

STØTTET AF

Promilleafgiftsfonden for landbrug

TRAINING CONNECTIVE NEGOTIATION

Day 1 - 20 June 2022



Introduction

Why this training?



Short introduction



Karsten Schipperheijn
Perspective



Femke Vergeest
People

Karsten Schipperheijn

- > Program and stakeholder manager
- > Reviewer of climate adaptation related projects
- > Co-owner of company P2; 75 people
- > Multi stakeholder projects, such as the integral nitrogen approach, Dutch National Parks, the Waddensea, Room for the River Waal Nijmegen
- > Half Danish, ancestors Lemvig, Staby, Randers and Bramming



Femke Vergeest

- > Process manager, Connective Negotiation and trainer
- > Biologist, nature education and conservation and people oriented
- > Multi stakeholder processes: water, nature, agriculture, recreation, (local) governments, NGO's, companies, inhabitants, local groups
- > Examples: Sweet Water Agreement Holland, citizens initiative for village park/sports/water storage, Marine Protected Areas Azores
- > Family, Rugvin Foundation, Earth Education



Marja van Schie



- > Process manager, Connective Negotiation and trainer
- > Is part of our Denmark-team
- > Will be involved coming year

Overview program

Day 1	Understanding essentials of MGA
Day 2	Translate knowledge into skills in a negotiation by a simulation and your day-to-day work
Day 3 autumn 2022	Applying knowledge & skills Process management and work on your own cases





Program day 1

MORNING

- > Getting to know each other
- > Guiding principles
- > A short negotiation
- > Background of MGA
- > Introduction 'essences' of MGA



AFTERNOON

- > More essences of the MGA
- > Practice with 'essences'



Getting to know each other



 > Find a worthy
opponent to start

Most important to remember

- Success = communicating collaboration
- It is NOT about : “I win, you lose”
- Earning points is NOT the same as winning
- I have my interest and you have your interest





Groundrules or guiding principles

- > What will be ours?
- > How would we like to work together?

Guiding principles

Why?

- > Emphasizes group responsibility
- > Relation builds on trust
- > Supports dialogue
- > Something to fall back on during the process
- > Entails values of the MGA
- > Not directly content focussed
- > A first mutual success!



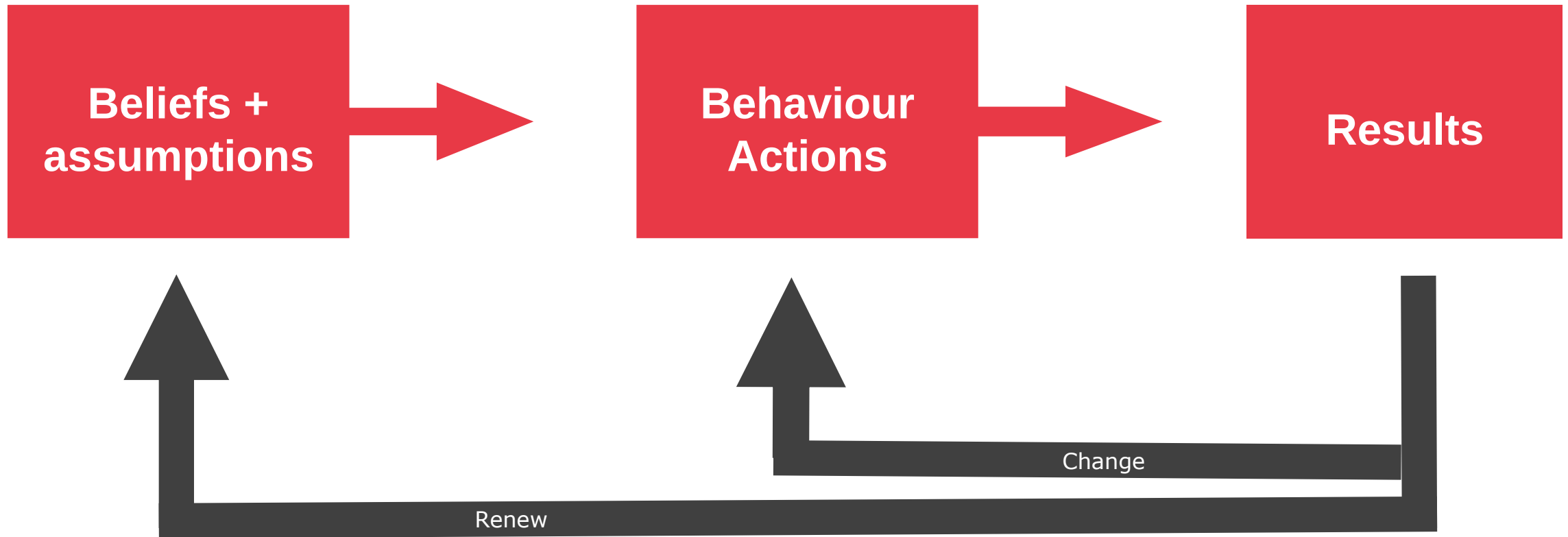
A first negotiation experience 'egg-cercise'

