



***CSSProject for Integrative Mediation***

***International Workshop on Gender and Negotiation  
Hanoi, Vietnam 18 – 21 July 2006***



Stabilitätspakt für Südosteuropa  
Gefördert durch Deutschland  
Stability Pact for South Eastern Europe  
Sponsored by Germany

## **Integrative Mediation: Bringing Local Leaders Together**

The CSSProject for Integrative Mediation (CSSP) evolved out of ten years of experience of the International Mediator in Bosnia and Herzegovina, Dr. Christian Schwarz-Schilling. The work of the Mediator started informally in 1992 and was formally mandated by the international community and the peoples of Bosnia and Herzegovina from 1995 to 2004. Upon request, the format and structure of mediations were conducted at the local level based on practical needs and local conflicts. The Mediator sought to increase dialogue and reduce tensions by finding step-by-step solutions to daily problems. The format of the process included information visits, mediations, follow ups and round table dialogues. In 10 years the Mediator conducted over 185 local mediations in 55 municipalities. The mandate of the Mediator was completed in December 2004.

Integrative Mediation seeks to apply lessons learned and to adapt the unique Bosnia model for possible use in other parts of South Eastern Europe. The mediation team developed a comprehensive approach to mediation by including various levels of responsibility, multiple actors and a variety of techniques. It combines five different conflict resolution activities, drawing on classical mediation and developing a holistic and decentralized instrument for implementation of agreements. The elements of Integrative Mediation are integrative advocacy, grassroots mediation, consultation, facilitative training, and research & analysis. Throughout the process, Integrative Mediation assists local actors to develop initiatives and to implement confidence-building measures. In addition, it helps to clarify to civil society why certain measures are needed, and enables communities to participate actively in the local peace process. Furthermore, it brings the general and hierarchical process of conflict resolution down to the local level.

Integrative Mediation does not seek to replace or remove ownership of the peace process. Instead, by complementing the peace process Integrative Mediation provides local parties with a conflict resolution framework that enables them to identify for themselves the obstacles to conflict resolution and reconciliation efforts. The main aim of Integrative Mediation is to leave decisions and solutions in the hands of local actors and to strengthen the work of local peace initiatives, thereby facilitating return, co-existence and re-integration at the local level.

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## **Background**

The field of negotiation is relevant in all societies and the gender aspect in negotiations deserves a special emphasis. In preparation of any negotiation, whether at the private, professional or political level, attention needs to be paid to women's role in the process. This applies regardless of whether women are physically and actively present in the process or not. It is very important to make all efforts to include women in all aspects of society and negotiations and to ensure that their issues find their voice in negotiations. Dealing with issues of gender and negotiations, many raise questions in regards to differences between women and men negotiating or even which gender is the better negotiator. Beyond the realisation that there are certain traits in view of negotiations that can be more commonly associated with a woman or with a man, there can be no definitive answer on either gender being a better negotiator. One can rather claim that a good negotiator is more related to the individual person than gender; hence it is important for all individuals to develop their respective negotiation skills.

Everyone can be a good negotiator – whether they are a woman or a man. A good negotiator applies a problem-solving approach that ensures that all voices, whether silent or loud, are heard, all opportunities for all parties involved are maximised, creative options are being explored, the interests of all parties are addressed, and the results of the negotiations are integrated into the respective surrounding. In order to integrate any negotiation result, as it is important to address the issue of gender, as it is to address gender throughout the process of negotiations. A good negotiator must include gender in all negotiations and related aspects. This is in addition to adopting and applying good negotiation skills and finding one's own voice in the negotiation style most suitable to the individual and the respective negotiation environment.

Good negotiation skills are useful in the workplace as much as in the private capacity of every individual. Conflicts occur everyday in many situations, whenever humans interact. Conflicts relate to needs, interests, positions, and in many situations also power; the parties to a conflict develop stereotypes and perceptions of each other, base their actions on assumptions and have a tendency to reinforce competition between parties rather

than to work towards a resolution. Irrespective of their past, present or future relationship the parties to a conflict need to avoid becoming tied up in an escalation of their dispute and being trapped in the so-called conflict spiral. Once tied up in a conflict spiral, the parties often feel helpless in their efforts to resolve tensions while facing a win-lose or even lose-lose situations. To prevent such situations, a different approach to conflict and negotiation can lead to win-win situations of all parties. The concept of Integrative Negotiation builds on an interest-based problem-solving approach which extends ample consideration to analysis, preparation, and strategic thinking, all of which aim at a successful negotiation outcome which is integrated into the respective environment.

