

# Training the International Negotiator

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## Introduction

**T**HIS ARTICLE will focus on negotiators and negotiations in a political and diplomatic setting, in other words: on training students, diplomats and other civil servants in negotiation effectiveness, while confronting them with the fit between entitlements and benefits. Its basis is the experience of this article's author in delivering seminars on international negotiation processes during the last 30 years.<sup>1</sup> An important integral part of these seminars is the "Workbook on International Political and Diplomatic Negotiation."<sup>2</sup>

It should be noted that this approach to training is but one among many. Every trainer has her or his own way to structure training, and the approach described above has been developed since 1980 and applied internationally since 1990. Although this article's author created this 'model,' it is now being applied by a substantial group of young trainers—former students who showed talent in training. Training is not simply knowledge and skill; it is also talent. Some are suited for it, but others not, even if they have already been training participants for quite some time. The same goes for developing exercises. It is important that trainers develop their own training tools that suit their individual training style. Repeating standard exercises created by others will not, in the end, allow for high-level training. Routine is useful, but there are limits to it, as routine can affect spontaneity in a negative way. Good trainers must be good at improvising, consistent in structuring the program and flexible about addressing problems. Charisma and experience are very helpful. At the same time, successful trainers have to be well versed in methodologies and content; they have to know the dossier they are teaching and training.

## Understanding International Negotiation

**S**EMINARS START with a lecture<sup>3</sup> on international negotiation, predominantly from a realist point of view. The overview of a typical lecture given in the paragraphs below will show the way how the subject of international negotiation is introduced to participants in the training: through examples from negotiation history like in the five ensuing paragraphs:

In 1648 in Westphalia, noblemen of West and Central European states negotiated a series of peace agreements that were in the interest of the most powerful states among them. They created a new model of sovereignty, with sovereignty being with the states and no longer with the dynasties. This favored republics throughout Europe, in Venice, Switzerland and the Netherlands. Westphalia also did away with the medieval hierarchy of sovereigns, as this was in the interest of the new rising powers such as France and Sweden. These agreements fitted the entitlements of the powers and gave them the benefits they expected, won on the battlefields. Now all states were equal, but some were more equal than others. All states benefited, but some benefited more than others.

In 1713, the Peace of Utrecht was concluded. Was it just? Was it fair? Not really. Although the Netherlands had invested enormously in the War of the Spanish Succession with England against France, the Netherlands did not benefit. Indeed, the Netherlands became the loser. Shrouded negotiations between France—which had lost the war—and England that were signed on Dutch territory in the Peace Treaty of Utrecht, but without the Dutch. It was perceived as a very unfair peace for the Dutch but, as they did not have the power to undo the agreement, this unjust peace could be concluded by the other powers, thanks to effective French and English negotiation behavior. There were many short-lived peace agreements in the 17<sup>th</sup> and 18<sup>th</sup> centuries, because the peace settlements generally benefited the most powerful and were thus unfair for the less powerful. It is little wonder they did not result in a peaceful and stable Europe.

In 1815, Austria, Russia, Prussia, Britain and France—as a latecomer to the process—concluded the Vienna Peace Agreement at the Congress of Vienna. The minor countries were not allowed into this circle of five and they more or less had to swallow what the Concert of Europe decided. Monarchs who had been driven from their territories by Napoleon were re-installed in their country and/or compensated for losses. In that sense it was fair for those who supported the old regimes, yet it was unfair for the revolutionaries. No wonder the 19<sup>th</sup> century was plagued by revolutions, one after the other. The people no longer blindly accepted these autocratic regimes. Most of the rebellions were stamped down, but some were successful. As alliances between the powers remained more or less intact, the late 19<sup>th</sup> century became a relatively peaceful period, notwithstanding revolts from the populace because of the treatment by their rulers. The writings of Karl Marx did not appear out of the blue.

In 1919, France, Britain, the United States and, to a lesser degree, Italy and Japan negotiated the Treaty of Versailles in Paris. Other countries could influence the outcome of the negotiations a little more than in Vienna, but it was still the five great powers that decided. Was their aim to keep Germany and the Soviet Union outside the negotiation process? For the French this was fair, as in France's perception Germany was responsible for the First World War. The Germans, however, did not share this view, to put it mildly. They saw the Treaty of Versailles as extremely unfair and this later became one of the reasons for the Second World War. Was it fair not to have the Germans at the table? As the saying goes, if you are not at the table, you are on the menu, and so the Germans

were. From a negotiation point of view, it was a mistake not to be inclusive, and from a justice point of view, it was unfair. This had consequences for lasting peace in Europe.