- > Read your own instruction
- > Keep the information to yourself
- > Find a colleague with the other role to start the negotiation

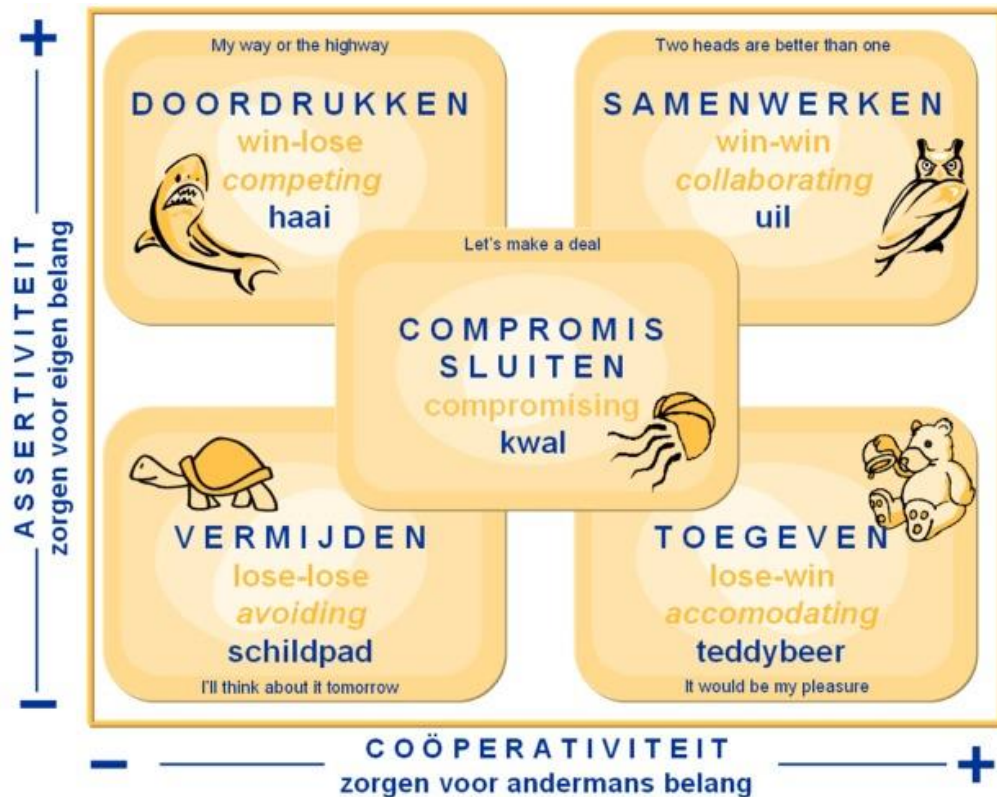
Try to come to an agreement in 5 minutes time