Based on these considerations, InWEnt with the facilitation of Oxfam invited CSSP to conduct a four-day negotiation training workshop with a focus on gender and negotiation. The “International Workshop on Gender and Negotiation” was conducted from 18 – 21 July 2006 in Hanoi, Vietnam.

### ***Training team***

The training team consisted of Dr. Juan Diaz as lead trainer (CSSP) and Eva Maria Malisius as assistant trainer (CSSP), as well as Trevor Clark (Oxfam) as facilitator. Dr. Diaz has been active as a trainer for many years, conceptualising and conducting trainings and workshops in many regions of this world, including the Western Balkans and Sri Lanka. He also teaches a university course at the Masters level at the University of Kent in Brussels and lectures on aspects of negotiation and mediation throughout Europe. As founder and director of CSSP he has developed the methodology of Integrative Mediation and is responsible for mediations, trainings, and research. Ms. Malisius has been working with Dr. Diaz for over two years, assisting during the trainings conducted by CSSP and further developing the methodology and Integrative Mediation. Mr. Clark has been involved in advanced business negotiations and has giving conflict management training seminars in Vietnam. The training team together represents a wide range of experience and expertise between theory and practice of negotiation, mediation, and conflict management.

The training team based the “International Workshop on Gender and Negotiation” on the concept of Integrative Negotiation, an interest-based problem-solving approach based on

seven elements. Integrative Negotiation has been developed by Dr. Diaz with the assistance of Ms. Malisius. Integrative Negotiation is rooted in the methodology of Integrative Mediation, conceptualised by Dr. Diaz for CSSP, a lessons learned project resulting from the work of the International Mediator in Bosnia and Herzegovina (1995 – 2004).

### ***InWEnt***

As an organization for international human resources, InWEnt - Capacity Building International, Germany was established in 2002 through a merger of the Carl Duisberg Gesellschaft e.V. (CDG) and the German Foundation for International Development (DSE). InWEnt is commissioned by the government of the Federal Republic of Germany to hold and support, amongst other things, conferences and advanced training programmes for specialists and executive personnel from developing countries. The InWEnt Hanoi office functions as a regional coordination unit for Vietnam, Laos and Cambodia. One of its main activities is to organise training activities for the partners as well as the staff of local organisations in different sectors. For the International Workshop on Gender and Negotiation, InWEnt functioned as sponsor and organiser of the workshop. This included the invitation and selection of the participants, as well as the logistical organisation of the entire event.

### ***Aims***

The course was designed to analyse conflict negotiation through the gender lens and was aimed at high-level decision makers, management personnel, trainers and advocacy staff from regional organisations involved in gender based conflict management.

The participants were given a special training for their work in preventive conflict transformation. The workshop provided participants with the following:

- an overview of the role of gender in dealing with conflict and negotiation;
- skills in analysis, development, and preparation of a structured interest-based negotiation framework, taking into consideration and reflecting on related gender aspects;

- the ability to apply the learnt different approaches in conflict resolution to organizational conflict resolution while being aware of gender components;
- better understanding on how behaviour and relationships can help to transform conflict from an individual, professional, and gender perspective;
- strengthened confidence in solving organizational conflict by themselves beyond gender conflicts.

Overall the aim of the workshop was to provide participants with specific negotiation skills that allow them to make a contribution to the long-term reduction of conflict and to the promotion of peaceful conflict regulation measures. The focus of the workshop was not limited to addressing gender and negotiation but included in all elements reflections on gender components. As the course aimed at the practical application of negotiation skills, it consisted of lectures on concepts and negotiation theory combined with a strong emphasis on practical exercises and working groups applying the discussed concepts and skills.

### ***Participants***

The course aimed to address medium level management personnel, decision makers, advocacy staffs, and trainers from regional organisations involved in gender based conflict management. The participants were selected by InWEnt on an application basis. They were required to have at least one year of professional experience in the respective fields and a good command of English. Female applicants were especially encouraged to participate in the course. The 27 participants were mainly from Vietnam, specifically Hanoi; the workshop also included two representatives from Laos and two from Cambodia. The course included a total of 19 women and 8 men.

### **Training**

The training given the group of participants was very much tailored to the participants' needs and adapted with their speed of progress. This implies that all relevant materials

were covered; however, specifically the smaller exercises were adapted to highlight specific skills as appropriate for the training group. Throughout the course of the training participants were encouraged to contribute their personal views, experiences and cases to the training to increase the applicability of the theoretical concepts and practical exercises. Over the course of the training gender sensitivity was addressed, while confirming the importance of gender awareness in negotiations beyond the standard stereotypes.

