire to base management on scientifically sound principles could be compatible with involving communities in management decisions and improving sources of local income. Focusing on inflexible, immediate and often deeply held positions reduces creativity and restricts the exploration of possible solutions to conflict. Interests are frequently many and varied. Some are contradicting or competing, while others (Figure 13.2) are likely to be overlapping, compatible and shared by all the groups. When conflict stakeholders have identified mutual interests from which all can benefit, they have reached a point from which the actual conflict management process can start.

FIGURE 13.1 - THE "CONFLICT ONION": DISTINGUISHING INTERESTS AND POSITIONS



Source: : Adapted from Fisher et al., 2000.

FIGURE 13.2 - IMPROVING OPPORTUNITIES FOR COLLABORATION: MOVING FROM POSITIONS TO INTERESTS



Source: Adapted from Grzybowski and Morris, 1998.

In addition to identifying and separating their positions from their interests and needs, negotiation parties also need to consider the likely interests and needs of other parties. To go one step further, moving from *rivalry to collaboration*, they need to understand:

- how these interrelate or are interdependent;,
- that there is more to gain from collaborating than from competing.

Reconciling interests rather than positions works for two reasons. First, for every interest there are usually several possible positions that could satisfy it. All too often people simply adopt the most obvious position. Second, underneath people's positions there are often many more shared and compatible interests than there are opposing ones.

6. **Options:** Consensual negotiation requires the generation of a variety of options.
   Parties may select an option prematurely, without considering the alternatives. They may define the problem in win–lose terms, assuming that the only option is for one side to win and the other to lose. Or one party may decide that it is up to the other to come up with a solution to the problem.
   Separate the generation of options from the evaluation of options. The idea is to be creative and to widen the options. Any idea generated by anybody is worthwhile. Only after a variety of proposals have been made should the group turn to evaluating and prioritizing these ideas. Participants can avoid falling into a win–lose mentality by focusing on shared interests. When the parties' interests differ, they should seek options in which the differences can be made compatible or even complementary. The key to reconciling different interests is to "look for items that are of low cost to you and high benefit to them, and vice versa". Each side should try to make proposals that are appealing to the other side, and that the other side would find easy to agree to.
7. **Best alternative to a negotiated agreement (BATNA):** Parties negotiate to produce something that is better than what they could obtain without negotiating. This something is their BATNA.
   BATNAs serve three basic functions:
   - Security: The weaker party should reject agreements that would leave it worse off than its BATNA would. Without a clear idea of its BATNA a party is negotiating blindly. The BATNA is also key to making the most of existing assets.
   - Power: Power in a negotiation comes from the ability to walk away from the negotiation. Thus the party with the best BATNA is the most powerful party in the negotiation. Generally, the weaker party can take unilateral steps to improve its BATNA. It must identify potential opportunities and take steps to develop these.
   - Analysis: The weaker party will have a better understanding of the negotiation context if it tries to estimate the other side's BATNA. Developing its BATNA thus enables a party not only to determine its minimally acceptable agreement, but also probably to raise that minimum.
8. **Criteria:** Decisions based on reasonable standards make it easier for the parties to agree and preserve their good relationship. Without criteria, decision-making between opposing partners can result in a battle of wills, destroys relationships, is inefficient and is unlikely to produce wise agreements.
   The first step is to develop objective criteria. Usually a number of different criteria could be used. The parties must agree which are best for their situation. Criteria should be both legitimate and practical. Scientific findings, professional standards or legal precedent are possible sources of objective criteria.
   One way to test for objectivity is to ask whether both sides would agree to be bound by those standards.

Rather than agreeing on substantive criteria, the parties may create a fair procedure for resolving their dispute. For example, children may divide a piece of cake fairly by having one child cut it, and the other choose a piece.

There are three points to keep in mind when using objective criteria. First, each issue should be approached as a shared search for objective criteria. Ask for the reasoning behind the other party's suggestions. Using the opposing party's reasoning to support a position can be a powerful way of negotiating. Second, each party must keep an open mind. Parties must be reasonable, and willing to reconsider their positions when there is reason to. Third, negotiators must never give in to pressure, threats or bribes. When one party refuses to be reasonable, the other party may shift the discussion from a search for substantive criteria to a search for procedural criteria.

Session plan 14: Orange quarrel

Purpose:

At the end of the session participants:

- have reflected on positional bargaining versus interest-based negotiations;
- have observed the shortcomings of positional bargaining (harming relationships, producing unwise results).

Time:

15 minutes.

Materials:

None.

Preparation:

None.

Steps:

1. Find two volunteers to perform the following drama together. “A sister and a brother start fighting for the only orange left in the fruit bowl. Each of them argues that she/he deserves the orange. Please consider how children would argue in such a situation, including by making unfair accusations or threats:
   - The other child eats all the oranges.
   - Their mother has always loved the other child more.
   - The other child is always stubborn, and never compromises.
   - ‘If you don’t let me have the orange then I will....’

   “The fight gains in intensity and volume, but neither child says what he/she wants the orange for. Finally, one of them suggests cutting the orange into two equal halves saying that this will be the ‘fairest’ solution. The orange is divided into two and each child gets one half.

   “After a few seconds of silence, one of them asks: ‘In any case, what did you want the orange for?’
   The other child answers ‘I wanted to squeeze the orange to make juice. How about you?’
   ‘Ohhhhh – I just wanted the peel to make a cake!’”

2. After the drama, debrief the exercise by asking participants:
   (1) What did you observe happening?
   (2) What can we learn from it?
   (3) How do we take this into consideration in conflict management processes?
3. Explain the following key learning points from the role play.

Key learning points

People who see themselves as adversaries rather than partners in negotiations tend to pursue a strategy of "get any deal", "get the other party to make more concessions" or "get the maximum possible" ("last dollar"). This strategy encourages stubbornness and may harm the parties' relationship.

People who do not communicate their interests to each other often make unwise decisions during negotiations, because agreements tend to neglect the parties' interests. Interest-based negotiation provides a way of reaching agreement based on parties' interests while maintaining good relationships with others.

Session plan 15: Thumb wrestling

Purpose:

At the end of the session participants:
- have questioned their own assumptions;
- have experienced how these assumptions can lead to competition instead of collaboration.

Time:

15 minutes.

Materials:

None.

Preparation:

None.

Steps:

1. Ask everyone to find a partner. Explain the two rules of this exercise.
   (1) You have 15 seconds to accumulate as many points for yourself as possible. A point is made by placing your thumb on top of your partner's.
   (2) Do not injure your partner's thumb.
2. After the wrestling, ask "What assumptions did you have during this exercise"? (Participants commonly assume that they were in competition with their partners.) Ask participants why they competed rather than cooperated.
3. Make sure that the main learning points are discussed.

Key learning points

Consensual negotiation is not just a technique to be learned, it also requires an attitude change towards negotiation and towards the other parties in a negotiation. Whenever parties compete, the assumption is that they are adversaries in negotiations, and this prevents them from negotiating in a consensual manner. These assumptions can arise from several factors:

- *Low expectations*: Participants did not think about what would be possible, or did not set a goal. When people set no or low goals, they are not challenged to find new ways of accomplishing those goals.
- *Time pressure*: Participants felt the pressure of having only 15 seconds to accumulate as many points as possible. People should take time for reflection before they take action.

  Lack of trust in partners: The assumption of competition led participants to distrust their partners and to assume that their partners would work against them.

  Poor example: The facilitator described the exercise as though it was a competition.
- *Inadequate vocabulary*: “Accumulate as many points as possible” and “injure” gave a feeling of intensity and competition.
- *Dysfunctional norms*: Most participants approached the exercise by assuming they could succeed only if their partner failed.

Session plan 16: Whose land is it?

Purpose:

At the end of the session participants:

- have applied the first, second and third principles of the consensual negotiation approach (see session 13);
- have practised developing options for mutual gain.

Time:

75 minutes.

Materials:

Flip-chart.

Preparation:

Copy the map in Attachment 16.A “Whose land is it?” on to a flip-chart.

Steps:

1. Explain that the purpose of the negotiation exercise is to practise the first three principles of consensual negotiations. Brief participants about the negotiation scenario (as described in Handout 16).

2 Ask the participants to form two groups: Alpha and Omega. Assign each participant a role and distribute the role play descriptions for Alpha and Omega from Handout 16.

3. Ask the groups to take 20 minutes to prepare a strategy as Alpha and Omega, considering the followings questions/issues:

- Describe your most important interests related to this issue.
- What are the interests of the other tribe in relation to this issue likely to be?
- What arguments should you offer that will appeal to the interests of the other side while influencing the discussion in your favour?
- How can you take full advantage of both your own interests and those of the other tribe to make the “negotiation pie” larger for both parties?

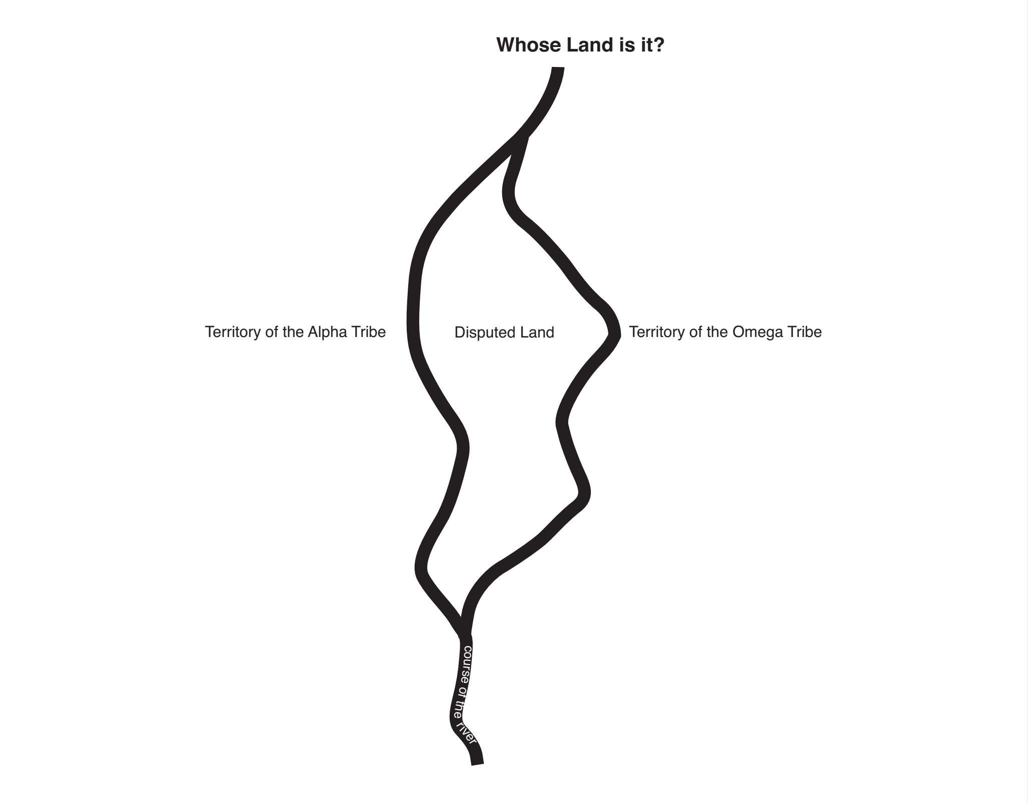
4. Ask the participants to come together in pairs of one Alpha and one Omega and to take 20 minutes to carry out bilateral negotiations. Pairs should record the main features of the outcomes from their negotiations on a card.
5. Debrief the bilateral negotiations in plenary drawing attention to the key learning points. First, ask the participant pairs briefly to present the agreements they have reached. They should pin these on a flip-chart or board so that all the different options can be seen.

Key learning points

Each pair found a possible solution for this conflict. This shows that there are many possible options.

Parties in a negotiation need to generate as many options as they can before deciding on which one to adopt. The first option that comes to mind is neither necessarily the best nor is there a guarantee that it is acceptable to other conflict parties.

ATTACHMENT 16.A: WHOSE LAND IS IT?



Whose land is it? (Handout 16)

You are a member of the **Alpha tribe** that lives in the Alpha territory. The land of your clan abuts that of the Omega tribe. For a number of years, there has been a serious conflict between the tribes over ownership of a parcel of land that is on the border of your territories.

In rainy seasons a stream flows on either one or the other side of the contested land and forms an island. The Omega tribe claims that the stream forms the border of its land, especially when it flows on the “right side of the island”.

Your tribe has not been able to harvest its crops – mangoes and avocadoes – on the land since the most recent outbreak of the conflict: the Omega tribe escalated its claims during the rainy season when the stream surrounded the contested land to form an island. Whenever members of your tribe went on to the land, members of the Omega tribe chased them off.

A few days ago the community leaders decided to convene a meeting to see whether a negotiated agreement can be reached. You have been asked to sit at the negotiating table and to speak on behalf of your tribe.

Your tribe especially prizes the mangoes that are grown on the disputed land, which you believe are the biggest and sweetest in the district, and perhaps in the entire province. Of course, you also want the avocadoes.

If you cannot get everything you want, you may be open to other solutions as long as they are fair and do not involve giving up your claim to the land. You also want to reach an agreement on a process for resolving future disputes that might arise over the land, so that the conflict does not re-escalate later.

Before meeting the representative of the Omega tribe, you prepare yourself for the discussion:

1. Describe your most important interests related to this issue.
2. What are the interests of the representative of the Omega tribe in relation to this issue likely to be?
3. What arguments should you offer that will appeal to the interests of the other side while influencing the discussion in your favour?
4. What options can you think of that would satisfy your interests and the likely interests of the Omega tribe?

Whose land is it?

You are a member of the **Omega tribe** that lives in the Omega territory. The land of your clan abuts that of the Alpha tribe. For a number of years, there has been a serious conflict between the tribes over ownership of a parcel of land that is on the border of your territories.

In rainy seasons a stream flows on either one or the other side of the contested land and forms an island. The Alpha tribe claims that the stream forms the border of its land – as you do, especially when it flows on the "right side of the island".

Your tribe has not been able to harvest the crops – mangoes and avocadoes – on the land since the most recent outbreak of the conflict: the Alpha tribe escalated their claims during the rainy season when the stream surrounded the contested land to form an island. Whenever members of your tribe went on to the land, members of the Alpha tribe chased them off.