The starting point: renew to a win-win

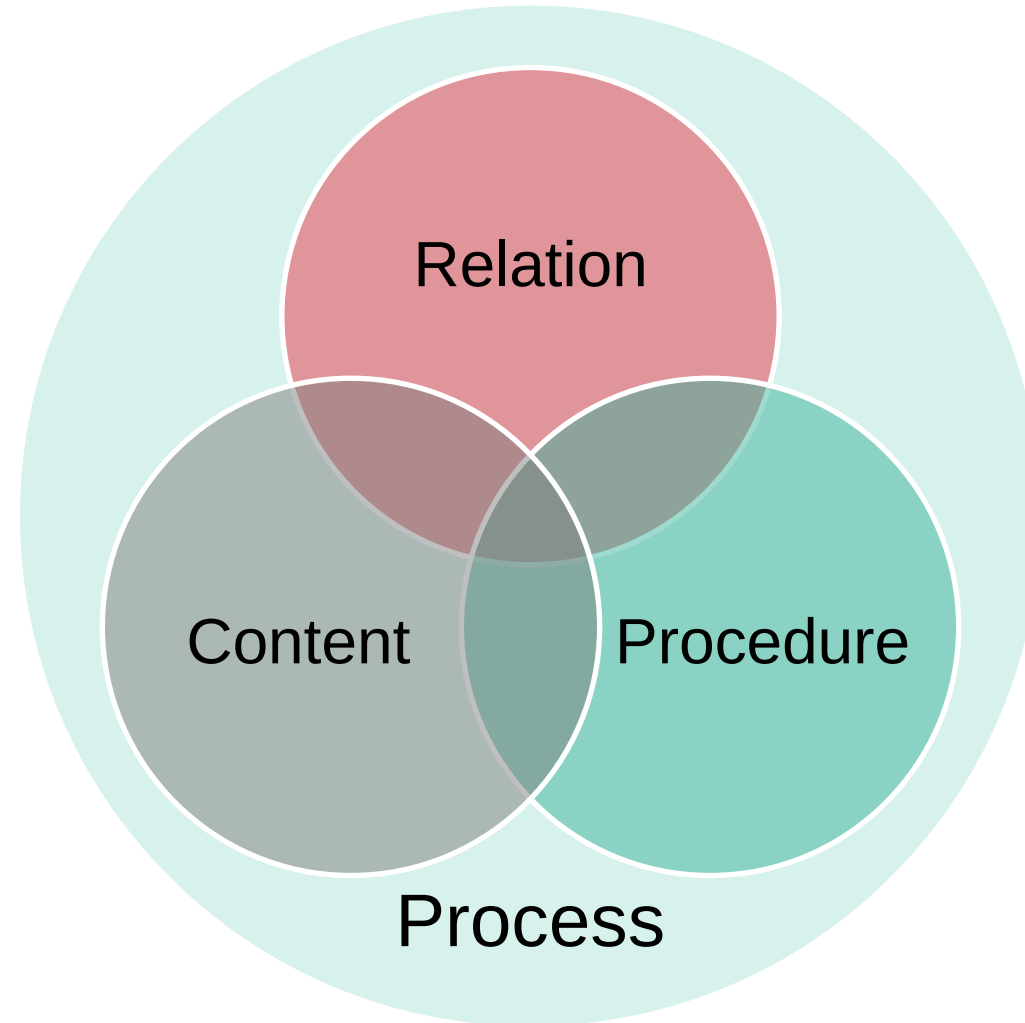


Strategies for negotiations



Bron: Thomas-Kilmann model, 123 management

Negotiation | Four domains

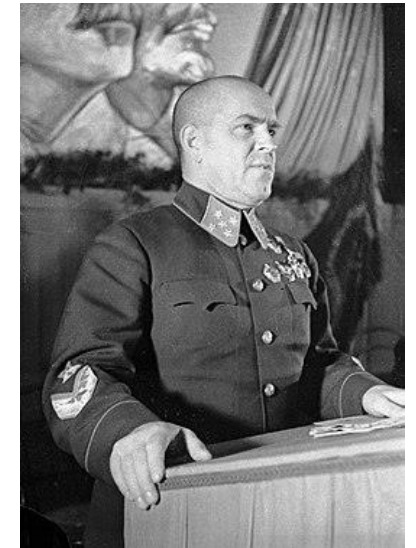


Break



Negotiations are everywhere

- > In daily life with friends, family, neighbours
- > In all markets
- > In politics and governance
- > In businesses and organizations with managers, co-workers and other departments
- > Between businesses
- > In law (suits)
- > In all of our projects





Connective negotiation

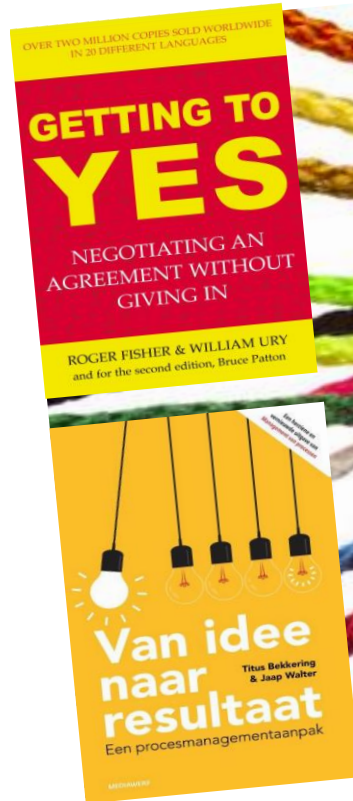
A different approach

The Mutual Gains Approach

- > MIT and Harvard: >>20.000 negotiations analyzed
- > Working towards added value for all parties
- > Applied worldwide
- > Demands a different way of thinking and working



Connective negotiation | MGA and process management



The differences

Conventional negotiations

- > Use differences in power amongst the parties
- > Focus on positions
- > Win - Lose
- > Focus on distribution, scarcity
- > Hold back information
- > Compromise

Connective Negotiation

- > Work on solutions together
- > Focus on interests
- > Win – win
- > Create value
- > Share information
- > Consensus building

Connective negotiation | Why is this approach helpful?



CHANGING SOCIETY
Horizontal collaboration



**USE OF KNOWLEGDE AND
CREATIVITY**
From- and for everyone



ASSERTIVE CITIZENS
Participating government



**CHANGING POSITION
GOVERNMENT**
New laws



**TRANSPARANCY OF
DECISION-MAKING**



**A LOT OF INFORMATION
WITHOUT CONNECTION**



Definition

Participants choosing for 'connective negotiation' want to reach an **agreement** that can be **executed** and has **more value for every participant** compared to if that agreement would not have been reached and where the **relationship** between participants is strengthened.



When do you use connective negotiation?

When all participants really want to come to an agreement



YES!

- > Holiday location with family
- > Contract for a new job
- > When parties want to agree on a new approach for an agricultural area



NO!

- > Pay for a product in the supermarket
- > Crisis situation that asks for direct action
- > When a party has the power and is willing to use it to enforce a solution

Issues | What the negotiation is about

- > Issues are:
 - Problems that ask for a solution
 - With different interests from different stakeholders
 - With different views on solutions
 - About content
- > Issues may shift during the process



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5 Essences of connective negotiation