The training was based on the concept of Integrative Negotiation, applied specifically to a gender context and the cultural context of Vietnam, Laos, and Cambodia. Many of the examples provided by the trainer drew on the work of CSSP, though a principal goal of the training was to build on cases relevant to and provided by the participants.

### ***Methodology***

The methodology of the training course built on the concept of Integrative Negotiation. The seven elements of Integrative Negotiation draw on a series of concepts generally applicable in the field of negotiation and mediation and have been tailored to focus on an interest-based problem-solving approach towards negotiations. The concepts have been developed out of the methodology of Integrative Mediation. Integrative Mediation has evolved out of the ten years of mediation at the local level conducted by the International Mediator in Bosnia and Herzegovina (1995 – 2004), Dr. Christian Schwarz-Schilling, and his mediation team. Integrative Mediation as conceptualised by Dr. Juan Diaz forms the basis of the work of CSSP, which mainly focuses on mediation at the local level in the process of assisting the implementation of peace agreements. CSSP has its core activities in the Western Balkans, but applies and promotes a more general approach to include mediation and negotiation training that empowers the individual with a vision to strengthening structures with a sustainable interest-based problem-solving approach.

The approach to gender presented in the training is to acknowledge gender and what it contributes to negotiations and communication more generally. This implies that without making gender an issue in itself there are different ways in dealing and interacting with a man or a woman, different group setups give different dynamics, and there are general patterns that can be related more prominently with women and with men. Gender

awareness is imperative, however, not all circumstances involving men and women are gender issues. This means that although it is necessary to take the gender component into consideration in all interactions, it is not to be a burden or paralysis rather a complimentary element. The underlying emphasis of this training has been to empower individuals and specifically women to be good negotiators and to encourage and inspire others to be the same.

### ***Training elements and focus***

All of the training elements were geared to address gender issues in negotiation, while stressing that gender is a factor but should never be a focus in negotiations. The individual training elements of the four-day training focused on the acquisition and development of theoretical methods and their practical application with a focus on specific negotiation skills. The training was divided into short lectures, combined with short role plays and case studies, plenary discussions, facilitated small group discussions, and individual exercises.

The seven elements of Integrative Negotiation, which have been developed out of the methodology of Integrative Mediation, set the framework for the entire negotiation training. The seven elements consist of identifying the problem based on mutual interest; preparing the process; assessing the relationship; developing all options; identifying alternatives; assuming responsibility; and integrating results. This encourages an interest-based problem-solving approach towards negotiations that intends to integrate results and adopt a holistic approach. These core elements aim to prepare and equip each negotiator with the necessary skills to ensure her or his success in negotiations. The entire workshop programme aimed to highlight these core principles and concepts with lectures and exercises.

One of the main fears and hesitations raised by participants in an introductory round to the workshop were questions towards the applicability of the concepts to the specific cultural environments of Vietnam, Laos, and Cambodia. The trainers were equally as open to this question as the participants. However, over the course of the workshop and in a closing discussion all confirmed that culture, similar to gender, is a factor to be considered in negotiations but not a focus of negotiations. The skills of a good negotiator

are the same, irrespective of cultural or other boundaries. The same applies specifically to the gender questions related to negotiations. While there are standard stereotypes about men and women, when analysed closer it appears that these stereotypes are an identification of patterns more commonly attributed to the one gender or the other. However, these patterns are not necessarily gender specific but rather related to individual personality and character. The gender focus of the training aimed at increasing gender sensitivity and awareness rather than promising solutions for the “gender gap”.

While throughout the workshop a focus was placed on including the gender component in all considerations as applicable, the workshop also built heavily on the cases and issues brought to the discussions from the participants. This means that in the case exercises building on the real life experiences of the participants, gender only played a role to the extent of the cases presented. Although the majority of the presented cases included a gender component, i.e. the gender of the parties involved, there were no real specific gender issues that were brought to the discussions. Nevertheless, it was perceived that this reflected the reality of the working and professional environment of the participants. The presentation of cases pressing to their current work allowed the case givers specifically to develop and apply the acquired skills to their own cases. The selection of cases to be used was in the hands of the participants, who chose cases with a wider general applicability to their own fields of work.

## **Cases**

The workshop built on the cases presented by the participants, which were then used as a basis to apply the concepts and skills presented. The cases provided by the participants ranged, depending on the specific exercise, from personal situations to work related conflicts. Without harming the agreed confidentiality clause of the participants regarding the cases presented, the following aims to provide a general idea of the nature of the conflicts introduced for consultation.