A few days ago the community leaders decided to convene a meeting to see whether a negotiated agreement can be reached. You have been asked to sit at the negotiating table and to speak on behalf of your tribe.

Your tribe especially prizes the avocadoes that are grown there, which you believe are the biggest and most delicious in the district, and perhaps in the entire province. Of course, you also want the mangoes.

If you cannot get everything you want, you may be open to other solutions as long as they are fair and do not involve giving up your claim to the land. You also want to reach an agreement on a process for resolving future disputes that might arise over the land, so that the conflict does not re-escalate later.

Before meeting the representative of the Alpha tribe, you prepare yourself for the discussion:

1. Describe your most important interests related to this issue.
2. What are the interests of the representative of the Alpha tribe in relation to this issue likely to be?
3. What arguments should you offer that will appeal to the interests of the other side while influencing the discussion in your favour?
4. What options can you think of that would satisfy your interests and the likely interests of the Alpha tribe?

Session plan 17: Role of a mediator

Purpose:

At the end of the session participants:

- have greater understanding of the role, skills and qualities of a mediator.

Time:

60 minutes.

Materials:

Markers, flip-charts.

Preparation:

- Copy Attachment 17.A "Role of a mediator" on to flip-charts or use PowerPoint.
- Photocopy Handout 17 for each participant.

Cross-reference:

Part 4 of the handbook (FAO, 2012).

Steps:

1. Explain that participants have already discussed what mediation is. This session examines the role and tasks of a mediator more closely.
2. Review the definition of a mediator as someone who has limited or no authoritative decision-making power but helps the parties in a conflict to resolve their dispute through promoting conciliation and facilitating negotiations. As with negotiation, mediation leaves the decision-making power primarily in the hands of the conflict parties. They enter into a voluntary agreement, which they themselves, and not the mediator, implement.

   Mediators vary significantly in how they define their role and involvement in promoting successful negotiations. The main question is whether to focus on process, substance and/or relationships between parties. This training material encourages focusing on the process and being neutral towards the content, for a variety of reasons.

   Ask the participants for reasons why a facilitator/mediator needs to be content-neutral. Make sure that the following reasons are discussed:
   - The conflict parties are usually better informed than any third party could ever be.
   - When parties make their own decisions they are more committed to implementing and adhering to a settlement.
   - The thinking process of groups is more creative than that of individuals.
   - The facilitator/mediator needs to avoid being perceived as favouring one idea and taking sides.
3. Review the two core features of facilitation/mediation: content neutrality and process guidance. Being content-neutral means not taking a position on the issues being discussed and not having a position or interest in the outcome.
4. Explain that a mediator in a conflict needs first to assess how neutral or impartial she/he is. The role of mediator may be difficult or impossible for somebody who is involved in and affected by the conflict. Show the flip-chart of Attachment 17.A (i) "Review what stake you hold" and ask participants to assess themselves against the questions.

5. Point out that sometimes a person who has not passed the neutrality test may still be expected to act as a mediator. It is sometimes impossible to find a truly neutral mediator. In such situations, the mediator needs two major attributes: credibility, to be accepted in the role; and trust, to be seen as finding an unbiased solution.
8. Divide the participants into groups of four or five and ask half the groups to think about what provides credibility and the other half to think about what builds trust. Give them five to ten minutes to do so.
9. Reconvene the participants. Ask the groups working on credibility to call out their ideas, and note these on a flip-chart.
10. Show the flip-chart of Attachment 17.A (ii) “What confers credibility?” and discuss any of the suggestions that did not emerge from the group’s discussions.
11. Repeat the process with the group working on trust, using the flip-chart of Attachment 17.A (iii) “Ways of generating trust in the mediator”.
12. Now turn to the second core feature of a mediator, which is guiding the process. A mediator helps the communication and decision-making process by encouraging full participation, better understanding, shared responsibilities, etc. Explain that good communication and facilitation skills are among the most important assets of a facilitator or mediator. Without formal authority or decision-making power, mediators’ power stems from their people and communication skills: their ability to steer discussions, articulate issues and concerns clearly, and establish rapport, trust and understanding among the parties.
13. Introduce probing as a communication technique that uses follow-up questions to gain as much understanding as possible about the issues in dispute. By probing, the mediator can get closer to the real reason behind something.
14. Ask participants to get together in pairs and to practise probing to get a taste: “Think of a simple problem that has been bothering you – a difficult boss, giving up smoking, etc. Form pairs and share your problem with your partner. Take turns, one sharing a problem, and the other asking questions to help reach a solution. The questioners should use the triangle model illustrated in Attachment 18.C to ask questions that help their partners to solve their problems for themselves. Under no circumstances is the questioner to give his/her own solutions.”
    After each person has had an opportunity to question and be questioned, reconvene the participants and ask: What happened? Was it easy or difficult?
    Ask the questioner: What did you do to prevent your own ideas from filtering into your questions?
    Ask the problem sharer: How did you feel as the person being questioned? Did it help you to find a solution? If yes, how?
15. If time permits introduce and practise controlled dialogue.
    Divide participants into groups of four. Two members of each group will do the exercise while the other two observe.
16. The two active group members select a controversial topic to discuss, and take sides – one for and one against.
17. The active participants discuss the issue for about five to ten minutes. Each has to summarize the arguments of the other to that person’s satisfaction before commencing his/her own arguments.
18. After the discussion, the observers give their feedback to the active players, focusing on how well the players observed the rules, difficulties on the part of the sender or the receiver and suggestions on how to improve.
19. The participants change roles and repeat the exercise.
20. After the exercise, reconvene the participants and discuss the experience using the following questions:

- Where the rules adhered to?
- How easy or difficult was it to summarize statements to the satisfaction of the speaker?
- What typical communication patterns and mistakes made it difficult for people to understand each other (see Attachment 6.C)?

21. Wrap up the session by explaining that good listening derives from a basic attitude. People with the right attitude usually do the right thing. An attitude that supports good listening makes the listener:
    - care about what the other person is saying;
    - avoid assuming that she/he knows what the other will say;
    - avoid assuming that he/she has understood, without summarizing or enquiring to test that understanding;
    - willing to take time to listen and acknowledge what the other is saying.
22. Conclude by emphasizing that the key to good listening is being genuine. Discuss the key learning points.
23. Distribute the handout.

Key learning points

Without formal authority or decision-making power, mediators' power stems from their people and communication skills: their ability to steer discussions, articulate issues and concerns clearly, and establish rapport, trust and understanding among the parties.

The two core features of facilitation/mediation are content neutrality and process guidance.

Parties need to be accepted and understood. To most participants, being understood is more important than being agreed with.

To demonstrate an interest in understanding the speaker, use the key ingredients of good communication: show respect and pay attention, listen actively, ask open-ended questions, summarize the main point(s) of a statement, rephrase and reframe.

These communication skills can be useful in emotional situations, where communication is difficult, when the meaning is unclear, when the conversation is going round in circles, and when a speaker is not being listened to.

Attachment 17.A: Role of a mediator

(i) Review what stake you hold

- Do you have a *personal interest* in how the conflict is resolved? For example, do you live in the affected area, or does your employment or security depend on a particular outcome?
- Does your *organization* have a history of working in the area that requires you to work for a particular outcome? For example, have you worked with particular groups that you must continue to support, or have you put projects in place whose existence may be threatened by the conflict?
- Are you under pressure from partners, funders, government authorities or other agencies to work in a particular way or towards a particular outcome? What price might you pay for your neutral involvement?

Positive answers to any of these questions suggest that you may not be able to provide a genuinely neutral contribution to resolving the conflict.

(ii) What confers credibility?

- Your skills and actions.
- The recommendation of a respected person.
- Your involvement in an organization that has experience of providing effective neutral interventions.
- Your access to influential people.
- Your age and demeanour.

(iii) Ways of generating trust in the mediator

- Exercising good listening skills, and demonstrating that you can hear contradictory points of view without taking sides.
- Making explicit statements about the actions you intend to take during your intervention, and not acting contrary to those statements.
- Keeping your word and building a pattern of consistent behaviour.
- Not abusing or betraying confidential information.
- Demonstrating commitment to working with the parties for as long as it takes, or managing your withdrawal in a way that does not leave the parties worse off than before.

The role of a mediator (Handout 17)

Definition

A mediator is a third party who helps the parties in a dispute jointly to develop an acceptable, voluntary and non-coerced solution to their conflict.

The mediator has no power to render a decision or impose a solution. Instead, the mediator helps the parties to work out their differences themselves and construct a mutually acceptable solution.

Mediators vary significantly in how they define their role and involvement in promoting successful negotiations. The main issue regards finding the appropriate focus – process, substance or relationships among the parties.

This training promotes a focus on the process and an impartial stance towards substance, for a variety of reasons. First, it is believed that the prime role of the mediator is to guide people on the procedures, create the psychological conditions necessary for productive talks and move the process forward, from one step to the next. Second, parties should have the primary responsibility for self-determination because they are usually better informed than any third party could ever be, and when parties make their own decisions their commitment to implementing and adhering to a settlement is usually higher.

The two core features of a facilitation/mediation are *content neutrality* and *process guidance*.

1. ***Content neutrality*** means not taking a position on the issues being discussed and not having a position or interest in the outcome.

A mediator in a conflict needs first to assess how neutral or impartial she/he is.

Neutrality means that a party is not connected to, and has no prior relationship with, any of the disputants.

Impartiality refers to the absence of bias or preference for a party or a particular outcome.

Reviewing your stake in a conflict helps to assess your neutrality:

- Do you have a personal stake in how the conflict is resolved? For example, do you live in the affected area, or does your employment or security depend on a particular outcome?
- Does your organization have a history of working in the area that requires you to work for a particular outcome? For example, have you worked with particular groups that you must continue to support, or have you put projects in place whose existence may be threatened by the conflict?
- Are you under pressure from partners, funders, government authorities or other agencies to work in a particular way or towards a particular outcome? What price might you pay for your neutral involvement?

Positive answers to any of these questions suggest that you may not be able to provide a genuinely neutral contribution to resolving the conflict.

Sometimes a person who has not passed the neutrality test may still be expected to act as a mediator. It is sometimes not possible to find a truly neutral mediator. In such situations, the mediator needs to make a conscious effort to step out of the stakeholder role and to be as impartial as possible.

Two major attributes will help to be successful as a mediator: credibility, to be accepted in the role; and trust, to be seen as finding an unbiased solution.

What confers credibility?

- Your skills and actions.
- The recommendation of a respected person.
- Your involvement in an organization that has experience of providing effective neutral interventions.
- Your access to influential people.
- Your age and demeanour.

Ways of generating trust in the mediator

- Exercising good listening skills, and demonstrating that you can hear contradictory points of view without taking sides.
- Making explicit statements about the actions you intend to take during your intervention, and not acting contrary to those statements.
- Keeping your word and building a pattern of consistent behaviour.
- Not abusing or betraying confidential information.
- Demonstrating commitment to working with the parties for as long as it takes, or managing your withdrawal in a way that does not leave the parties worse off than before.

2. Process guidance means helping the conflict parties in their communication and decision-making processes by encouraging:

- full participation;
- mutual understanding;
- shared responsibilities;
- inclusive solutions that incorporate everybody's views.

Good communication and facilitation skills are among the most important assets of a facilitator or mediator. When mediators have no formal authority or decision-making power, their power stems from their people and communication skills: their ability to steer discussions, articulate issues and concerns clearly, and establish rapport, trust and understanding among the parties.

Session plan 18: Simulation of multi-party negotiation

Purpose:

At the end of the session participants:

- understand how to analyse a conflict situation using the conflict analysis chart;
- understand how important preparation is for the outcome of a negotiation;
- have practised all the stages of a consensual negotiation process;
- have reflected on their performances and received feedback.

Time:

1.5 days (divided into several sub-sessions).

Materials:

Flip-charts, spaces for group work.

Preparation:

Photocopy the case scenarios (according to the selected conflict case), role play descriptions (see case studies), instructions for conflict parties (Attachment 18.A), instructions for mediators (Attachments 18.B and 18.C) and the conflict analysis chart (Attachment 18.D).

Steps:

1. Explain that this simulated negotiation exercise will involve an extended role play that will be conducted over several sessions. The case study and simulation will be used to understand the dynamics of forest-related conflicts and various conflict management strategies and procedures. The pattern of facts in the case study used for the simulated negotiation is fictional, but a number of the facts in the case are based on real events, issues, problems and conflicts that have occurred in the forest sector somewhere in the world.
2. The goal of the negotiation exercise is to practise good consensual negotiations. Given the complexity of the case it is not realistic to expect that agreement can be reached in the time available.
3. Explain or read out the negotiation scenario to the participants.
4. Assign each participant a stakeholder role[7] and provide the participants with the relevant stakeholder instructions. To prepare for the exercise, ask them to read all of the overview and background material for the case.
5. Tell them that the effectiveness of the simulation depends on how well they get into their roles. However they should remember the overall goal of the exercise and not “eat the mediator”.
6. Introduce the strategy design table as a useful conflict analysis tool for all groups to prepare themselves for negotiations. Warn them that there is a natural tendency to think of solutions immediately after becoming aware that a conflict exists. Tensions and differences are hard to bear and most people want to get rid of them as quickly as possible. However, quick solutions are not likely to be sustainable, because they often overlook important aspects of the problem.

A conflict practitioner needs to understand enough about a conflict to:

[7] If there are more training participants than stakeholder roles, assign the same stakeholder role to two or more participants and ask them to take turns, or invent more stakeholders and adapt the case scenario accordingly.

- know who to involve (stakeholders);
- know which issues need to be addressed;
- know on which of the parties' interests and concerns agreement can be built;
- assess the possibility and viability of a negotiated settlement;
- decide whether or not to pursue negotiations;
- decide what kind of conflict management procedure is the most appropriate ¬¬¬– informal or formal, with or without the assistance of a third party.