Although the League of Nations was established in the aftermath of the First World War, it did not become a tool to prevent new wars, nor did the courts that were established in The Hague before and after the First World War. There were attempts to achieve international justice, but the power of individual states hindered these initiatives. It was only after the Second World War that individual countries acknowledged the importance of international organizations to enhance international cooperation. Collective action did succeed in preventing some wars and the established global and regional organizations did manage conflicts and tried to do justice, but in many cases justice could not be done as it would have prolonged the war: peace versus justice.<sup>4</sup>

## Bilateral Bargaining

**S**EMINAR EXERCISES on bilateral bargaining aim at enhancing the participants' understanding of negotiations between two parties. The first exercise is extremely simple to understand, but complicated as a process. It is of a distributive nature in which participants are not allowed to enlarge the cake. As a consequence, trainees are boxed in. Participants are invited to buy and sell a car.<sup>5</sup> They play diplomats in Ethiopia, one from Sweden and one from Belgium, and are given prices that alternative buyers and sellers are ready to pay, thereby providing both Sweden and Belgium with their Best Alternative to a Negotiated Agreement (BATNA). In other words, the representative from Sweden knows the minimum price acceptable to her or him, and the Belgian representative knows his or her acceptable maximum price. These red lines overlap, so there is a potential contract zone: a Zone of Possible Agreement (ZOPA).<sup>6</sup>

The participants can either negotiate person to person or delegation to delegation. It is up to the trainees to decide what their first bid will be and the debriefing normally shows that the one who starts further outside the contract zone than his or her counterpart will get a better price. First bids are often decided by the question: what would be a fair price? As fairness is very much in the eye of the beholder, and as the beholders are often from different cultures, there is not really a just first and final bid at the table. The different perceptions of fairness have an enormous impact on the flow of the negotiation process and its outcome. Even if the final price is within the contract zone, it is normally only seen as just if this price is settled in the middle of the contract zone: the 50–50 solution.

The tendency is to share the difference between the first bids, corrected by the limits of the contract zone. The party that—relatively—paid too high a price will see the outcome as unjust and unjustified. This raises some animosity that might have an effect on the next bilateral exercise, where some of the participants try to take revenge. In other words, a small shadow from the past has already been thrown, as one of the parties feels that justice has not been done. In ad-hoc negotiations, for example in the private sector,

this is hardly problematic. In the public sector, however, this raises difficulties for future negotiations, especially in multilateral bargaining, which is all about a just compromise. As well as fairness, trust is at stake. This means that participants will have to be very aware of non-verbal signals from the other party, as they have no further means of control.

The second bilateral bargaining exercise is of an integrative nature, much more complicated than the distributive one. However, it also provides the participants with more opportunities to reach an agreement. The case is a negotiation between the European Union (EU) and a fictitious Central/East European country named Sylvania.<sup>7</sup> Sylvania is a small landlocked country of a few million inhabitants. It does not want to become a member of the Union, but would prefer to conclude a so-called 'Europe Agreement' with the EU. There are six issues the EU could offer to Sylvania and six issues that Sylvania could offer to the EU. Each issue has its own number of value points indicating its priority to the negotiators. The trick is to exchange issues of low value with issues of a higher value and thereby to win as many points as possible. The aim of the exercise is to train trade-offs and package-dealing—that is, compensation instead of compromise.

As the sellers of the distributive exercise will now be the EU, while the buyers will be Sylvania, there is already an element of a—limited—shadow of the past involved. The negotiators, on their own or in teams, first have to study their priorities. They try to get what is valuable, while what is cheap for them, they can use as concessions. They can trade one issue for another issue, or one for two or two for one, or whatever. In the process, they aim to find out what is important to the other party. They do not need to trade all of the issues. Actually, the game has been structured in such a way that it is important for the EU to negotiate as many issues as possible, while Sylvania could be content after three or four deals out of the six. Both sides have the same number of value points to start with and they have the same number of points that they might gain in return.

The effect of this is that the EU becomes the '*demandeur*' (applicant). Although the EU is much more powerful than Sylvania, it needs Sylvania to make deals that are not necessary. It might even be counterproductive for Sylvania to go beyond three package deals. Here we see an imbalance between entitlement and benefits. What is fair for Sylvania is seen as unfair by the EU. Normally the EU will have to be satisfied by fewer deals than the full six and, in that case, Sylvania will collect more value points than the EU and will be the relative 'winner' of the game. As in the car exercise, the sellers are normally more assertive than the buyers and, as the buyers are now representing a winning Sylvania, the shadow of the past will wither away.