1. Focus on interests, not positions



2. Create value (enlarge the pie)



3. Know your BATNA (Best Alternative to a Negotiated Agreement)

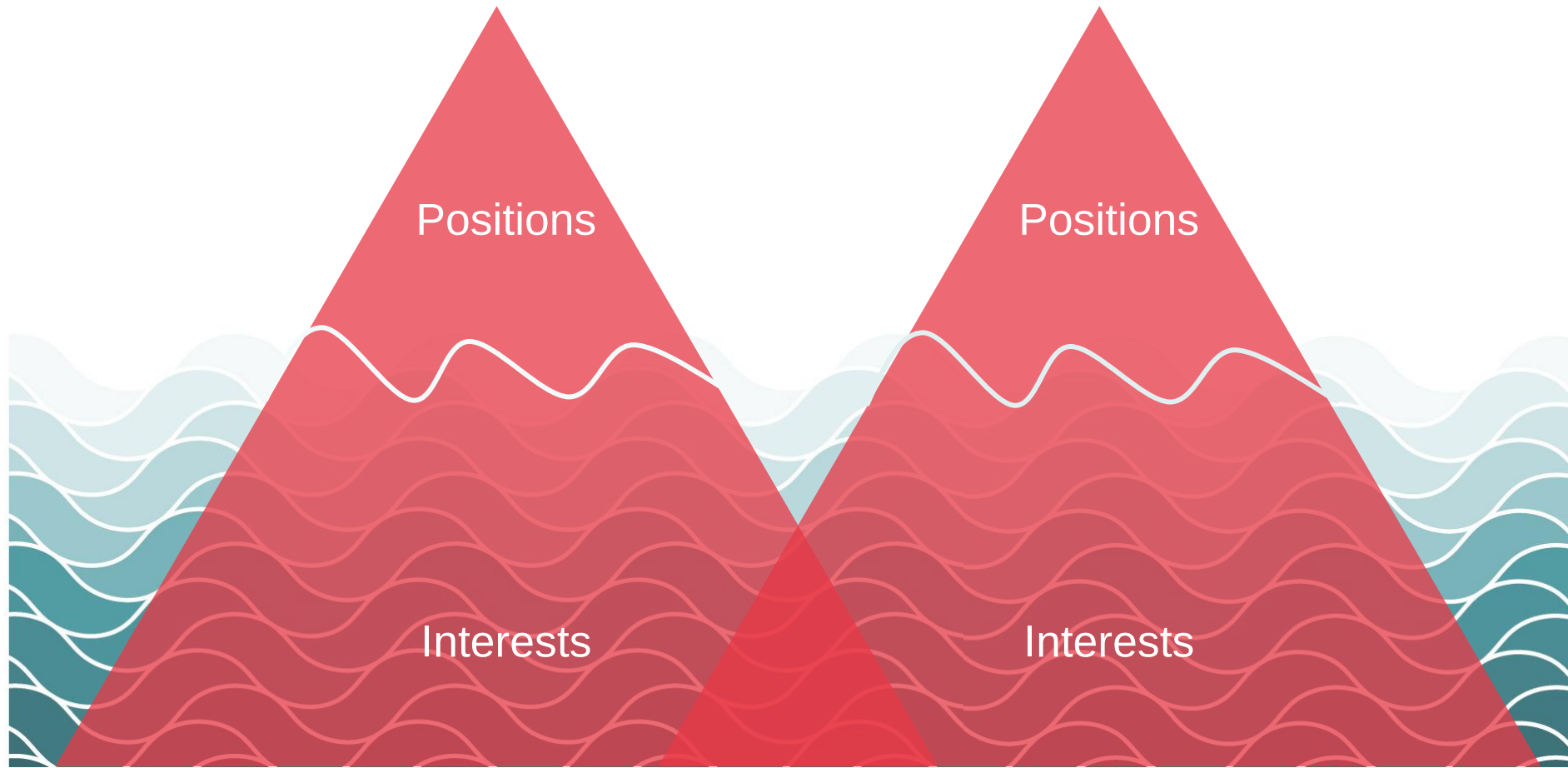


4. Work on sustainable relationships, building trust



5. Joint fact finding

Essence 1 | Focus on interests, not positions



Helpful questions to explore interests

- > Why is that important to you?
- > Are there other things of your concern?
- > Would we be moving in the right direction if...
- > What would make this agreement a great agreement for you?
- > Can you tell me more about this?



Examples

Position or interest?