7. Explain to participants that the conflict analysis chart provides an organized way of collecting all the information they need to know about a conflict and prevents information overload. Explain that the tool will be used to lead a joint conflict analysis, to demonstrate how it works.
8. Ask participants to fill the conflict analysis chart (Attachment 18.D) with the information gathered from the case. Ask them to list the key conflict parties in the first column. Explain that conflict parties or stakeholders are those individuals or groups that are affected by the outcome of a conflict, or those that influence the outcome. Indicate that there is risk that the members of some groups of people, such as a local community or women, may be viewed as all sharing a common identity, even when they have diverse and contradictory interests and needs.
9. When all the stakeholders have been listed, identify the most important issues. Issues are topics or problems that parties would like to discuss in a conflict management process. Remind participants that issues need to be phrased in ways that make people with different views willing to talk about them, for example, by stating general tasks, such as "clarify the relationship" or "clarify the authority", or questions, such as "what needs to be done to address issue X?". It is also important to be as inclusive as possible, by listing the issues of all and not just some parties.
10. Next, the issues need to be put into order of importance. Conflict management practitioners enter a conflict situation by starting with discussion of the easier issues, where agreement can be more rapidly achieved. Conflict managers also have to identify which issues are most important to the parties; if these concerns are not met, it is unlikely that an agreement can be reached and sustained.
11. Once the important issues have been selected, the parties need to discuss them, to understand each other's interests. Interests are all the things a party wants to have satisfied. Interests are of three types: substantive, procedural or psychological. Interests should be probed – their history, what is important and why. Conflict managers should ask open-ended questions to find out why the interests are important to the stakeholders. Analysing interests enables the conflict management practitioner and the disputing parties to determine whether any common interests exist.
12. Explain to participants that a conflict management practitioner would usually work with disputing parties separately to assess potential and, in some cases, probable conflict outcomes. Suggested options need to satisfy at least some of the interests, but not necessary all.
13. The next column on the table refers to the power that some parties may use to influence the conflict management process so that it furthers their own interests. Clarify that "power is the capacity to get things done". Explain that all parties in the conflict resolution process require some power and means of influence. When there are very severe power differences, it is necessary to decide whether or not these differences can be balanced by a third party.
14. Next, the stakeholders' willingness to settle the conflict needs to be assessed. Is resolution of the dispute a high priority for all stakeholders? Or will some refuse to take part in the process because they do not understand their own best interests or suffer from emotional or other blocks?
15. Explain that by reaching the final column in the table, participants have considered the main factors and conditions that determine the possibility and viability of a negotiated settlement. The information gathered should make it possible to assess the chances of collaborative approaches – negotiation

or mediation – succeeding and producing a good outcome. In the final column, decisions are made about the next steps in preparation for a collaborative conflict management process.

Explain the purpose and structure of informal backdoor talks. In real life, stakeholders may already know each other, may meet on several occasions, and may try to find out about each other and their various interests before the first negotiation meetings takes place. Participants may use the time prior to the first negotiations to inform themselves informally and may use this information in their analysis.

16. Ask the participants to start the first negotiation round, reminding them that the objectives are to:
    - define the issues and interests of each party;
    - build a joint list of the problems or topics the working group wishes to address.

    Watch the negotiations and record the main observations.
17. Debrief the first round of negotiation. Explain that reflection and feedback are an important part of learning. To stimulate self-reflection abilities, ask them:
    - What worked well?
    - What would you do differently in the next round of negotiations?
18. Provide participants with cards and ask them to record their two main observations for each question. Ask them to return to their stakeholder groups, compare notes and select the two key insights for their group. Ask them to present these two main insights to the overall group.
19. Provide feedback by making additions and/or reinforcing challenging statements made by participants.
20. Remind participants to take these insights into consideration for the second round of negotiations. The goals of the second round are to:
    - Determine the sequence for discussing issues;
    - generate options;
    - develop criteria for evaluating the options;
    - evaluate the options;
    - reach agreements that consider substantive procedural and psychological interests.
21. Ask the participants to start the second round of negotiation and follow the same process of observing and debriefing as in the first round.
22. Explain that the negotiated/mediated process would continue in real life by:
    - developing a written plan;
    - ratifying the agreement;
    - integrating the agreement into the public decision-making process;
    - implementing the agreement and monitoring compliance with it.

Hints

Check that participants are familiar with role playing. If some are not very familiar, take time to explain the purpose and main rules of role play.

Attachment 18.A: Instructions for conflict parties

- Work in negotiation teams to discuss and define the issues you wish to raise, and the options that you and the other parties can consider.
- Consider the interests (substantive, psychological, procedural) connected to the issues (topics) you wish to discuss in negotiations.
- Decide whether or not you should negotiate. What would you walk away to (what is your BATNA – best alternative to a negotiated agreement) if there is no negotiation?
- Develop an opening statement. This is an opportunity to practise interest-based negotiation skills. Your aim is to get your critical interests addressed/satisfied. What kind of opening statement should you prepare to make satisfaction of your needs and concerns likely?
- Think about how you wish to sequence the topics, and which issue to start with.

The goal of the *first* negotiation round is to:
- define clearly the issues and the interests of each party;
- build a joint list of the problems or topics the group wishes to address.

The goal of the *second* negotiation round is to:
- determine the sequence in which topics are discussed;
- develop possible options using an interest-based, problem-solving approach.

MOST IMPORTANT, REMEMBER THAT THE OVERALL GOAL FOR THE ENTIRE EXERCISE IS TO PRACTISE GOOD CONSENSUAL NEGOTIATIONS.

Attachment 18.B: Instructions and preparation for mediators (first round of negotiations)

You will facilitate the opening phase of a mediation meeting.

The ***purpose of the first meeting*** is to:
- enable parties to feel that they are being listened to;
- help parties to express and acknowledge their feelings productively;
- identify the issues to be addressed;
- bring to the surface any issues that have not yet been identified.

The following are the tasks for facilitating the first meeting:
1. Introduce the purpose of the first meeting.
2. Introduce yourself and your role as a facilitator/mediator.
3. Explain the mediation process.
4. Identify and agree on behavioural guidelines for the group.
5. Obtain all parties’ commitment to starting the process, and check how much time they have for the meeting.

6. Define the issues and interests of each party clearly.
7. Draw up a joint list of all the problems or issues that the parties wish to talk about.
8. At the end of the meeting, seek the parties' agreement about where and when to meet again.

1. Introduce the purpose of the first meeting

Welcome everybody. Explain the purpose of the meeting. Without going into details, state the main issue in a neutral and unbiased way. The statement should be more.

Issue-oriented	Than	Person-oriented
Positive	Than	Negative
Optimistic	Than	Pessimistic
Future-oriented	Than	Past-oriented
Goal/Solution-oriented	Than	Cause-oriented

Example:
"Welcome, we are meeting today to reach a consensus agreement on management of the protected area [or whatever the issue/conflict to be discussed is]. There are disputed issues and open questions to discuss. If we discuss the issues and open questions in an open and constructive atmosphere, I am sure that we will come up with solutions that meet the interests of all stakeholders."

2. Introduce yourself and your role as a facilitator/mediator

Give a short explanation covering the following points:
- Briefly introduce yourself (name, background).
- Thank the participants for accepting you as a mediator/facilitator.
- Explain that as a facilitator/mediator you are neutral, i.e., not biased, do not have your own agenda, and are not on the side of one of the groups of stakeholders.
- Assure the participants that you will observe strict confidentiality regarding statements and behaviour.
- Explain that your role is to steer the discussion process.
- Explain that you will assist participants in meeting their objectives by:
  - keeping the group to the time schedule;
  - recording its interests and decisions on the flip-chart;
  - ensuring that everyone has equal time to speak;
  - assisting the stakeholders in categorizing their issues;
  - ensuring that they have considered how to implement their agreements.

3. Explain the mediation process

Next, the mediator should describe the procedures to be followed. For example:
"I suggest that we begin the discussion today with a brief description from each of you about the situation and the issues that have brought you to mediation. This will educate all of us about the issues

you want to discuss. Each of you will have a chance, roughly …. minutes, to present your view. During your presentations I may ask some clarifying questions."

4. Identify and agree on behavioural guidelines for the group

Ask the participants to list the ground rules they think are needed. Provide the following as examples:

- Each person is expected to contribute equally to the discussions.
- Listen carefully and attentively
- Delay questions or comments until the speaker has finished.
- When making comments, do not use insulting or abusive language.
- Try to understand and respect each other's viewpoints and concerns.
- Make your own interests, feelings and concerns clear.
- Present your concerns from your own subjective point of view – do not claim to possess objective knowledge.
- No final decisions will be made until there is full agreement.

Record these ground rules and add any others that the participants suggest during the meeting. Refer to the rules as necessary throughout the meeting.

5. Obtain all parties' commitment to starting the process, and check how much time they have for the meeting

The mediator should answer any questions that the parties may have about the procedure to be followed. Gaining a commitment to begin is the mediator's last move before turning the session over to the parties.

6. Define the issues and interests of each party clearly

Identify the parties' interests. Select one party to start, for example, by saying "We would now like to hear from each of you the history of the current situation and some of the issues that you would like to discuss in future talks. When you present your views, please refrain from putting forward positions or possible solutions until such time as we all understand the issues that need to be discussed and the problems or conflicts to be addressed and resolved. Would you [turn to a conflict party] be willing to begin? Can you explain why you are here, and the history of the situation that you want to address? Please tell us about the issues or topics that you would like to discuss. What is important to you about that issue? What does it help you achieve or gain, and what interests or needs are important?"

Summarize the party's issues to confirm that they have been properly understood. If issues are not yet clear, the mediator has to probe by asking questions to elicit more information about issues and interests. The mediator should ask whether the party would like to add anything else. If not, the process should be repeated with each of the other stakeholders in turn.

7. Draw up a joint list of all the problems or issues that the parties wish to talk about

After all the participants have spoken, give an overview and ask whether all the issues are covered by the listed agenda points. Have participants add more points if necessary. It is important to be as inclusive as possible and to list the issues of all, and not just some, of the parties.

Note: If agenda items are formulated in a biased and accusatory way (blaming or attacking other participants) reformulate them to make them more diplomatic: the original content of the message is kept, but the form is made neutral and acceptable to the other stakeholder groups.

8. At the end of the meeting, seek the parties' agreement about where and when to meet again

Before closing the first meeting, the mediator should seek agreement about where and when the parties will next meet.

Preparation for the first mediation meeting involves the following tasks:

- Prepare your opening statement. Consider how to open negotiations in a way that sets a positive tone and promotes interest-based problem solving.
- Develop your initial strategy for eliciting parties' issues (the topics they want to resolve) and interests (their needs, wants, fears and concerns).
- Think about strategies for dealing with the strong emotions that may emerge during the first joint working session.
- Consider how to move parties from a proposal/counter-proposal or debate process to a deeper discussion and understanding of issues and interests.
- Consider how to divide your role and responsibilities with a co-mediator.
- Identify your interests as the mediator.

Attachment 18.C: Instructions and preparation for mediators (second round of negotiations)

Check whether all the issues are covered in the listed agenda points. Have participants add more points if necessary. It is important to be as inclusive as possible and to list the issues of all, and not just some, of the parties.

Make sure that agenda items are not formulated in a biased of accusatory way. If they are, help to reformulate them to be more diplomatic: the original content of the message is kept, but the form is made neutral and acceptable to the other stakeholder groups.

Explain how to continue the negotiations:
1) Sequence the agenda items.
2) Generate options.

3) Evaluate the options.
4) Reach agreements based on substantive, procedural and psychological interests.

1) Sequence the agenda items

When *sequencing the agenda issues*, put easier topics early in the agenda. Defining the entry point for talks is an important decision, as this can have an impact on all the other issues in the conflict. (A useful analogy is with acupuncture, in which practitioners have to identify the point they should treat to induce change somewhere else.) The following points should be considered when selecting the entry point for talks:
- It should be an issue that is important to everybody, but not so complicated that it takes a long time to resolve.
- Starting with a procedural or psychological agreement is a good strategy. For example, an apology when another party is willing to forgive sets the scene very well.
- It is also helpful to prioritize the issues that need to be resolved immediately, before moving on to those that can be resolved later.

Try and get a few easy agreements first before tackling the more difficult issues. This helps to build a "habit of agreement", and encourages the parties to reach agreement on harder issues to avoid jeopardizing these earlier "easier" agreements.

Good entry points are:
- easy issues that are important to all parties and on which agreement can be achieved rapidly;
- agreements on general principles, which can shape or direct agreements on later issues;
- foundation issues, which form the basis for discussion of future issues;
- key issues, the resolution of which will make agreement on later issues easier to achieve;
- linked issues, which may need to be discussed together or concurrently.

Bad entry points are:
- issues that stakeholders are unwilling to discuss in public;
- issues that are important to some stakeholders, but not others;
- issues that are important for all stakeholders, which might make good starting points for tasks rather than talks.

Note: If there are strong tensions, frictions and conflicts in the relationship dimension, these should be discussed and solved first. Otherwise the groups will have difficulties in discussing factual issues and coming up with agreements in a rational way.

The sequence for discussing issues can be determined and proposed by the mediator or the parties. Mediators usually suggest the agenda when:
- parties are likely to argue about which issue to discuss first;
- parties want to discuss the most difficult issue(s) first;
- parties demand preconditions or claim that an issue is non-negotiable;
- one party refuses to discuss another's issue;
- mediators believe that parties are so embroiled in the conflict that they may not be able to sequence

the issues productively, or they may not have considered the possible logic or rationale for ordering discussion topics.

In more relaxed circumstances, or when the order is less important, mediators can turn agenda sequencing over to the parties, to give them control of the order of topics.

- Explain that to come up with a tentative agenda it is important to classify the agenda points.
- Make four headings on the flip-chart: high-priority, medium-priority, low-priority, and undecided.
- Ask the participants to establish the criteria by which they will determine high-, medium- and low-priority issues. For example, in terms of short- and long-term impacts, people affected, resources required.
- Ask them to categorize each of their agenda items under one of the three headings of high-, medium- and low-priority. They should use their criteria as guidelines. Ask clarifying questions when needed, such as: "What are your central reasons for ranking this as a high priority?"
- If there is disagreement on where to place an issue, suggest:
  - "Given the lack of agreement on where to place this issue, can we put it under undecided for the time being? We can come back to it later for further discussion."
  - "Having discussed this point, you are all in complete agreement that this item is a low priority?"
- When all of the issues have been placed under categories, address the undecided issues and ask the participants how they want to work with these. Suggest options such as changing the wording, addressing them in a different forum, and agreeing not to discuss them.
- Then ask the participants to rank the issues in each category in order of high to low priority.