This imbalance in the integrative exercise has been created on purpose. The game was constructed in such a way that the EU has more or less the same margin in every swap. Sylvania has three issues with a margin double for each EU issue, yet the remaining three issues have no margin at all. This implies that Sylvania is done if three issues have been swapped; it has collected all its profits. Meanwhile, the EU will have collected only half of its potential gains. The reasoning is that the agreement is much more of a priority to Sylvania than to the EU. The EU is so rich and powerful that its losses are negligible, while for Sylvania, its spoils are vital for its future prosperity. In other words, the EU is

willing to pay for a stable Sylvania and, by doing so, it hopes to limit Russian influence in Sylvania's politics. This is, in the end, about fairness but not about equality. After all, equal gains would be unfair for Sylvania.

During the debriefing, a graph clearly shows the values that have been created by the negotiators. The more effective the negotiators are and the better the chemistry between the negotiators from the EU and Sylvania, the more value they will create together. The graph also shows that Sylvania will do better in most cases. In other words, their results will be on their side of the line of equality: the line indicating the 50–50 solutions. As the created values show huge differences between the sets of EU and Sylvanian negotiators, they clarify the fact that negotiators make a difference. It is necessary to be trained, as an effective negotiator will gain more out of the exercise than ineffective negotiators. Finally, the game will show Pareto optimality, which is closely related to satisfaction. Suboptimal outcomes are less satisfactory than optimal outcomes.

A third bilateral bargaining exercise is played in teams and evolves around trust. It is a classic prisoners' dilemma game.<sup>8</sup> Here, the notion of justice is more prominent than in the distributive and the integrative exercises described above. This trust exercise is a mixture between distributive and integrative bargaining. There are short-term incentives for competition and long-term incentives for cooperation. Participants will have the feeling that the game is just if they arrive at the cooperation stage. But at the stage of competition, one side will rejoice while the other will be angry and demand revenge. The losing side will say that trust has been violated. This exercise can give rise to bitterness and a strong shadow of the past.

How can negotiators deal with this problem of uncertainty? If trust cannot be an instrument, control is the answer. After betrayal, the losing side can tell the winning delegation that they won't have a common future if they do not return their spoils. The winning side can do that by accepting that they will be undercut in the next round. This might result in a mutual hurting stalemate, or in a compensation for earlier losses. If the winning side accepts a loss, thereby compensating its opponent, there can be a basis for cooperation. The feeling of injustice might disappear and parties can aim for an equitable outcome.

It is important to realize that people can trust each other but that countries cannot. It is therefore essential that countries create systems of cooperation that are able to penalize those who do not live up to agreements. This is exactly the function of the European system. Countries in the EU are so dependent on each other that they cannot escape punishment for unwarranted actions. Justice will be done and the other countries will get what they were promised. Control compensates for the lack of trust in international relations. Leaders can build trust, however, and the chemistry between them has quite an impact on the mechanics of the EU, as well as on cooperation and the ensuing agreements. It is therefore wise not to backstab in EU negotiation processes, as the negotiator will have to pay a huge price for that in next-day negotiation processes. The winner should act as a loser, while the loser is expected to act as the winner.

## Trilateral Negotiation and Mediation

**T**HE PACIFIC Oil Case<sup>9</sup> is particularly illustrative if the trainer wants to discuss with the class the concept of entitlements and benefits. The case is about a fictitious oil company that is actually not a fantasy at all. This negotiation happened and the company was called Gulf Oil, nowadays Q8. The Paris office of Pacific Oil negotiates a new contract with a client, Reliant, based in Brussels. The headquarters of Pacific Oil in New York is also involved, adding a cultural dimension, as the people in New York are Americans, those in Paris are French and quite new to the company, and those in Brussels are German. Coincidence or not, the Americans are liberal in the sense that they allow the French to muddle through without interfering, while at the end they become very assertive and intervene. The French are very relational and, in the end, emotional, while the Germans are well organized and quite rigid.

These cultural differences have an impact on the negotiators' perceptions. Their perceptions do not match and create miscommunication, and miscommunication is one of the most important factors for negotiation failure. They all think the procedures that they follow are correct and they are all convinced that the procedures used by the two other actors are incorrect. These differences in ideas about the justice element are one of the reasons that the negotiations are cumbersome, although they do not collapse.