For each case, the case giver presented all relevant facts with a specific emphasis on the individuals involved in the conflict and their relations. The group working on the case then together developed a problem statement as a basis for further analysis and

preparations for the negotiations. Based on the problem statement, the group analysed the individual roles in view of their interests to the problem, addressing also assumptions and perceptions as applicable. Using the tools provided as framework for analysis, the participants were able to generate and explore options, specifically related to the problem presented. The cases analysed by the group included a conflict between different levels of hierarchy regarding work responsibility and task division, a conflict regarding the conduct and implementation of a donor project, and a conflict relating to the use of land in a village setting. At the end of the analysis of all cases, the respective groups and specifically the case givers confirmed the usefulness of the exercise. For each case participants felt that they were now well prepared and versed in the respective conflict and would be able to engage in the real scenario to be a good negotiator facilitating closer to a resolution of the conflict in the best interest of all sides involved. The theoretical concepts presented in the lectures have found their direct application to cases from the participants themselves.

## **Assessment and Evaluation**

Overall the workshop was assessed as very successful by all involved, participants, trainers, and the sponsor / organiser. The group of participants was very appreciative for the training provided, as well as the organisation and logistics of the overall event as provided by InWEnt. An overview of the evaluation results from the trainers perspective and a participants perspective is presented in the following section.

### ***Trainers***

Sharing some of the hesitations of the participants regarding the applicability of the concepts to the cultural background and gender setting in Vietnam, Laos, and Cambodia respectively, the trainers were convinced that the concepts behind Integrative Negotiation would be relevant equally within this context. Working with a group of participants with a very high level of understanding, eagerness to learn allowed the testing of the theoretical concepts in the very real and concrete local environments. Confirming the conviction of the trainers, the concept of Integrative Negotiation provides very useful and applicable

skills towards an integrative problem-solving approach to negotiations in all conflict situations.

Overall the group of participants was very easy and enjoyable to work with. Participants were very open to share their views and ideas, to discuss and debate the issues and to test the setting and environment for negotiations. This created an overall fruitful environment for the training workshop.

### ***Participants***

In general, the participants assessed the workshop very positively and as having met their expectations. Specifically the training methods and content were very well received by the participants, as they felt the direct applicability of the theoretical concepts to their own conflicts. Some participants expressed that gender issues were not sufficiently at the core of the training; however, the aim of the workshop was to raise issues related to gender and negotiation and to empower the role of women in negotiation, not to solve the “gender gap”. As confirmed by some participants in their evaluation, the workshop encouraged specifically women to find their own voice and to change their self-perception.

In view of the overall success of the training and the basic skills level of this workshop, participants raised an interest in further training. An additional level of the workshop conducted by CSSP would expand the negotiation skills introduced in this training to progress towards building skills for mediation.

### **Conclusions**

All organisations and participants involved in the International Workshop on Gender and Negotiation were convinced of the overall success of the workshop and the lessons learned. Several conclusions can be drawn from the proceedings which include possible next steps for continuing to address gender and negotiation issues both related to Vietnam, Cambodia, and Laos as well as beyond.

First, it appears useful to organise small group discussions on gender and negotiation to discuss similarities and differences and ways to dealing with the positives and negatives

related to the issues. These group discussions should include women and men from many different cultures and social standings. Negotiation culture is very different around the globe; gender is one component of this which should be addressed accordingly.

Second, women often feel that they lack skills and need more skills training. While this may be true in some cases, the experience has often shown that women have the skills but are not aware of them. Therefore specifically aimed training should be offered to women and men emphasising the role and skills of women in negotiation.

Third, a series of skills are vitally important to being successful in negotiation which are often underestimated. These include but are not limited to active listening, empathy, communication, planning and strategic thinking. To be prepared and adopt these skills is equally important for both women and men. Efforts are to be made to further strengthen capacity in this regard.

Fourth, there is a vast difference between the role of gender in urban and rural areas. This applies to all societies, including Vietnam, Laos, and Cambodia. While this training addressed medium level professionals from regional organisations involved in gender based conflict management, efforts are to be made to include and address specifically men and women from rural areas in view of gender and negotiation.

Overall the applicability of the concept of Integrative Negotiation within this International Workshop on Gender and Negotiation with participants from Vietnam, Laos, and Cambodia has convinced all involved organisations and participants to look into further opportunities to work together on the introduced issues and cases.