2) Generate options

The next step in negotiations is to identify and explore the widest range of possible options for achieving these goals. To be acceptable, the options for settling a dispute must satisfy the interests of all the parties.

Negotiating parties can imagine options either by focusing on one issue at a time or by combining several issues into groups of common themes.

Creative thinking is sometimes promoted by changing the group dynamics: a mediator may consider bringing in secondary stakeholders or an outside resource person, or splitting the stakeholder groups into smaller subgroups.

The following are some other procedures that a mediator can use to generate settlement options (Moore, 2003):

- *Brainstorming* is a powerful tool for identifying options for conflict settlement. The key rule in brainstorming is that any idea generated by anybody is worthwhile and should be listed. In brainstorming, generating ideas is strictly separated from evaluating them. The objective is to be creative, to move beyond usual patterns of thinking, and to widen the options, even if they seem strange at first. Options can be prioritized and reduced through other tools later.

Brainstorming guidelines

Brainstorming is a tool to generate multiple ideas, usually in a short time. It allows a number of possible choices to emerge. Unexpected solutions can be proposed that might not have been considered, but that may have a key part to play in building a solution. Brainstorming works with the following rules:
- Any idea is better than none.
- Be creative and imaginative.
- Be forward thinking.
- Do not make critical comments or evaluate ideas.

- *Generating agreements-in-principle*, then work out the details. Start with general principles that the parties have agreed on. Then work down to more specific clarification of how each principle can be put in place to generate an agreement by the end of the process.
- *Vision building*: Try to get people to look ahead into the future and then work back from that. For example, "In five years time our joint forest management plan will have generated good working relations, improved forest health and better economic outcomes for the community." If this is what all the parties want, then work back to define what steps are required to get there.
- *Model agreement*: Take past successes from other areas and build on/revise these to derive a suitable agreement for the current case.
- *Single-text document*: A single-text document is effective when some participants cannot read. The mediator listens to all the options and writes a draft. The draft is then passed from one party to the next, with each changing it as necessary to reflect what works for her/him. The resulting document therefore works for everybody.

3) Evaluate the options

The parties then have to evaluate the possible solutions, which they can do by using criteria. Ask them to define the criteria for a good solution: "What would a good solution include, and what should it exclude?" Work with the parties to reach agreement on the criteria. Record these on a flip-chart.

Developing and using criteria may help the process of deciding which options are most likely to be satisfactory to all groups. It also ensures that there are fair standards for decision-making. The types of criteria vary and can include:
- general achievability;
- costs and inputs;
- time scale;
- advantages (pros) and disadvantages (cons);
- opportunities and risks.

A decision grid can help the analysis and comparison of alternative solutions through the help of indicators.

Sample decision grid

Criterion/Option	Option 1	Option 2	Option 3
General achievability			
Cost and inputs			
Advantages (pros)			
Disadvantages (cons)			
Fairness			
Opportunities			
Risks			

For each option, the negotiating parties should decide whether they want to:
- agree to keep it (it looks acceptable);
- throw it away (it is not at all acceptable);
- hold on to it for further consideration.

Record the decisions on a chart under the headings: Keep, Throw away, and Further discussion.

4) Reach agreements based on substantive, procedural and psychological interests

Substantive, procedural and psychological interests must be satisfied if the parties are to achieve a durable agreement to a dispute. These three types of interests are like a three-legged stool, holding up the negotiated agreement. If any one of the interest types is not fully satisfied, the agreement may collapse under future pressure.

Most parties enter a negotiation to “get” something. Although their ideas about their interests may change over the course of the negotiation, they need to come away with some sense of substantive satisfaction; a sense that they have got what they came for.

Even when they get what they want, parties will not be satisfied if they think the process has not been “fair”. This is a subjective assessment, but a powerful one. In particular, a party who thinks the procedure was irregular, may distrust the other parties and work against implementation of the agreement.

Everyone needs to feel heard and respected. Should a party feel that he/she was not adequately heard during the discussions, the agreement may not be durable. Poor relationships that develop in the negotiation will overshadow otherwise acceptable results.

Example of an agreement in principle (taken from Case study 3)

General problem: How can we make sure that local people have equal chances of finding employment with the companies?

First agreement in principle: The companies and the community agree in principle that the company should employ more local people.

Second agreement in principle: The company and the community agree in principle that those hired should have certain qualifications or skills.

Third agreement in principle: The company and the community agree in principle that the company will develop a list of the specific qualifications and skills that those employed must have:

- qualifications and skills are listed;
- here is the agreement.

ATTACHMENT 18.D: CONFLICT ANALYSIS CHART

Conflict parties	**Issues** (all the topics that need to be addressed)	**Importance of issues** (in order of priority)	**Interests** (the substantive, procedural and psychological interests of each party)	**Options** (for meeting most of the parties' identified interests)	**Power and influence**	**Willingness to settle**	**Next steps** (procedures, strategies and other fora for addressing the issues)

CASE STUDIES

Case study 1: A new agenda for Picorda

Background

Picorda, a country renowned for the exquisite natural beauty of its upland forests, currently faces an environmental crisis. Commercial exploitation of Picorda's forests has been occurring for centuries, but there was a rapid increase in these activities that peaked in the mid-1970s. By that time, the President had awarded more than 400 timber licence agreements and special permits to his relatives and business and military partners. By the late 1970s, only 20 percent of the forest cover remained, and less than 5 percent of the primary old-growth forests. This rapid decline in the natural resources of Picorda was caused by a sharp rise in exploitation, coupled with political disregard for social welfare on the part of a small group of privileged people. The cumulative impact led to a popular movement to remove the President. The new government was charged with the task of stimulating economic recovery and environmental revitalization.

A new community-based forest management programme (CBFMP) was established within the Department of Environment and Natural Resources (DENR), the State agency responsible for managing and protecting the country's natural resources. The CBFMP was primarily conceived as an upland (land on a slope of at least 18 percent) development initiative, and significantly shifted the government's primary focus from supporting privately owned forest production to supporting community stewardship and livelihood enhancement projects. The CBFMP is now integrated into Picorda's development process, along with its multiple land-use management objectives of income generation, forest protection and food production. The CBFMP implementation process is democratizing access to forest resources through NGOs' collaboration in addressing the prevailing issue of upland rural poverty, while protecting residual forest.

Developed countries have been willing to use multi- and bilateral funding institutions to support programmes that deal with deforestation and sustainable forest management, such as the Picorda CBFMP. However, despite the huge sums of money put into the programme, and its wide political and legal support, disturbing contradictions have recently emerged that bring into question both the quantitative results and the qualitative impact of the CBFMP. Enormous financial support from international funding agencies enabled DENR to implement the programme fully, but created a pattern of faulty assessment of the existing environmental crisis.

Local communities have been protesting that government officials support ecologically damaging side-businesses to generate foreign revenue support for ecological revitalization. This is leading to a growing cycle of institutional corruption. In addition, there have been increasing reports of structural conflict between government agencies and local communities about programme "territoriality", even though the legal framework for the stewardship programme is in place. There is now a clear need to assess the policy and programme contradictions of community forest management in Picorda.

Current situation

A Picorda working group has been formed, with representatives from the local community, the CBFMP, DENR and the international funding agency. The group's first meeting aims to determine the agenda of discussion issues. The meeting participants have compiled lists of critical issues for discussion, including establishing rational environmental measurements; identifying corrective needs within agencies; increasing support for communities to help them comply with programme objectives; and determining territorial boundaries.

Role of the community representative

You have been selected to represent the four major communities situated within the CBFMP jurisdiction. People have high expectations of the programme, but it has been difficult to accommodate all of the new responsibilities that have arisen: there are so many meetings and so many conflict issues to address. It gets a little easier every day, however, and on the whole everyone is still working well together. The major issue is that last month the government cut 50 ha of timber in your region, without warning and without involving any local people. Workers from outside the community were brought in to do the harvesting, and all the logs were taken away. Everyone is furious, and people have demanded that you present the following four agenda items:

- Recent timber harvests in the region must be addressed. Who is responsible? Where did the timber and profits go? Why were workers brought in from outside?
- Territorial rights must continue to be addressed.
- More government technical support is needed for income-generating programmes.
- Funding support should be requested from a local NGO to assist the building of organizational capacity, such as finance management, leadership and conflict management skills.

Can you think of other interests derived from this scenario or from your own experience?

Role of the community-based forest management field officer

The Director of the CBFMP has told you to put forward only two items, but you feel that there is an additional issue that must be addressed, so you have added the last one yourself. You are taking a professional risk by proposing the last item, but you believe in the CBFMP mission to support local community interests first, and you feel that the programme is at risk because a few government people are abusing the system:

- The top priority is to address environmental indicators.
- Forest protection must have tighter enforcement mechanisms.
- Institutional abuse must be addressed.

Can you think of other interests derived from this scenario or from your own experience?

Role of the DENR programme coordinator

You are very angry about having to attend this meeting. You feel that the only reason it has been called is because the CBFMP has been poorly run, and you are embarrassed that the international funding programme officer will be attending as he/she might decide to withdraw the programme's support. You are aware that there has been a contending mission within DENR to expand timber sales, and recently there has been a large cut in the near vicinity of the CBFMP region. You do not want this on the agenda, however, as it does not officially pertain to the CBFMP, and is none of its business. Your agenda items focus on forcing greater accountability on the CBFMP officers and the local community and include the following:

- Tighter systems for monitoring CBFMP operations need to be established.
- Local communities must be more accountable for following programme objectives.
- Weekly and monthly reports should be required.

Can you think of other interests derived from this scenario or from your own experience?

Role of the international funding programme officer

You oversee programmes in six countries. You have just flown in a few hours ago, and can only stay for two days. This particular country programme has been a real challenge for you because you love the people and the country, but are very frustrated by the government bureaucracy. The individuals with whom you work are decent people, but they are caught in a system that breeds inefficiency and corruption. You realize that you are limited in how much you can contribute to the meeting, other than providing encouragement to participants in their problem solving efforts. You have an extra sum of money available, which could be used for corrective activities, if necessary, but you are also keenly aware that misuse of funds is one of the core conflict issues that have led to this meeting. You have decided to introduce the following three agenda items:

- Democratic norms should be the basis for determining programme priorities.
- A transparent financial system should be established so that all parties are aware of what money is available for all activities, as well as how and when the money is to be dispersed.
- Accountability across all levels must be addressed. The responsibility of each stakeholder should be clearly defined.

Can you think of other interests derived from this scenario or from your own experience?

Case study 2: Back to the roots[8]

The Ovambo region and its people

Since time immemorial the Ovambo region has been termed "the valley of the whispering shadows". The reason for this lies in the dense tree population, which is dominated by a specific type of acacia found almost exclusively in the Ovambo region, whose leaves cause a typical rustling sound when blowing in the wind. Small children are frightened of them and old people tell spine-chilling stories about them...
The Ovambo area exhibits an unusual combination of climatic and geological features, and flora and fauna have developed some special characteristics not found in other parts of the country.
The region is very remote and mountainous, which explains why people settled there permanently only quite recently, about 200 years ago. Although these settlers are not a separate ethnic tribe, they are called the "Ovambos" for the purpose of simplification. They still live primarily from subsistence farming, fishing (in the Ovambo River) and gathering from the surrounding woods (woodland fruits, medicinal plants, etc.). Trading, crafts and processing activities are economically insignificant. Tourists are rare in the area.
Since the land reform of 1997, the Ovambos – and other local communities – have been able to secure long-term use rights to land used for agriculture; these rights have been registered. Private landownership is registered in only the country's cities and the extensive fertile high plain in the northeast of the country. Nearly all the country's commercial farming is in these areas. The rest of the country belongs to the government, which grants use rights or, in well-founded exceptional cases, title to land.
An estimated 30 000 people live in the Ovambo region, about half of whom have settled in six central locations. Each of these local communities has a chief. The six chiefs traditionally work closely and well together and form the Council of Chiefs, an unofficial but effective body through which they articulate and often assert their interests concerning provincial and central government.
As the area is difficult to reach and exhibits no natural resources, it has been neglected by the government and business. The area is sometimes cut off from the outside world for weeks at a time during the rainy season, but the central government has refused to improve the infrastructure – not only the roads, but also basic services for education, health and communication, in which the bare minimum has been invested (there are five clinics, eight primary schools and one simple vocational school).
It is worth adding that the Ovambos do not generally belong to the electors of the ruling government party...

The *gisaa* plant and its stakeholders

For the last six months there has been great excitement among the Ovambos. Every child knows that an inconspicuous plant with blue flowers and white juicy roots grows in the shade of the acacia; this is the *gisaa* plant. Traditionally the roots are used as medicine, such as when children have a

[8] This case was prepared for the German Agency for Technical Cooperation (GTZ – now the German Agency for International Cooperation [GIZ]) Constructive Negotiating for Sustainable Development Training led by Dirk Jung (denkmodell) and Susanne Willner (GTZ).

temperature. An infusion of pounded and cooked roots helps fight inflammation of all types, including tooth ache and skin infections, and encourages the healing process of minor wounds. Ovambo men ascribe powers of virility to the root, but "they do this to almost every plant that can be eaten" (their wives say).

More than a year ago, a trail of cars came to the Ovambo area bringing important-looking scientists, including several foreigners, who immediately started to collect and take away samples of the *gisaa* plant. Persistent questioning by the Council of Chiefs elicited only hesitant responses. It turned out that the scientists worked for an international pharmaceutical group (CONDESA Inc.), which has a representative in the country. By chance, the group had come across a ten-year old doctoral thesis at the biological institute of the country's National Free University (NFU), in which the healing powers of the *gisaa* plant were described, along with its presence in a plant community that includes the type of acacia found almost solely in Ovambo region. It should be noted, that the *gisaa* has very little healing effect unless it grows under the shade of the acacia that thrives in Ovambo region. This was demonstrated by tests within the framework of the doctoral thesis, using simple *gisaa* root extracts grown in the greenhouse.