A second element concerns the shadow of the past affecting relationships within the triangle. The people in Paris perceive the relationship with Brussels as excellent, as they have always been good and Reliant has always been ready to allow for a good price. Paris overlooks, however, the fact that there are new people in Brussels who do not feel loyalty to the past negotiations. As the market changes from a seller's market to a buyer's market, Brussels does not see the necessity to be fair to Paris. In its turn, Paris is irritated by messages from New York, which are not orders but advice. Paris does not like to be bullied and overruled by far-away American bosses.

A third element concerns the strategy employed by Brussels. The Germans eat Paris bit by bit through salami tactics and Paris allows this to happen as it thinks that its past dominance means it does not need to develop a strategy of its own. The consequence of this process of entrapment<sup>10</sup> is that each issue is negotiated in a distributive way and integrative bargaining does not get a chance. At each step in the process, Paris gets less than Brussels. Paris sees this as being inequitable, but for Brussels it is fair: the Brussels team gave up so much in the past that they just to regain part of it. In a way they take revenge for the past; there is an emotional issue here. There is much more to be said about the case, and it is worth noting that when New York intervenes, the French leave Pacific Oil as they feel they have been treated in a very unjust way.

It is a small step from a trilateral negotiation to a mediated bilateral negotiation, thereby also involving at least three parties. An interesting exercise here is 'The Agreement,' based on the documentary film by Karen Stokkendal Poulsen.<sup>11</sup> Robert Cooper, councilor at the European External Action Service (EEAS) is the mediator in a negotiation between Serbia and Kosovo about border and other issues. Cooper is British and acts as such. He tries to be a fair mediator, but to him this implies that he is putting pressure on both parties to come to a deal. He has enough incentives: Serbia wants to

become a member of the EU, while Kosovo depends on EU support. Both parties feel entitled to EU support and they are both claiming a reward for their willingness to concede to each other.

Edita Tahiri, Kosovo's deputy prime minister, is the leader of the Kosovar delegation. She has suffered because of the Serb–Kosovar war and holds the position that justice will have to be done for her population. Borko Stefanović, Serbia's political director, is representing the Serbian government. He has empathy for the other party, but Boris Tadić, Serbia's president, does not want to agree to the negotiated solution. This is a typical example of the constituency problem. A deal is ultimately reached, but because of Borko's empathy, it is more favorable to the Kosovars than to the Serbs. For participants in the exercise, it is fascinating to watch the documentary after they have been through the negotiation process themselves.

Another useful mediated negotiation is between the Republic of Cyprus ('Greek' Cyprus in the south) and the internationally not recognized Turkish Republic of Northern Cyprus (TRNC).<sup>12</sup> Justice plays a major role. Greek Cypriots in the south feel enormous injustice because of the Turkish occupation in the north of the island. Greek Cypriots lost their homes and land in the north, adding a strong emotional element to the negotiation process. The same is true for Turks who lost their possessions in the south and the TRNC feels betrayed as the EU invited the south to become an EU member, while excluding the north. Two delegations will have to negotiate a treaty based on a nine-point proposal by the United Nations (UN).

The UN is the mediator and there are two observing parties: the EU and Turkey, which are officially excluded from the negotiation process. An agreement can only be concluded if both the north and the south agree to it. Consensus between the opponents is needed, as is the case in the Serbia–Kosovo mediation outlined above. However, the external powers can take part in the process in the corridors and they can negotiate with each other and with the mediator. Their presence is helpful if they are willing to allow for a (re)united Cyprus, but it is an obstacle if they think that the agreement will not be favorable to them, with the effect that the external powers can either be helpful or be a nuisance. In some cases, the Cypriots are wary about external interference and they decide to agree even if the powers do not like it. They feel that external pressure is ill placed; it infringes on Cypriot sovereignty.

In the past we also ran a simulation of negotiations between Armenia and Azerbaijan on Nagorno-Karabakh, or Artsakh for the Armenians.<sup>13</sup> However, reality caught up with the situation and substantial mediation and negotiation is now a dream, at least for the time being. Both sides claim they have suffered and injustice has been done to them and they have therefore refused serious negotiations for 25 years. Now it is too late. No agreement could be hammered out because of these resentments, notwithstanding the mediation efforts by the so-called 'Minsk Group' of the Organization for Security and Cooperation in Europe (OSCE). Everybody saw the war coming, as well as an Azeri victory, because Azerbaijan has oil and gas and is much richer than Armenia. Yet the feeling of justice in the constituencies blocked a peaceful solution. War and negotiation are two sides of the same coin and the evolving military and political context can flip the coin to either side.