The scientists from CONDESA, equipped with a research authorization from the provincial government, collected samples of the plant and ascertained through testing that these contained an extraordinarily effective substance, which they called gisain, with the potential for broad medicinal application. It has not been possible to synthesize this substance because of its complex molecular structure; it must be taken directly from the *gisaa* root.

To ensure access to adequate quantities of raw materials for extensive medicinal testing and, later, marketing of the new medication, CONDESA now wishes to conclude a biological prospecting agreement with the government, to obtain permission to test and develop the commercial cultivation of *gisaa* in Ovambo region. To this end, CONDESA is working closely with the National Agrobusiness Union (NAU), which primarily represents large farm owners in the northeast of the country. NAU senses that this is a new lucrative business field, and aims to achieve a long-term exclusive delivery contract with CONDESA. NAU and CONDESA have had several successful cooperative projects in the past.

This news has prompted the Traditional Healers' Association (THA) – a politically influential organization founded some years ago – to demonstrate that traditional healers reported the efficacy and application possibilities of the *gisaa* plant to a Swiss ethnobiologist 80 years ago.

While NFU insists that it can file a patent for the active agents of the *gisaa*, because of its published research results, THA wants to file a co-patent to participate in the possible economic yields of the discovery. Both organizations have already concluded an internal agreement on this and speak with one voice.

The national government, particularly the Ministry of Forestry and Natural Resources (MFNR), views the matter completely differently. For it, the income to be earned from marketing of the *gisaa* active agents naturally belongs to the government, which is short of money due to a dam project in the north of the country. There is no existing national legislation to regulate such issues.

The Provincial Natural Resource Management Unit (PNRM) represents the interests of the government and MFNR in Ovambo region. A representative of the Department of Trade and Industry with experience in international patent law and World Trade Organization (WTO) negotiations is supporting PNRM.

However the Ovambos have also recognized the opportunities and are representing their own negotiating position. The Chair of the Council of Chiefs speaks on their behalf. The Council is supported by a well-known international NGO, *Access and Benefit Sharing for Africa* (ABSA), which sent a representative to the Ovambos as soon as it became aware of the *gisaa* case. ABSA has excellent connections to the World Bank, which is also co-financing the new dam in the north.

All the negotiating parties have agreed to ask a mediator to support and facilitate the negotiation process. The negotiations are to take place in the PNRM office.

The negotiating parties

1. Representatives of CONDESA and NAU.
2. Representatives of THA and NFU.
3. The head of PNRM (representing MFNR) and a representative of the Department of Trade and Industry.
4. The Chair of the Mayoral Council and an adviser from ABSA
5. The mediator.

Role of the CONDESA and National Agrobusiness Union (NAU) representatives

During negotiations, you speak as a team with one voice.
There are many points to consider:

- You want to ensure that CONDESA`s image is not damaged by social, cultural or political conflicts.
- In particular, you do not want CONDESA to be labelled a “biopirate”, which could undermine the successful marketing of its products.
- You want to ensure long-term and attractive profits for CONDESA and NAU
- You want to have exclusive access for the extraction, processing and marketing of gisaa at the national and international levels.
- You do not want to spoil your good relationship with the government.

Can you think of other interests derived from this scenario or from your own experience?

Role of the Chair of the Council of Chiefs and the *Access and Benefit Sharing for Africa* (ABSA) adviser

During negotiations, you speak as a team with one voice.
There are many points to consider:

- Conscious of the traditional values of the community, you want to improve infrastructure and prosperity for the community.
- You want to have a just and secure share of the potential economic benefits generated by the commercialization of gisaa.
- You do not want to have serious long-term conflicts with State authorities at higher levels (ministries, etc.).
- You want to create a model international case for the sustainable use of a traditional medicinal plant.

Can you think of other interests derived from this scenario or from your own experience?

Role of the Traditional Healers' Association (THA) and National Free University (NFU) representatives

During negotiations, you speak as a team with one voice.
There are many points to consider:

- You want to maintain your public reputations as important actors in the national medical system (THA) and the main national think-tank (NFU).
- You want to ensure your intellectual property rights concerning the commercial utilization of the gisaa.
- You want to improve your income/funding situation on a long-term basis.
- You want to be recognized as the discoverer of the gisaa's healing powers.
- You do not want to enter into an open political conflict.

Can you think of other interests derived from this scenario or from your own experience?

Role of the Director of the Provincial Natural Resource Management Unit (PNRM, representing MFNR) and the Ministry of Economics representative

During negotiations, you speak as a team with one voice.
There are many points to consider:

- The government has control over natural resources and their commercial exploitation.
- You want to improve the revenue situation of the national budget.
- You want to limit the influence of multinational companies that extract raw materials from the country without processing them further.
- You do not want to discourage foreign investors.
- You want to increase/maximize the value-added created within the country.
- You want to avoid political conflicts at the regional and local levels.

Can you think of other interests derived from this scenario or from your own experience?

Case study 3: Forest conflict in an Indonesian province

Overview and background to the conflict

Kalimantan has many ongoing conflicts over forest land, timber harvesting, social and economic development, impacts on local indigenous communities and transmigration. Historically, this region has been occupied by Dayaks, the indigenous people of the island. Dayaks from the seven main tribes lived in villages and longhouses along rivers. They cultivated rice, fruit trees and rattan gardens, hunted and gathered fauna and flora from nearby forests, and harvested small amounts of timber for their own use or to sell to visitors to the region. As pressures mounted from the influx of outsiders into coastal areas, many Dayaks moved inland.

Some Dayak social and agricultural practices were, and still are, nomadic. Tribes and clans moved from area to area in search of new agricultural land to replace land that was exhausted from multiple years of planting. This nomadic lifestyle led to claims and counter-claims over landownership among Dayak groups, and later to conflicting claims with the Government of Indonesia.

Under Netherlands colonial rule, almost all lands in Indonesia not explicitly designated as private property were considered to be owned by the State, with the government empowered to dispose of them as it wished. In Kalimantan, the vast majority of territory claimed by Dayaks was designated as State land. These lands and landownership arrangements were inherited by the new Indonesian Government in 1949, after the war for independence from the Netherlands.

During the years of President Suharto's rule (1965 to 1998), forest concessions on Dayak lands were liberally distributed to political and business allies of the regime. Some of these timber concessions began to be harvested. Others were held in reserve by companies that planned to harvest them in the future.

When timber companies began operating in Kalimantan, there were frequent conflicts with local Dayak communities. Indigenous peoples were sometimes forcibly pushed off of their lands by armed groups hired by companies. In other situations, timber operations and the destruction of the local environment made living and sustaining Dayak lifestyles untenable, and communities moved of their own volition.

Many local chiefs of Dayak communities protested to the central government about perceived illegal land concessions or grabs by outside companies and parties. They demanded that their local communities should be able to keep their territories or receive adequate compensation for the loss – the destruction of lifestyles, fruit trees, rattan gardens and access to trees for community use. In most cases, the chiefs were ignored or silenced. People who voiced a complaint against a company that was supported by the government risked being beaten up by company agents, put in jail by the police or army, or worse. A number of local leaders were killed or disappeared.

Recent history

With the fall of Suharto in 1998, and the resulting devolution of government powers to provinces and local districts (kabupaten) through Laws 22/99 and 25/99, decision-making authority for granting forest concessions was given to district governments. These governments began to issue natural resource exploitation permits as a means of increasing local taxes and gaining the support of local political elite groups. However, lack of training and experience in forest planning and the limited long-term vision of local government officials often led to arrangements that did not favour the interests of local populations.

In addition, the Decentralization Law 22/99 and the Forest Law 41/1999 contradict each other. The first gives districts authority over government land and management of forest resources, while the latter maintains authority with the central government's Ministry of Forestry (MoF). Confusion between the two laws has resulted in competing authorities between the central and district governments, and many conflicts over legal rights to concessions on the ground.

Political reform after the collapse of the Suharto regime also led to the resurgence of local indigenous communities, which reclaimed traditional lands that they had lost in earlier years, or sought to secure adequate compensation for what had been destroyed by timber and plantation companies. Many companies view these claims as "reformation euphoria", and believe that they are unreasonable. Companies often resent what they perceive to be a rebellious mood among local communities directed against companies and forest resource exploitation.

Landownership, forest concessions and conflict

In one district, there has been a particularly difficult resurgence and escalation of conflict between a local Dayak community and two companies. The issues involve the ownership and use rights to lands that the community considers to be its historic territory.

During the Suharto administration the MoF issued a major forestry concession in Kalimantan to the ABC Company. The company harvested a portion of these lands, but sustained cutting was not easy. The local Dayak community resisted with hit-and-run raids on loggers and by burning lumber camps. While Suharto was in power, the military and police were able to keep the situation under control, and harvesting continued. However, with the devolution of powers to local governments, the security situation has deteriorated. It has been difficult for ABC to move into a new area that is much closer to the local Dayak community and begin cutting.

A second problem for ABC is that the new area that it plans to cut is also claimed by a second company, XYZ. This company was formed by four brothers who consolidated concessions granted by the district government. XYZ had just begun cutting on its concession when it was blocked by a court case involving ABC and by increased conflicts with the local Dayak community.

Each of the three parties – the Dayak community and the two companies – believes that it has valid titles of ownership or concessions, through either traditional and historic use or valid awards granted by a government agency. The companies have been arguing with each other over the border between their respective properties, and both of them have gone to court to clarify their claims. The ultimate judicial decision is unpredictable, could result in a considerable loss to one or more parties, and may not be forthcoming for a long time, especially if either of the parties decides to appeal.

At the same time, the Dayak community has petitioned the government for recognition and return of its historic lands, which occupy some of the territory in the companies' concessions. The community has also tried – without effect – to persuade the two companies to give back the land "owned" by the local community, or to provide it with adequate compensation for losses and damages. So far, neither a decision by the central government nor cooperation from either of the companies has been forthcoming.

In addition, Dayaks have claimed that ABC failed to implement an effective forest village development programme as part of a compensation package for earlier cutting of some of their lands. Although such plans were required in some concessions granted under the Suharto government, companies made little effort to implement them, and the government did not enforce this requirement. (Forest development plans are not required for concessions issued by the district. XYZ has been extremely reluctant to discuss this issue with local villagers.)

Workers from outside the area

ABC, the larger of the two companies, has brought in workers from the island of Madura to harvest timber, and has hired relatively few local people, especially Dayaks. (Madura is off the shore of East Java, where the population is mainly Muslim. Because of harsh natural environmental conditions and a high rate of unemployment on their home island, many Madurese have moved to other Indonesian islands to find work.)

Historically, many managers in companies such as ABC have come from outside Kalimantan. These managers often believe that the people of outlying islands have low levels of expertise, skills and training. Many of them seem to perceive the Dayaks as lazy. The local people hired by the companies have been given only the most menial and temporary day labour jobs, and hardly ever gain administrative positions. Local people have been assigned difficult tasks or been sent into the jungle to perform exhausting work for long periods.

Workers from outside Kalimantan are generally of two minds regarding the employment situation. While they recognize that management's failure to hire local people has probably been discriminatory and has undoubtedly caused significant social envy and friction between themselves and the villagers, they also view the latter as relatively unskilled, unpredictable and lazy. They believe that management should be free to hire the workers it wants. Outside workers also do not want to lose their jobs.

Tensions between local people and outsiders

There have been a number of violent conflicts in Kalimantan between local people and Madurese, resulting in significant loss of life. Both those involved and independent observers attribute these conflicts to transmigration and the immigration of outsiders, competition for economic resources and jobs, and discrimination and differences between the cultures of local people and outsiders.

Views of different levels of government

Government agencies at the national, provincial and district levels have different views on the conflicts, the parties involved and who is responsible. Central government agencies believe that they had the right to issue forest concessions on State lands, and that any arrangements that were authorized in the past are still valid and should be recognized by the district and local people.

The district government believes that central government reforms and the devolution of powers have given it the right to grant local concessions, and that any previous concessions yet harvested are eligible for re-granting to other parties. Many local government leaders also believe that the central government has always been the ally of big companies, which have totally ignored the needs and interests of local communities. The district government thinks that it is the only entity that will and can look out for local interests.

The security situation

Security issues are also complicated. During the Suharto years, BAFINSA, an extension of the army that was based in villages, provided the major security forces in the area. It had excellent intelligence

sources and could often prevent conflicts from emerging or escalating into mass action, damage to property (particularly that owned by the company, but sometimes also the homes of workers or local people seen as collaborators) or violence. New government policies since the reform have made it difficult for BAFINSA to perform this role.
Local police no longer have intelligence gathering capabilities, and thus can act only after a conflict has escalated. They have not been able to control the escalating conflicts.
In addition, there are unconfirmed rumours that some police are on the payroll of the ABC Company. Some locals claim that the police have either escalated the conflict for their own benefit or failed to intervene and protect Dayaks in clashes with outside workers. A number of local villagers have been arrested and charged with disturbing the peace or destroying company property. While these people are still in jail, no judicial decision has been made about their guilt or innocence.

Involvement of local and national NGOs

Several local and national NGOs and research institutions have become involved in the conflict. These groups have primarily served as investigators and analysts of conflict issues, advocates for human rights, trainers of local institutional capacity building, or informal intermediaries with companies who have made efforts to resolve conflicts. LBH, an Indonesian legal aid NGO, has a local office in the area.

Trigger events and escalation

While past conflicts over forest concessions in the region were relatively low-key and involved only sporadic violence, recent events have led to a significant escalation of tension and actions. In the last two months, a series of incidents has pushed all parties to consider how to deal with contested land claims and concessions, destruction of property and violence. These events include:

- ABC's announcement and subsequent actions to expand its logging activities on lands contested by both XYZ and the local Dayak community;
- the construction of a road through land claimed by the local Dayak community, which has been a safety hazard – a construction truck struck and injured a child, and there has been increased truck traffic, noise and dust during construction; these conditions are likely to continue as harvesting expands and more logging trucks use the road;
- beatings/attacks and counter-attacks between outside workers and Dayaks in towns near the forest concessions, leading to five deaths – three outside workers and two Dayaks;
- burning of four company base camps, two belonging to each company, by unknown parties;
- damage or total destruction of valuable heavy logging equipment owned by the companies – by either putting sugar into their fuel tanks or burning;
- seizure of heavy equipment by locals, and its detainment at an unknown location – six bulldozers, four trucks and three pieces of timber moving machinery;
- the shooting of outside workers in the forests – many workers now fear for their lives, and have refused to work in the forests until their safety can be guaranteed;
- a large demonstration at which 300 local people voiced their opposition to ABC and XYZ operations, resulting in rock throwing and the burning of a car. Protesters' demands included: 1) the return of their traditional lands; 2) adequate compensation for past losses of lifestyles, land and property; 3) comprehensive implementation of the Forest Village HPH programme by ABC; 4) access to the

forests for members of the local community, for traditional uses – hunting, agriculture, and subsistence logging; 5) infrastructure development in indigenous villages; and 5) a share in all logging profits. The demonstration was broken up by the police. Fifteen people ended up in hospital and 30 were arrested.

This situation has resulted in a work stoppage by workers at both companies. They have refused to return to the forest.
The companies have not responded to community demands. All parties seem to be trying to figure out how to manage the conflict, minimize future violence and address some of the issues raised, or alternatively to escalate the conflict by using more violence or repression to achieve their ends.

Parties in the conflict

ABC Company:	Representatives in the simulation: 1. Representatives in real life: 5 to 8.
XYZ Company:	Representatives in the simulation: 1 (representing four brothers). Representatives in real life: 4.
Local Dayak villagers:	Representatives in the simulation: 2 to 3. Representatives in real life: 5 to 10.
Company workers (from Madura):	Representatives in the simulation: 1 to 2. Representatives in real life: 5 to 10.
Central government/Ministry of Forestry:	Representatives in the simulation: 1. Representatives in real life: 4 to 6.
District government:	Representatives in the simulation: 1. Representatives in real life: 5 to 10.
Local and national advocacy NGOs (optional):	Representatives in the simulation: 1. Representatives in real life: 3.
Security forces (optional):	Representatives in the simulation: 1. Representatives in real life: 3.
Mediator(s):	In the simulation: 2. In real life: 1 to 12.

Role of the ABC Company representative

Since receiving its timber concession several years ago, ABC has conducted logging operations in the contested area. However, it avoided cutting some of the area closest to the local Dayak community because of tensions between the company and the indigenous population over landownership and forestry concession issues. When ABC sent surveying teams into this area, Dayaks attacked workers and destroyed company property.

ABC believes that the situation on the ground has got out of control. The contested land issues, violence between the ethnic groups, the costs of damaged or lost equipment and base camps, and the bad publicity generated by the demonstration are becoming too expensive. Payments that the company made to private guards to protect company property have not resulted in a stable business environment allowing for expanded harvesting in contested areas, and the local police is also unable to keep the peace.

While the hostile environment in the area of ABC's concession will not force it out of business, company management wants a more stable situation. Ideally, this would be developed through talks among all concerned parties. However, if the situation does not get better, ABC will consider increasing its expenditures on security, paying the police and making life miserable for local villagers until they let the company proceed with its work. Although this strategy is possible, it would be both expensive and risky. It is definitely not the company's or your first choice for action.

As a Vice President of ABC, you believe that a negotiated solution is probably the only way to resolve some of the problems that have plagued your company and the local community. You would like to work out an arrangement with XYZ and the local community that recognizes your right to harvest forest land in your concession, but you want to make it clear that the company is not claiming landownership. You would be willing to encourage the government to give the land back to the community after you have harvested the timber. Perhaps the community could use the cleared land for agricultural purposes.

You recognize that ABC will probably have to make some favourable offers or concessions to both XYZ and the community to achieve its goals. An agreement with either XYZ or the community will probably not solve ABC's problems.

You are open to talking about implementing a community development plan. However, you do not want to be forced into an expensive scheme unless you get commensurate recognition of your right to harvest the forest. You will need to hear what the community wants and to find out how much this will cost before making any final agreements.
ABC would rather put money into projects that benefit the local community than make financial payments. Financial settlements could create a precedent, leading demands for similar payments from other communities near ABC concession operations. In addition, local communities may squander cash settlements, and then request even more money. Tangible construction projects guarantee that something is built for the community and left behind after cutting is completed.

You are also open to considering different harvesting practices – at least on the areas nearest the Dayak community – which might protect the local community's access to the land for traditional uses. These practices might include avoiding the clear-cutting of all the land in the concession.

ABC wants a predictable and skilled workforce. Ideally, the company wants to keep the workers it has, and gradually add new ones. You are open to talking about how to increase the number of local people employed in your operations as long as they have the necessary expertise.

Can you think of other interests derived from this scenario or from your own experience?

Role of the XYZ Company representative

XYZ is a company formed by you and your three brothers. You are from Kalimantan, but are not recognized as Dayaks. Your grandmother was a Dayak, so you have some blood relationship with the local community.

Your company is composed of four consolidated concessions, each of which was fairly awarded to you and your brothers by the district government. You have a valid concession agreement, which you will show to all who want to see it.

You and your brothers believe that the situation on the ground near your concessions has got out of control. The contested land issues, violence between the ethnic groups and the costs of damaged or lost equipment and base camps are becoming too expensive. You cannot afford payments for private guards or the local police to protect company property. Some of your workers are refusing to go into the forests in fear for their personal safety.

You need to begin harvesting soon to be able to stay in business. You have invested in machinery and hired some workers, but they have been reluctant to go into the forest. It is imperative that some solution to the current conflicts be found.

You and one brother think that a negotiated solution is probably the only way of resolving some of the problems that have plagued your company, the ABC Company and the local community. You would like to work out an arrangement with ABC and the local community that recognizes your right to harvest the forest in your concession.

Your other two brothers think that strong-arm tactics may be necessary to change the situation. However, they are willing to let you try negotiations first before resorting to more serious action.

You and your most supportive brother believe that XYZ must form an effective coalition with *either* ABC or the local community to meet your company goals. However, you do not want to be coopted or taken over by either of them. You also recognize that a deal with only one of them will probably not resolve the problems that all the parties are facing.

XYZ does not need a community development plan to exercise its rights to the concession. However, the company might be willing to hire local people as long as they can do the job. (You have already hired some workers who are not from Kalimantan.) If necessary, XYZ also might be willing to do some minimal community development work, as long as it is not too expensive. You and your brothers are willing to work with the local government to achieve this goal. You hope that these measures will be enough to gain support for your concession and timber harvesting from the local community.

You are also willing to consider different harvesting practices that might protect the local community's access to the land for traditional uses. These practices might include avoiding the clear-cutting of all the land in the concession.

Can you think of other interests derived from this scenario or from your own experience?

Role of the Dayak villagers' representatives

You are the grandchild of a village chief who has protested against the seizure of your clan's traditional lands since the 1950s. You do not want to let down your ancestors, clan members or your extended family by not settling this conflict favourably.

Your community feels most animosity towards the ABC Company. In the past, it forced your community off its lands, clear-cut a large part of its concession and left your community with nothing.

Some other clan members believe that the only way to resolve this dispute is to fight and make business so difficult for the companies that they will leave. This has happened in other areas of Indonesia. However, other clan members are concerned about the escalating violence, the arrests of community members and the strength of the opposition, especially from ABC. They believe that ABC's management may be ruthless enough to start killing people to get its way.

You and some other clan members want to pursue a middle strategy, to keep up the pressure for change while remaining open to negotiations. Your clan wants to gain recognition of its ownership of traditional lands, but recognizes that this may take a long time. In the meantime, you and your fellow team member(s) want to win some tangible benefits for your community. If you can do this, you believe that you will be able to control some of the dissident members who want to escalate the conflict, leaving you free to comply with any agreements that you make with the companies, such as returning some of their heavy equipment.

Your community wants reparations for past losses and an effective forest village development programme while landownership issues are being resolved. After consultations with the community, you will tell the company exactly what you want.

Ideally, you think the community should get a cash settlement for past losses and to cover the costs of future socio-economic development. This solution would also ensure that the community obtains something besides empty promises. You are sceptical about the ABC Company's building projects for the community, as it is not clear whether ABC will follow through on its promises. Regardless of the development plan's content, you want to make sure that it includes both a government and a participatory community monitoring and enforcement component. You do not want a plan that is not implemented or is unenforceable.

Two additional concerns of your community are the timber harvesting process used by the companies, and access to forest lands for traditional uses. You do not want the land clear-cut, as this eliminates the possibility for hunting, gathering plants, subsistence timbering or the harvesting of trees for sale by the village. It also forces animals out of the forests into your fields, with resultant crop damage. If possible, you want the companies to agree to limited or selected cutting, so that the viability of the forest can be sustained and the community will be able to use it in the future.

Your community wants both companies to hire more local people and develop a training programme so that they can have good jobs and not just the few menial ones that ABC has provided in the past. Ideally, you want an agreement that ABC will send some of the "foreign" workers home.

Foreign workers are often disrespectful of and disdain local people. You suspect that this behaviour is based on both cultural and religious differences; Dayaks are generally Christian or animist, while the foreign workers are Muslims. If outsiders stay on, they will need to change their attitudes and behaviour towards the local community.

Your community has been supported by both local and national NGOs in its efforts to reclaim its land. You want to build an effective coalition with these NGOs to help your people in negotiations.

Can you think of other interests derived from this scenario or from your own experience?

Role of the company workers' representatives

You represent workers who are not from Kalimantan, and who work for both ABC and XYZ Companies. A significant number of ABC's workers are "outsiders", and a much smaller proportion work for XYZ, which is just starting its operations.

The people you represent are concerned about their personal safety, and want to keep their jobs. They want to be free of fear from attacks when they are in the forest or in local towns. They also do not want to be laid off and have to return to Madura where job opportunities are limited.

You recognize that some of the workers from islands other than Kalimantan neither like nor respect the local Dayaks. These workers are Muslims and the Dayaks are either Christians or animists. You believe that the attitudes between the workers and the local community must change or the conflict will continue. You are willing to explore ways of making this happen if the local Dayak community agrees to cooperate.

Can you think of other interests derived from this scenario or from your own experience?

Role of the central government/Ministry of Forestry representative

The two issues that your agency, the Ministry of Forestry, is most concerned about are recognition of its authority over concessions granted by the central government, and stopping the conflicts involving concessions issued by the district government and the local Dayak community.

As a Deputy Minister, you do not have strong views about indigenous landownership issues, but you do have the authority to make recommendations to the Minister. If you discover relevant information during talks, you are willing to convey it and your views to the Minister.

The Ministry of Forestry wants the district government to recognize the central government's authority over concessions that were granted in the past. It also wants the district government to refrain from making decisions about central government concessions, and from re-granting these concessions to other parties if the central government grantee has not exercised its concession or is still within the timeframe of the grant.

Ideally, you would also like to help the other parties work out their differences, so that ABC Company can continue its business, revenues are generated for the central government, and conflicts related to the concession are resolved.

Can you think of other interests derived from this scenario or from your own experience?

Role of the district government representative

The two issues that the district government is most concerned about are recognition of its authority to grant forest concessions, and stopping the conflict in the district.

You and other elected and appointed government officials in the district recognize that historic indigenous land rights have not been respected by the central government. However, now that the authority to grant land concessions has been devolved to district governments, your district government does not want to give land back to the Dayaks because this would mean a loss of local tax and other revenues. If a way around this problem could be found, officials in the district might consider supporting the return of at least some land to Dayak communities.

The district granted the brothers who own XYZ Company a valid lease to harvest timber in the district. The concession was granted on land that the central government had previously granted by concession to ABC Company. However, ABC has not exercised its right to cut timber in the disputed area for a number of years. Because of this lack of action by ABC, the district granted a new concession to XYZ. The district government wants this concession to be recognized and respected by the central government, the Ministry of Forestry and ABC.

District officials would like the property damage, financial loss to companies and violence between Dayaks and Madurese to stop. The conflict has become expensive in terms of loss of life and property, and law enforcement costs. Ongoing disputes also hinder the operations of the companies, which produce, both directly and indirectly, local taxes and revenues.

You represent district officials who want you to do whatever is required to help settle the issues and concerns related to conflicts in the area. They would like you to encourage the companies to hire local people and create village development plans and initiatives that would result in greater economic prosperity for the district and its population. They would also like you to work with the companies and the local community to find ways of improving interethnic relations.

Can you think of other interests derived from this scenario or from your own experience?

Role of the NGO representatives

Members of your organizations believe that the rights of local people, especially the Dayaks, have been trampled on in the past by the central government, and are now being ignored by district authorities. After careful analysis of the situation and conflict in the district, your organizations believe that the Dayak community should either get a free and clear title to lost lands or significant compensation for past and potential future losses due to timber harvesting. You will work with the Dayaks to help them get what is due to them.
If the companies propose development plans, you want to make sure that promises are carried out. Your groups have seen too many promised projects that have either never been initiated or are left incomplete. The work that has been done often fails to meet communities' expectations or interests.

Your groups want any development plans that are created to empower and not disempower the local community. This means involving community members throughout the process.

You want the government to oversee the completion and enforcement of village development plans and projects, and to have local people overseeing the initiatives.

Can you think of other interests derived from this scenario or from your own experience?

Role of the security forces' representative

The local police force would like an end to the most violent conflicts related to landownership and concessions in the district. The situation has got out of hand and is almost beyond the local police's control.

The police have not been able to reduce the number of shooting incidents in the forest, apprehend perpetrators, prevent the destruction of company equipment and base camps, or recover stolen property. The magnitude of the demonstration by local people was almost beyond the police's control.

As a representative of the police, you would like to help the parties to reach acceptable agreements on their differences. You will do whatever you can to achieve this goal. However, you recognize that some members of your force have benefited from the conflict. They have taken money from ABC Company to protect company property and retaliate against villagers they believe to be agitators or perpetrators of crimes. These officers may not want the conflict to stop if it means a loss in revenue for them.

Can you think of other interests derived from this scenario or from your own experience?

OPTIONAL SESSIONS

Session plan 19: Conditions for negotiations

PURPOSE:
At the end of the session participants:
- have considered and assessed the important conditions for effective negotiations.

TIME:
One hour.

MATERIALS:
Flip-chart, coloured pens, envelopes.

PREPARATION:
Photocopy Attachment 19.A "Conditions cards" for each group of three participants. Enlarge each condition so it can be seen clearly when posted after the group discussion. Cut each photocopy into individual cards and place each set of cards in an envelope.