## Multiparty and Multilateral Negotiation

**T**HIS ARTICLE regards multiparty negotiation as a process involving four to six parties, while multilateral negotiation might be regarded as talks among a greater number of actors. These are, of course, relative differences, all the more because within multilateral negotiations there are huddles and coalitions of multiparty groups. Furthermore, the cornerstones of multilateral negotiations are the multitude of bilateral and trilateral parleys. As in the UN Security Council, but as we saw also with the conferences in Vienna and Paris (Versailles) discussed above, the de-facto number of influencers is limited to some five powers – a question of strength and efficiency. Some define multiparty negotiations as plurilateral, while others see plurilateralism as a context in which several multilateral systems have to negotiate with each other. Regardless, negotiation among many parties is about the management of complexity served by the procedures of conference diplomacy.

In order to bridge the gap between bilateral and multilateral negotiation, an exercise was developed called ‘The Pentagame,’<sup>14</sup> as it involves negotiation among five parties. The Pentagame has variants for six or even seven parties, but above that number its system no longer functions. The variants deal with crisis situations in Kosovo, Afghanistan and Syria, but also on questions such as how to divide the Caspian Sea in a just and equitable way.<sup>15</sup> The vintage Pentagame is about a meeting of the Political and Security Committee (PSC) of the EU negotiating a common position on a crisis in the Mediterranean. The participants have 28 issues to negotiate and the priorities to them are indicated by value points, very much as in the EU–Sylvania exercise. The game trains participants in package-dealing in a multiparty context. As such, it prepares them for a full multilateral simulation.

The exercise teaches course members the following lessons. First, the management of complexity and the necessity to exchange concessions: integrative bargaining in *optima forma*. That in order to manage complexity, an effective and even-handed chair is of the essence, while participants will have to understand that getting something means giving something. They also discover that it is necessary to explore in order to understand all possibilities before the bargaining process begins. Second, course participants learn that the Mediterranean EU member states can much more easily collect value points than the Central and North European countries. The exercise was constructed in this way because the southern countries are more affected by a crisis in the Mediterranean than other EU countries—they are stakeholders. It is understood that in another situation, for example a crisis in the Baltic Sea, the southern countries would have to support northern EU nations and should be satisfied with fewer gains than the Baltic states.

There is a shortage of good exercises with a limited number of negotiators, but there is an abundance of multilateral simulations. The exercise this author uses nowadays is the so-called UNDR0 simulation: about the creation of the United Nations Disaster Relief Organization.<sup>16</sup> This simulation is based on two resolutions of the United Nations—one of the Economic and Social Council and one of the General Assembly—and on a documentary in which ambassadors did not know they were being filmed. This



BBC documentary, called *Space between Words*, was notorious, as the BBC filmed the Soviet ambassador gossiping about the Director-General of the Economic and Social Council (ECOSOC) in Geneva.

The UNDRO exercise is about disaster relief coordination. The advantage of this topic is twofold. Sadly, international cooperation in disaster relief will always be a relevant topic, while the exercise addresses the gist of international relations between states and organizations: the tension between cooperation and competition. Although the issue is very political in the end, it cannot be seen as an offense to any country. Simulating a negotiation about a contentious issue might not be problematic in democracies, but in autocratic states it is. There are cases where trainers have been excommunicated if their simulations were seen as an offence to the host country. Still, using real-life situations in simulation exercises is normally advantageous over fantasy role plays, as participants can more easily understand the exercise and therefore need less information. A simulation that needs a lot of information and explanation is generally speaking not an effective exercise.

In the UNDRO exercise, power has not been distributed in an equal way and this can be seen as unfair. However, in reality, power distribution is not equal either and participants must learn to be effective negotiators on behalf of small states as well. One might even postulate that negotiation is a more important tool for negotiators with limited structural power behind them. One way to define negotiation is to say that it is war by peaceful means. In other words, this is the kind of war in which small powers can be successful, also because they are not a threat to powerful states that might wage war upon them. Representatives of less powerful countries have to use the negotiation process in order to redress the power imbalance. For them, international law is of greater importance than it is for the powerful states.