STEPS:
1. Start by explaining that negotiations are an important tool for managing conflicts. However, a number of factors and conditions can change the effectiveness and outcomes of a negotiation. In this activity, participants will consider and assess the importance of these conditions.
2. Explain the following activity, which will be undertaken in groups of three participants:
   - the coEach group will be given an envelope that contains slips of paper with certain conditions or attributes of the interest parties in a conflict. Many of these attributes (but not all) are important enabling factors that can help negotiations. Some can be essential for effective negotiations.
   - Each group should read through and discuss these conditions and ensure that they understand the meaning of each.
   - On a flip-chart, each group is to draw a table with three columns: very important (essential), important (useful), and not important.
3. The group is to discuss each of the conditions and position it on the chart under the heading that the group feels best describes the condition's significance in making negotiations successful.
   Stress that in this activity, there are no right or wrong answers, but groups will have to justify the choices they make. In doing so, they should draw from their own experience of working to resolve disputes among parties.
   Explain that if group members feel that an essential or important condition is not there, they can write it on one of the blank slips of paper provided and add it to their list.
   When the group is satisfied with the locations of its conditions, it should stick them in place with the glue stick.
   Groups have 30 minutes to complete the task.
4. Divide the participants into groups of three, distribute flip-charts, envelopes and glue sticks to each group and ask them to begin the activity.

5. After 30 minutes, ask each group to post its flip-chart and allow a few minutes for all the participants to look at the other groups' results. After they have had a chance to do this, initiate a discussion around the following questions:
   - What differences or similarities were there among the rankings of the groups, and why?
   - What processes did you use in ranking the conditions?
   - Did any group add conditions that were not provided on slips of paper? What were these? Why were these considered important?
   - How useful was this process in helping to share experiences and understand other people's perspectives? (Point out that many of the attributes are important for successful negotiations and that one of the purposes of ranking is to generate active discussion.)

ATTACHMENT 19.A: CONDITIONS CARDS

The issues are negotiable.
The interest parties trust one another.
The interest parties are well prepared for negotiations.
All the groups directly involved in the conflict can participate in negotiations.
The interest parties depend on each other to some degree.
An external conflict manager is available to facilitate.
The parties feel that there is some urgency or pressure to reach a decision.
The parties are willing to stick to their positions throughout the negotiations.
Any agreement reached is realistic and achievable.
Agreements can be made in a short time.
All parties have some authority to make decisions.
All parties are willing to resolve their conflict.
The interest party with the most resources is willing to help pay for transport and venue costs.
No party is trying to use its power to gain unfair advantage over other parties in the negotiations.
The parties are willing to compromise to some degree.
The interest parties all feel that they have more to gain by negotiation than by other actions (no more favourable BATNA).
It is possible to reach agreements that all parties see as fair.
All interest parties have the capacity to participate in negotiations.
The parties have some common issues and interests on which they are able to agree.
The resolution of the dispute must be a high priority for all stakeholders.
Parties must be true representatives (authorized to make decisions within the framework allowed for negotiation).
Frame conditions (e.g., State under rule of the law, separation of powers, government ready to engage in an open-ended process and to relinquish some decision-making authority, public opinion) favour a negotiated settlement.
Financing is assured.

Session plan 20: How to choose the most appropriate way to manage conflict*

PURPOSE:

At the end of the session participants:

- understand BATNAs as a tool for selecting a conflict management strategy;
- have practised developing and assessing a BATNA.

TIME:

105 minutes. Calculate five minutes for the introduction; 30 minutes for the individual BATNA analysis; 45 minutes for the group agreement; and 25 minutes for comparison of group results.

MATERIALS:

Markers, flip-charts, cards.

PREPARATION:

Photocopy for each participant:

- "The bountiful mango tree case study";
- Attachment 20.A "The BATNA question guideline".

CROSS-REFERENCE:

Chapter 1.4 and 2.2.1 of the handbook (FAO, 2012).

STEPS:

1. Introduce the best alternative to a negotiated agreement (BATNA), and the purpose of the activity. Explain that a BATNA assessment provides a realistic roadmap of the different routes that negotiators could take to reach their objectives. Preparing a BATNA and considering the other parties' likely BATNAs is one of the most important first steps in planning a conflict management strategy.
2. Describe the following task:
   - Each participant will be given a case study, "The bountiful mango tree", and an attachment, "BATNA questions guideline", for consideration.
   - Participants are to spend 30 minutes alone reading through the case study and answering each question.
   - At the end of 30 minutes, participants will share their answers to the BATNA questions in small groups of five. Each group is to try to reach agreement on the responses and to record these on a flip-chart for presentation to the other groups.
   - When the groups have posted their flip-charts on the wall, all the participants spend a few minutes looking at one another's results.

The facilitator initiates a discussion by asking:

- What are the effects and benefits of taking time to assess your BATNA, before making a decision?

In closing, highlight the following points if they have not yet been raised.

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* (From FAO, 2002).

Key learning points

Considering the strengths and weaknesses of a selected conflict management strategy realistically affects negotiators' ability to satisfy their interests.

Although BATNAs are an important first step in planning conflict management, they may be revisited and reconsidered at various points in the process as the dynamics of the conflict change.

Having a BATNA gives a negotiator security as it protects her/him from rejecting an agreement that would be in his/her best interest to accept.

A BATNA provides power as it identifies the point at which a negotiator should break off from the negotiations.

A BATNA can serve as a good analytical tool for thinking through conflict issues.

ATTACHMENT 20.A: BATNA QUESTION GUIDELINE

Review the conflict:

- What are the central issues to this conflict?
- Who is involved and what kind of relationship do you have with each of them now?
- What kind of relationship do you want with them in the future?
- What kind of outcome do you hope to achieve?
- Which conflict management process would best help you to achieve your interests, and why?
- What are the potential outcomes of the selected method (the best outcome, the minimal outcome and the worst outcome)?

Assess the alternatives:

- What alternatives do you have for satisfying your interests if you do not reach an agreement?
- What would be the best alternative?

Strengthen the BATNA:

- What steps should you take to strengthen your chance of success if you have to use a collaborative conflict management strategy? (Will additional resources be required? Will you need extra time or financial

Consider the other party's BATNA:

- What do you think your neighbours' key interests might be?
- What commitments do you think your neighbour would be willing and unwilling to make?
- Through which conflict management procedure do you think your neighbour could best satisfy her/her interests?
- What might he/she do if no agreement is reached?

The bountiful mango tree case study

Sixty years ago, your grandmother planted a mango tree on the edge of your family farm. The tree grew to be very large and now produces many kilograms of mango fruit every year. One of the largest branches of the tree hangs over a neighbour's property, and each year approximately 30 to 50 kg of fruit falls on to that neighbour's land. When you were growing up, your family always had good relations with the neighbours. Every summer your family would join the neighbouring family and spend a weekend together collecting the fallen fruit and making mango chutney and mango ice cream. Your family would then take all the rest of the fruit and sell it to the fruit seller in the market place.

In recent years, however, things have changed. The neighbour's eldest daughter married a man from another town, and he took over managing the neighbour's land. The first year that he joined both families to gather the mangoes, he commented out loud to everyone that it seemed unfair that his wife's family only got the mangoes that fell on their property. He pointed out that, by now, the roots of the tree were extending deepy on to the neighbour's land, and thus, the neighbour should have equal access to all the mangoes.

Althought his wife's family did not say anything to support him that first year, over time, they began to feel that he was correct. The father remembered how hard he had worked to dig the irrigation canal that fed the crops along the edge of their property, which also provided the water for the tree to grow as large and produce as many mangoes as it did. The mother recalled, somewhat bitterly, one year when their youngest son was getting married and she wanted to make additional mango chutney for the wedding banquet. Your mother had said that they would have to buy the mangoes af the market, as the extra fruit had already benn sold, even thought there was still plenty growing on the tree. So, over the years, the relation between your two families grew increasingly tense, particularly when the mango tree was ripening.

Last week, your family received a letter in the mail from the neighbours. The letter stated that they were demanding the right to have 50 percent of all the mangoes this year. They wanted your family to sign an agreement that they had drafted to this effect, by next week. They threatened that, if your family does not agree, they will cut off all the branches that are hanging on their side of the property, and possibly dig up all the roots on their side, as well. You know that if they did this, they would probably and up killing the tree. You must now decide how to respond to their letter. You decide first to outline your BATNA in order to assist you in determining what would be the appropriate course of action.

Session plan 21: Practising key mediation skills – reframing and inclusive solutions*

Purpose:

At the end of the session participants:

- can explain the characteristics of an inclusive solution and why they are important in group decision-making;
- can explain the three types of thinking involved in developing inclusive solutions;
- can explain how creative reframing can help generate inclusive solutions.

Time:

Two hours.

Materials:

Flip-chart.

Preparation:

- Photocopy Attachment 21.A "Case study: sustainable forest management" for each participant and cut each photocopy into two halves.
- Copy "Two ways of looking at the same problem" from Handout 21 on to a flip-chart.
- Photocopy Handout 21 for each participant.

Cross-reference:

Part 4 of the handbook (FAO, 2012).

Steps:

1. Introduce the session by reading the following old Chinese Taoist story:

   "An old Chinese Taoist story describes a farmer in a poor country village. He was considered rich because he owned a horse that he used for ploughing, for riding around and for carrying things. One day his horse ran away. All his neighbours cried out about how terrible this was, but the farmer simply said 'Maybe'.

   "A few days later the horse returned and brought two wild horses with it. The neighbours were all happy with his good fortune, but the farmer just said 'Maybe'.

   "The next day the farmer's son tried to ride one of the wild horses; the horse threw him off and broke the boy's leg. The neighbours all offered their sympathy for his misfortune, but the farmer again said 'Maybe'.

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* (From RECOFTC, 2002a).

"The next week government officials came to the village to take young men for the army. They rejected the farmer's son because of his broken leg. When the neighbours told him how lucky he was, the farmer replied 'Maybe'". (From RECOFTC, 2002a)

2. Ask the participants what the story tells them. (Any event depends on the "frame" in which it is perceived. When the frame is changed, the meaning changes.) Explain that this was just a warm-up for more creative thinking. Creative thinking is important in facilitation and when trying to generate inclusive solutions. Refresh the participants' understanding of what an inclusive solution is.
3. Introduce the simulation, which aims to show them how to identify an inclusive solution from a real case study. During the first half of the exercise the trainees will be participating in the case, but in the second half they will be asked to reflect on the process of looking for an inclusive solution.
4. Explain that to find an inclusive solution negotiators have to look at issues in different ways. Show the flip-chart of the "Two ways of looking at the same problem". Ask the participants about the differences between the columns. Cover some of the examples in the reframed column and ask participants to reframe some of the problem statements in small groups.
5. Ask participants to share their reframed problems. Explain that encouraging a group to think constructively about a problem from a different angle may help the group reach an inclusive solution.
6. Explain that the same exercise will be repeated using a real case from community forestry. Distribute the first half of the case study and ask the participants to read it carefully.
7. Ask the participants to extract what they think the problem is and summarize it in one sentence. Write these statements on a flip-chart. Ask participants to reframe their problem statements as they did in the constructive thinking exercise.
8. Ask the group to synthesize in one sentence all the reframed statements. Write down the synthesized problem statement and add the question: "What is unchangeable about our problem?"
9. List everyone's answers. Probe further to identify any hidden assumptions and biases.
   - Why do you see this aspect as unchangeable? (Challenge participants on hidden assumptions and biases.)
   - What do you see as changeable and why? How could this be changed? What would need to happen to change this? (Encourage open discussion of different ideas.)
10. Clearly identify on the flip-chart the different ideas that could help change the situation. Based on the insights of what and how things can be changed ask the group for an inclusive solution to the problem.
11. Distribute the second half of the case study, which includes the inclusive solution that was reached in the real case. Ask the participants what they think of this inclusive solution.
12. Explain that the exercise is going to shift to reflecting on the process of the simulation. Ask such questions such:
    - What did I try to do?
    - What did I do first? What did I do next?
    - Why did I ask you what was changeable and unchangeable? (To reveal biases and assumptions.)
    - How was it for you to think in this way?
    - How would this work for stakeholders facing a real problem? (It would be more difficult as the stakes would be high and the opinions already ingrained.)
    - What does this mean for facilitating this type of thinking?
13. Introduce the concepts of exploring inclusive principles and reframing as tools for facilitation and the generation of inclusive solutions.
14. Distribute the handout.

Hints

The aim of reframing the problem in the case study is not to manipulate the group to reach the same solution as the people in the case study, but to give participants experience of reframing and to show that inclusive solutions can be reached in real-life situations with complicated problems. Be ready to probe and challenge participants if they use jargon or hold fixed assumptions.

Attachment 21.A: Case study: sustainable forest management – Exercise

Problem

In a rainforest in New Guinea, the local people are approached by a logging corporation offering to pay a lump sum for the right to clear-cut the forest and extract the hardwood trees. The deal sounds fantastic to many members of the poor forest tribe. They want to sell their only marketable goods in exchange for cash. This money could be used to buy things they cannot produce themselves.

However, local environmentalists are alarmed. The forests will be completely and irreplaceably destroyed.

✂ ✂ ✂ ✂ ✂ ✂ --

Case study: sustainable forest management – Exercise key

Solution

Environmentalists helped the local people to set up their own logging company with a small portable sawmill that processes one tree at a time.

The cut trees were worth significantly more than the company had offered for them, so the people did not feel pressured to log more than was appropriate for the health of the forest. The logging company purchased the cut trees, which it resold at a profit overseas.

Reframing and exploring inclusive solutions (Handout 21)

What is an inclusive solution?

An inclusive solution:
- takes everyone's interests into account;
- builds on the collective ideas of the group and not on those of one or only a few individuals;
- challenges fixed assumptions (does not necessarily follow the established way of doing things);
- is innovative as it is usually a "new" idea generated by combining and reframing the collective ideas of the group.

Why is supporting the development of inclusive solutions important for a facilitator?

Facilitators for nfp-related conflicts are often faced with situations where solutions are sought by a group of people with many diverse interests. Facilitators need to encourage groups to take all interests into account to come up with inclusive solutions.

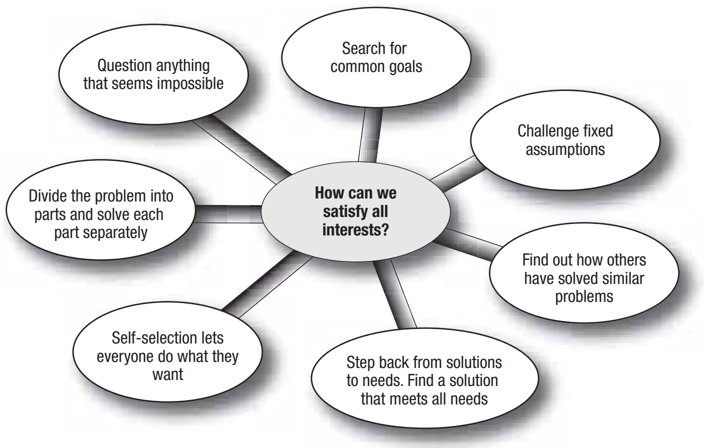
A non-inclusive solution often causes conflict. People whose interests have not been taken into account may decide to follow their own course of action, which may conflict with the solution imposed. In addition, members who feel that the solution is non-inclusive may not feel particularly committed to follow-up plans, as they will lack a sense of ownership of the solution.

How can the development of inclusive solutions be supported?

In the convergent zone, the group builds a shared framework of understanding. The facilitator's main task is to help the group explore alternatives and synthesize them into a solution that works for everyone. This is often easier than it sounds. There are three types of convergent thinking: exploring inclusive principles, creative reframing, and strengthening good ideas.

Exploring inclusive principles

The following figure shows some principles to help people synthesize alternatives into an integrated solution. They are based on finding a solution that should work for everyone.
These principles are often at the heart of sustainable agreements. A facilitator can encourage group members to identify and discuss inclusive principles that might apply to their situation. This will encourage creative thinking. For example a facilitator might share a case study, discuss it and ask "What are our group's fixed assumptions?" Real-life case studies are excellent tools for helping groups explore inclusive principles.



Reframing the problem

There are often at least two ways of looking at the same problem. Once someone perceives the problem in a particular way he/she may find it difficult to see the same problem in any other way. The meaning that any event has for a person depends on the frame in which that person perceives it. When the frame is changed, the meaning changes. This is called reframing. When the meaning changes, the person's responses and behaviour also change. The more reframing, the more choices!

Looking at a problem from a completely different angle is rarely a spontaneous action, as it is unnatural. When a facilitator decides to encourage a group to reframe a problem, she/he often finds the main challenge is motivating people to invest the time. A way of introducing reframing and overcoming initial resistance to it is to provide participants with some examples showing how it works.

Brainstorm the difference between the columns.

Two ways of looking at the same problem	
Presenting the problem	Reframing the problem
It's them	It's all of us
It's a problem	It's an opportunity
We can never achieve our goal	We haven't broken down our goal into realistic steps
We don't have enough money	We don't yet know how to find or generate more money
We need more time to do all of these things	We have to decide what to do first and what to do later
We don't have any power	We haven't yet discovered how to use the little power we have more strategically
Our stakes in the problem are too different	We haven't yet looked for the similarities
We don't know enough about the problem to solve it	We haven't identified where we could look for more information

Once participants have seen examples of reframing, they will appreciate the benefits and be more inclined to look at their problem differently. A facilitator can help participants by asking different types of questions and encouraging them to make different kinds of statements.

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CHOICE OF RAPID DAILY FEEDBACK METHODS

PURPOSE:

At the end of the session participants:

- are provided with opportunities to raise questions, express concerns, and make suggestions;
- have assessed how the training is progressing for everyone.

TIME:

15 to 20 minutes.

MATERIALS:

Depends on the method selected.

PREPARATION:

Depends on the method selected.

STEPS:

1. Explain that there will be a short feedback exercise at the end of each day to assess how the training is progressing for everyone. Check that participants are familiar with the concept of feedback.
2. Explain that the purpose of feedback is to provide participants with opportunities to raise questions, express concerns and make suggestions, and to show the trainer where training needs to be adjusted.
3. There are many different ways of collecting feedback, depending on the purpose, the group, the time available and the level of detail required. If the group is familiar with feedback, the trainer may provide a choice of different methods and let participants run the daily review themselves. Other groups might need assistance at the beginning but gain experience of reflecting on their own learning and feelings as the training progresses.

Hints

Participants will find the evaluations useful only when they have consequences. If an evaluation shows dissatisfaction, it should be discussed and remedies identified. Suggestions and recommendations should be followed up, and appropriate agreements formulated.

Some wishes or requests regarding frame conditions – accommodation, daily allowances, field trips, etc. – or workshop content or methods cannot be fulfilled. When this is the case, it should be stated honestly and openly and explained.

Choice 1: Mood meter

Prepare a mood meter sheet showing a happy, a neutral and a sad face. Explain that these symbols represent how satisfied participants are with the training. Post the meter at the exit of the room and ask participants to mark their mood with a sticker or marker pen. In the following mood meter each mood has been broken down into three categories measuring the degree of satisfaction, neutrality or dissatisfaction.

Mood		Monday	Tuesday	Wednesday	Thursday	Friday
	CS		x	x x x		x x x x
	VS	x	x x x	x x x x	x x	x x x
	S	x	x x x x	x x	x	x x x x
	SS	x x	x x x	x x x x	x x	x x x
	N	x x	x x		x x x x	
	SD	x x x	x		x x	
	D	x x		x	x x	
	VD	x x			x	
	CD	x			x	

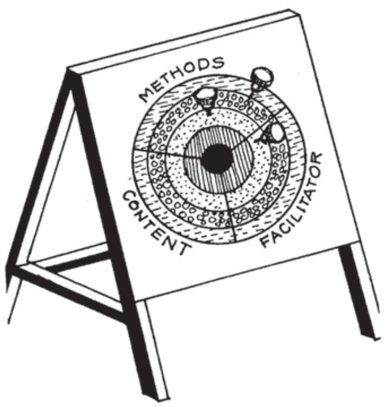
CS	=	completely satisfied	8 points
VS	=	very satisfied	7 points
S	=	satisfied	6 points
SS	=	slightly satisfied	5 points
N	=	neutral	4 points
SD	=	slightly dissatisfied	3 points
D	=	dissatisfied	2 points
VD	=	very dissatisfied	1 point
CD	=	completely dissatisfied	0 points

A variation is for participants to write comments on post-it notes to clarify the moods indicated. It can be useful to use different colours for participants from different regions or institutions. This will show up sharp differences in perceptions. Take care not to break anonymity by making the groups too small.

A continuous mood meter can be used for the whole training course, and moods measured at the end of each morning and afternoon. The line across the mood meter above represents the "average mood" among the participants for that day. The average mood can be calculated by awarding each cross a score of from 0 (for completely dissatisfied) to 8 (for completely satisfied). Add up the total score and divide by the number of participants, then mark the average at its appropriate point on the meter.

Choice 2: Are we on target?

1. Decide which elements of the day to monitor.
2. Draw concentric circles (similar to a dart board) on a flip-chart. Make several pie-like divisions for the training aspects to be evaluated – content, methods, facilitators, etc.
3. During feedback, ask the participants to place pins or stickers on each pie to reflect their rating, the closer to the centre the more impressed or satisfied.
4. After all the participants have placed their pins or stickers, ask them to note the general placement and investigate any pins that fall outside this general choice.
5. Summarize the results of the group.
6. Ask participants to add notes to the pins or arrows to explain why they placed them at that point, and/or to make suggestions for improvements.



Choice 3: Complete the sentence

Display (or photocopy for each participant) open-ended sentences directed at the training aspects to be evaluated, for example:

- I find the training effective because...
- The training could be improved by....
- The facilitators could be more effective if...

Participants can either answer all the questions displayed or choose the ones they would like to react to.

Choice 4: Human continuum

1. On one end of a long wall, post a sign saying "nothing learned"; on the other end, post a sign saying "fully competent".
2. Explain this continuum and ask the participants to think where they were at the beginning of the training in terms of knowledge, comfort and skill level.
3. Then ask them to stand up and place themselves at that point of the continuum. When the participants have stopped moving, ask three or four volunteers to explain why they placed themselves at that point.
4. Ask the participants to think about where they are now at the end of – or during – the training, and to place themselves at the appropriate spot on the continuum.
5. Again ask a few volunteers to explain why they placed themselves where they did.
6. Ask the group to value the activity, making sure to comment on how realistic their self-assessment is.

Choice 5: Faces

Distribute photocopies of the following attachment and ask the participants to indicate how they feel at the end of the day by choosing the appropriate face and explaining why they feel this way?

How do you feel today?

Please mark the faces that represent your feelings:

For each face selected, please explain your feeling:

Choice 6: Continue – change – stop

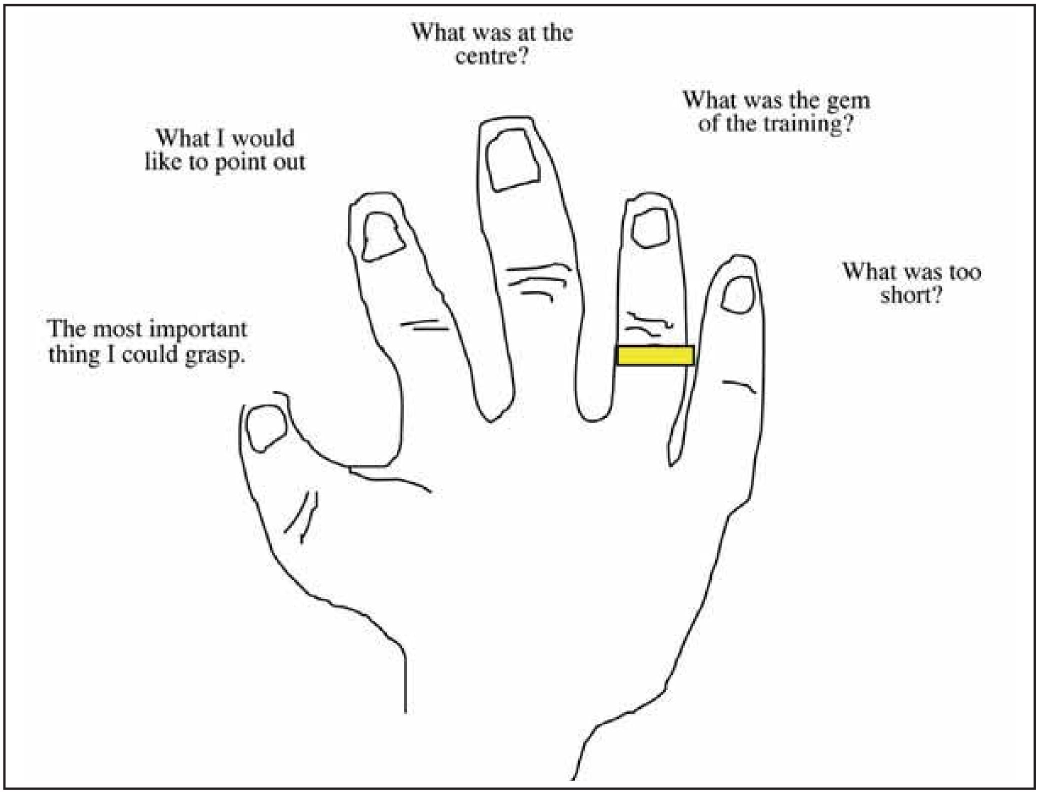
In this method the participants evaluate what aspects of the day's training they found good, what should be changed, and what should be stopped, i.e., not be done any more.

The participants fill in the squares of the following table, which should be posted on a pin-board. After the participants have responded and posted their cards on the pin-board, the moderator reads the results aloud and discusses them with the participants.

	What was good? (be continued)	**What should be changed?** (done more, less. differently)	**What should be stopped?** not done any more)
Contents topics			
Methods, process			
Trainer's behaviour			
Frame conditions			

Choice 7: The five fingers of a hand

This method can be used to give participants a guideline for what they should mention in a verbal or written evaluation of the training course. Participants should start at the small finger and work their way to the thumb.



Sample final training evaluation questionnaire

A. About the relevance of the training

1. How relevant was this training to the kinds of problems and issues that you face in your work situation?

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2. What did you think was the most useful part of the training? Why?

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3. What section(s) of the training should be strengthened or expanded to enhance your application in the future?

B. About the content of the training

For each of the course objectives listed in the following table, rate how well you thought they were met. Give each a score of from 1 (objective not met) to 5 (objective fully met).

Objective 1:	Objective met 5 4 3 2 1 Objective not met
Objective 2:	Objective met 5 4 3 2 1 Objective not met
Objective 3:	Objective met 5 4 3 2 1 Objective not met
Etc.	

C. About the trainers

Trainer XX

1. Made objectives of the session clear:	Very clear 5 4 3 2 1 Not clear at all
2. Explained materials clearly:	Very clear 5 4 3 2 1 Not clear at all
3. Provided opportunities for questions:	Many opportunities 5 4 3 2 1 Very few opportunities
4. Had good knowledge of the subject matter:	Very good knowledge 5 4 3 2 1 Insufficient knowledge

Please circle the number that reflects how well the trainers worked together as a team. Please comment:

Worked very well together 5 4 3 2 1 Did not work well together

D. Overall assessment of the workshop

1. How would you rate the training overall?	Very good course 5 4 3 2 1 Very poor course
2. How confident do you feel about using what you have learned in your work tomorrow?	Very confident 5 4 3 2 1 Not at all confident
3. How likely are you to recommend this course to a colleague?	Very likely 5 4 3 2 1 Very unlikely
4. Was there sufficient time to practise the new skill?	Yes 5 4 3 2 1 No
5. How useful were the exercises?	Very useful 5 4 3 2 1 Not at all useful
6. Was the length of the course appropriate?	Yes 5 4 3 2 1 No

E. About the length of the course

Please comment on the length of the course (too long, too short, etc.). What would be the best length and why?

F. After the workshop

Will you discuss what you have learned in this workshop with your supervisor, with a view to using the skills you have gained in your regular work?

G. Suggested improvements

What, if anything, would have helped you to make more progress?

Many thanks for your feedback!

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