UNDRO has a minimum of ten delegations and there is no maximum, as one can create delegations of one to ten people and/or implement the exercise in parallel groups. Seven delegations are of countries, and two represent international organizations: the League of Red Cross Societies; and the United Nations Children Fund (UNICEF) as a member of the UN family. Although these intergovernmental (IGO) and nongovernmental (NGO) institutions do not have a vote in the meeting, they can fully participate in the negotiations. They often see this as unfair. But these are the rules of ECOSOC, which is an assembly of countries, not of IGOS or NGOS. Indeed, the fact that they cannot vote means that normally, although these two organizations are extremely important in disaster relief efforts, they will be pushed aside somewhere halfway through the simulation. Not a nice feeling, but they have to deal with it, as does the UN assistant secretary-general who is chairing the meeting.

After a debriefing, in which the adopted resolution is compared to the (two) real ones, the negotiation process and the behavior of the negotiators are compared with the processes and the behavior of the ambassadors in the BBC's documentary. Again, these ambassadors are real diplomats; they are not actors. The course participants see ambassadors who feel that they are not treated in a fair way. Some ambassadors become angry in a controlled way, but their unconscious non-verbal signals betray them to their observers in the classroom, who thereby learn how to use these signals as valuable information.

The UNDR0 exercise takes the trainees as close as possible to reality. This could also be done by inviting effective negotiators into class, but the problem is that they are often ineffective teachers. Moreover, explaining negotiation is not the same thing as experiencing it. It would be unwise to have high hopes of the invited ‘horse’s mouth.’

## In-between Exercises and Wrap-Up

**D**EPENDING ON the time available, needs and the orientation of the trainer, there are a number of short exercises that can be inserted between the exercises described above. For example, to highlight strategy and tactics, one could use the so-called Thomas and Kilmann model<sup>17</sup> to explain strategic choices and to give the participants an opportunity to understand their own internalized strategies. This is important, as rational strategies might collide with emotional strategies, for example if the negotiator experiences and perceives unfair treatment. The model contains five modes: competition; collaboration; compromise; avoidance; and accommodation. In principle, collaboration can be seen as the most equitable and integrative win-win mode, but depending on the situation, it can be necessary to show dominant, competitive behavior, thereby forcing the opponent to give in. This will probably be felt as unfair *and* unjust, but this is again reality. It will, however, have an effect on the behavior of the negotiators. Studying tactics might give rise to even more resentment.<sup>18</sup> It should be remembered that dirty tricks in diplomacy normally boomerang.

Skills and styles provide another in-between topic. What makes for an effective negotiator? Should he or she lie? Or not tell the full truth? There has been an interesting development through the centuries concerning the issue of justice and effectiveness. Nowadays, we feel that an effective negotiator, foremost in diplomacy, has to respect justice. In reality, however, this does not happen often. For those who are powerful, this is not so great a problem, but it is a problem for the less powerful. In the Pacific Oil case described above, Reliant gained a lot in the negotiation and its outcome. If the situation changes again, however, Pacific might take revenge. Reliant gathered more situational power than Pacific, but the structural power of Pacific Oil did not wither away.

A useful skill test is the ‘Mastenbroek Model,’<sup>19</sup> in which seminar participants score themselves on the promotion of their interests, the way they use their power, further their relationships and explore the process—in short, the effective negotiator being firm but flexible. Firm on the hardware of negotiation—that is, interest and power—yet flexible on the software—relationships and exploration. Furthermore, there are research outcomes illustrating the traits of effective negotiators. One of them is creating legitimacy by behaving in a reliable way, thereby enhancing trust by keeping balance between entitlements and benefits: that is, being seen as a fair negotiator. For styles, the self-assessment ‘Four Values’ exercise<sup>20</sup> is a useful tool in understanding one’s unconscious negotiation styles and the impact on other negotiators.

To confront trainees with the questions of norms and values, the classic ‘Croc River’<sup>21</sup> exercise is a very simple but powerful instrument. Participants have to decide which

person is the best and which is the worst. The outcomes will be very different, as every person has her or his own perception of the persons in the case and of the case as such. Preliminary to decision-making, participants have to decide what the starting point of their decision-making will be: morality or effectiveness? If they chose morality, the question of justice will be the dominant feature. For effectiveness, justice hardly counts. As students often forget to negotiate a common measurement at the start, the result will be a chaotic process. Another question they often only consider towards the end: do we have an agreed decision-making procedure? Of all the exercises, this one is the most personalized one. It shows cultural differences and it raises emotion. The question is: how to manage them?

On culture, there are several methodologies that can be used. One short and good method is the ten points' scale of Salacuse.<sup>22</sup> People can easily profile their culture in this model to see whether they belong to the same culture and, if one can construe several parallel groups, the results will be very useful for the debriefing. Justice is one of the dimensions to be considered. There are, of course, insights into culture by people like Hofstede, Trompenaars and Cohen that can be used for classroom discussions, but such discussion do not really have much of an impact on the negotiation students.

Another powerful exercise on culture, negotiation and fairness is the 'Barnge Game'.<sup>23</sup> Participants sit around tables with four to six people, and there have to be four to six tables. Playing cards are handed out, as well as instructions. When the game begins, the instructions will be removed from the tables. Participants will have to score as many points as possible, thereby winning or losing at their table. After each round is over, the winners will move to the table on their right and the losers to the table on the left. As it is forbidden to speak or to write notes, they get the feeling that they are in another country, where they cannot speak the language and where they do not know and understand the rules. Procedural justice is problematic here, as each table has its own rules and regulations. This raises emotions, as the newcomers feel discriminated against and treated in a very unjust manner. It takes a while to find out what the 'culture' at the new table is. The game confronts course members with the fact that they have to manage expectations.

There are also questions like context and politics that can be debated during the training program. Depending on the teacher and the participants, they can insert the notion of justice in this part of the course. This can also be done through very short exercises where out-of-the-box thinking will be practiced. The trainer will normally include all these issues in a wrap-up session at the end of the training course, in which she or he connects issues like, trust, fairness, power, communication, perceptions, preferences, processes and procedures with the exercises of the seminar.

## Conclusions

**A**S WAS noted at the beginning of this article, there are many training models and the one presented here is simply one among many. It is the approach used by this chapter's author and comes closest to his perception of effective training. As

already noted, this is a way to use negotiation as an instrument to clarify international politics. Other trainers focus not on politics but much more, for example, on personal effectiveness. Everyone has her or his own style. Some negotiation trainers are charismatic; others focus more on content; some stress the importance of theory; and others of practice. In all these seminars, justice is a factor, and in some it is more important than in others.

This article presents the seminar developed and exercised by its author and a group of trainers from the Programme on International Negotiation Training (POINT). It deals with bilateral, trilateral, mediated, multiparty and multilateral negotiations, as well as with short exercises highlighting important aspects of the processes of international negotiation in a political context. The paragraphs based on the exercises categorized by the number of participants could be seen as the vertical dimension of the negotiation training seminar presented here. The exercises on specific aspects could be seen as the horizontal dimension. The exercises in this chapter, have been internationally tested in a hundred countries over the last 30 years.

What is effective for one person might be ineffective for another; what is effective in one situation might be utterly ineffective in another context. Justice can be very helpful in bringing negotiations to a close, but it can equally be an enormous obstacle in reaching a direly needed agreement, an agreement that could perhaps only be realized through constructive ambiguity. Being just for today, but unjust for the future. Solving problems now, but creating them for the next negotiation process.



## Notes

1. Paul Meerts, “International Negotiation Training Travelogue: Anecdotes from Thirty Years of Teaching and Training in International Negotiation Processes,” 2021, [www.pin-negotiation.org/point](http://www.pin-negotiation.org/point).
2. Paul Meerts, “Workbook on International Political and Diplomatic Negotiation,” 1989–2021, unpublished.
3. There are, of course, many different ways to lecture on negotiation. My personal choice is to use historical examples to illustrate the practice and theory of international negotiation and to refer to relevant literature.
4. William I. Zartman, “Negotiating Forward- and Backward-Looking Outcomes,” in *Peace versus Justice: Negotiating Forward- and Backward-Looking Outcomes*, edited by I. William Zartman and Victor Kremenyuk (Lanham etc.: Rowman & Littlefield, 2005), 1–8.
5. The origin of this exercise is unknown. The ‘Ethiopian’ variant was created by the author of this article.
6. Raymond Saner, *The Expert Negotiator: Strategy, Tactics, Motivation, Behavior, Leadership*, 2<sup>nd</sup> edition (Leiden–Boston: Martinus Nijhof, 2005), 105–109.
7. The ‘Sylvania’ case was created by the author in cooperation with Theo Postma.
8. The original is from Roger Fisher, but was remodeled by Robert Weibel: the ‘Oil Pricing’ exercise.

9. This case from the business sector can be seen as a metaphor for the relationship involving an embassy, its ministry of foreign affairs and the host country. It was designed by Roy Lewicky and David Kuechle and published in Roy J. Lewicky, Bruce Barry, and David M. Saunders, *Negotiation: Readings, Exercises and Cases*, 6<sup>th</sup> edition (New York: McGraw-Hill, 2015), 609–635.
10. Paul W. Meerts, “Entrapment in International Negotiations,” in *Escalation and Negotiation in International Conflicts*, edited by I. William Zartman and Guy Olivier Faure (Cambridge etc.: Cambridge University Press, 2005), 111–140.
11. The exercise, based on the documentary, was written by this chapter’s author. In 2015, the author invited Edita Tahiri to speak at his seminar in Pristina in order to explain the documentary: what happened behind the scenes? Dr. Tahiri said that there were few negotiations in the corridors, but she also remarked that while the negotiators knew they were being filmed, they forgot about it after the first five minutes.
12. The ‘Cyprus Exercise’ is the author’s variant of ‘Crisis in Transcarpathia,’ designed by Wilbur Perlot.
13. This simulation was designed by the author.
14. This exercise is quite an invention. It was devised by this article’s author and Theo Postma as they invented a new system for training package-dealing. The system can be applied to any situation, for example as a ‘hexagame,’ which was done by the author together with Wilbur Perlot for the ten-year anniversary of the Organization for the Prohibition of Chemical Weapons. For that exercise, experts were interviewed on the questions: what are the most important issues to be negotiated in the coming five years, who are the most important powers to deal with those issues and what will be their initial positions? On that basis, the trainers wrote the exercise, which was then checked by the chairman of the anniversary conference. It was held on the last afternoon, with all the ambassadors and chemical weapons experts in the conference hall, in five parallel working groups. The results were researched and published and, five years after the conference, they were checked against reality. In almost all instances, the outcomes of the simulations were in line with reality. See Paul Meerts, “Post-Agreement Negotiation: Simulating Prospective Negotiations on the Implementation of the Chemical Weapons Convention,” in *Academic Forum: The Hague, 18 & 19 September 2007: Conference Proceedings*, edited by Ralf Trapp (The Hague: Netherlands Institute of International Relations Clingendael; TNO Netherlands Organisation for Applied Scientific Research, 2007), 301–311.
15. The Caspian exercise was run at a PIN ‘Road Show’ in Tehran with 120 young Iranian diplomats at the Iranian School of Foreign Service. Another variant of the ‘Pentagame’ was used at the NATO Defence College (NDC) in Rome, first by this article’s author and recently by Ida Manton and Frans Schram.
16. Based on the one-hour version of ‘Space Between Words,’ the author and Theo Postma wrote the UNPRO simulation game, which normally takes a full day to negotiate. It has now been used more than one hundred times. The film shown at the end is a 25” updated and subtitled selection of the original. Nowadays, scenes from the movie can be found on YouTube. An extensive description of this simulation game can be found in Paul Meerts, “Training and Education,” in *The SAGE Handbook of Conflict Resolution*, edited by Jacob Bercovitch, Victor Kremenyuk, and I. William Zartman (Los Angeles etc.: SAGE Publications, 2009), 645–668.

17. To be found in Raymond Saner, *The Expert Negotiator*.
18. George van Houtem, *De Dirty Tricks van het Onderhandelen: Ontdek de regels van het spel en verbeter je machtspositie* (Zaltbommel: Uitgeverij Haystack, 2010).
19. Willem Mastenbroek, *Negotiation As Emotion Management* (Heemstede: Holland Business Publications, 2002).
20. To be found in Pierre Casse, *Training for the Multicultural Manager: A Practical and Cross-Cultural Approach to the Management of People* (Washington, DC: Society for Intercultural Education, Training and Research, 1982).
21. This exercise probably came out of Africa.
22. Created by Jeswald Salacuse.
23. Created by Sivasailam Thiagarajan (Thiagi).

### **Abstract**

#### Training the International Negotiator

This contribution describes and analyses the approach to the methodology of training public sector international negotiators in seminars of one to five days. In principle, these seminars are constructed thus: 1) introduction and discussion; 2) exercises on bilateral bargaining; 3) case discussions on trilateral negotiation and mediation; 4) exercises on multiparty negotiation and simulations of multilateral negotiations; and 5) a wrap-up. This step-by-step approach is based on the number of actors involved in the negotiation processes and might cover a full week of training. In between, there are short (self-assessment) exercises on questions such as 6) strategy and tactics, 7) skills and styles, 8) norms and values, 9) culture and emotion and 10) context and politics. This might be termed an 'escalating approach' to negotiation training.

### **Keywords**

negotiation, politics, diplomacy, seminars, cases, exercises, participants