- > It is essential that children can develop through education or training in order to build a future.
- > We must have a dike relocation here, because we find that of great importance in the village.
- > As a local nature organisation, we are against the construction of a new ring road around the village.
- > It is crucial that, despite the nitrogen crisis, these two farmers can sustainably maintain their farms in the future in order to continue to provide for their income.





News article analysis

- > Read the article
- > Discuss a particular position of one stakeholder and try and formulate interests



✂️ Lunch

5 Essences of connective negotiation



1. Focus on interests, not positions



2. **Create value (enlarge the pie)**



3. Know your BATNA (Best Alternative to a Negotiated Agreement)



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Essence 2 | Create value (enlarge the 'pie')

- > Create as much added value as possible
- > Search for creative solutions
- > A larger pie is easier to distribute



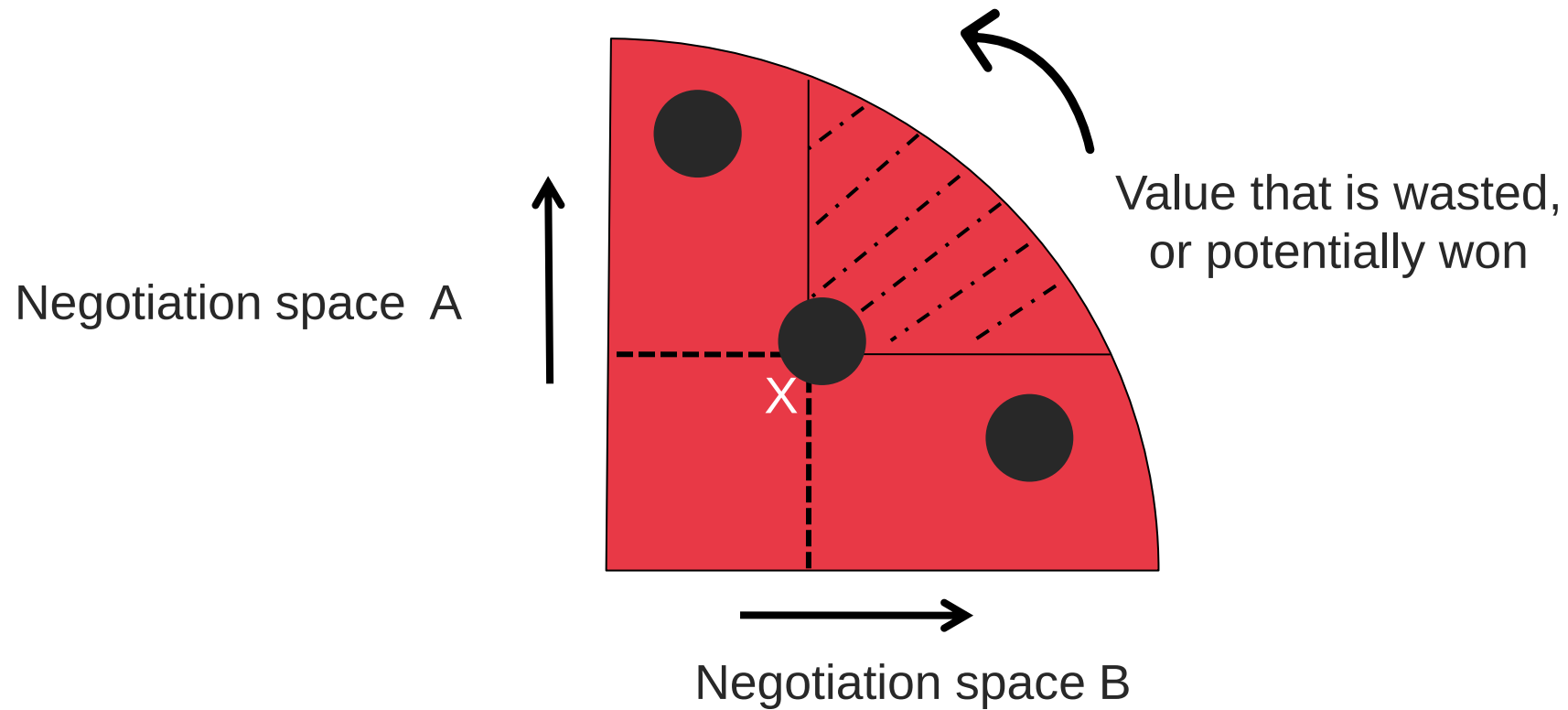


SALLY SOPRANO

- > Find a colleague with the other role
- > Keep your own information to yourself
- > Practice together with the essences 'interests' (1) and 'create value' (2)
- > Write down the outcome of the negotiation

The pie can be bigger

Some options are better



The pie can be bigger..... But how?

- > Make a long list of options, disregard nothing yet
- > Research / develop hybrid solutions
- > Use imaginative work forms
- > Think before you judge
- > Add issues if feasible



Essence 3 | BATNA

What can you do without an agreement?

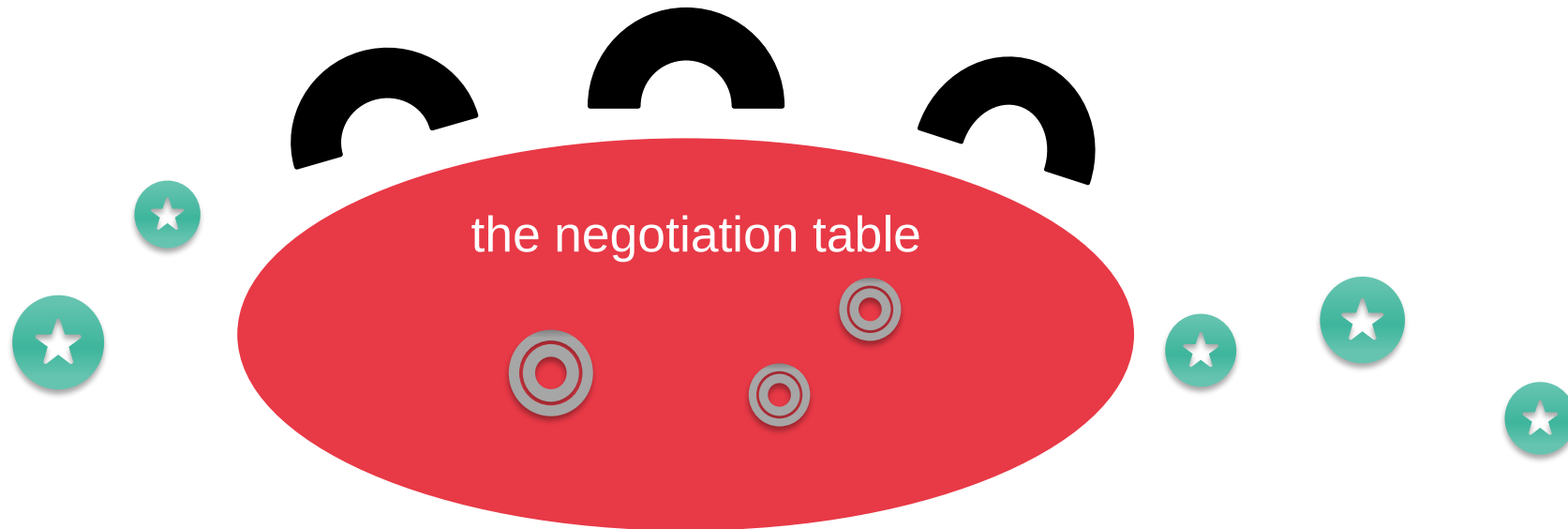
- > **B**est **A**lternative **T**o a **N**egotiated **A**greement
- > When am I better off without an agreement?
- > Or: when we don't come to an agreement, what do I have?
- > Important to know your own BATNA - and theirs

*What do I have
when we don't
come to an
agreement?*



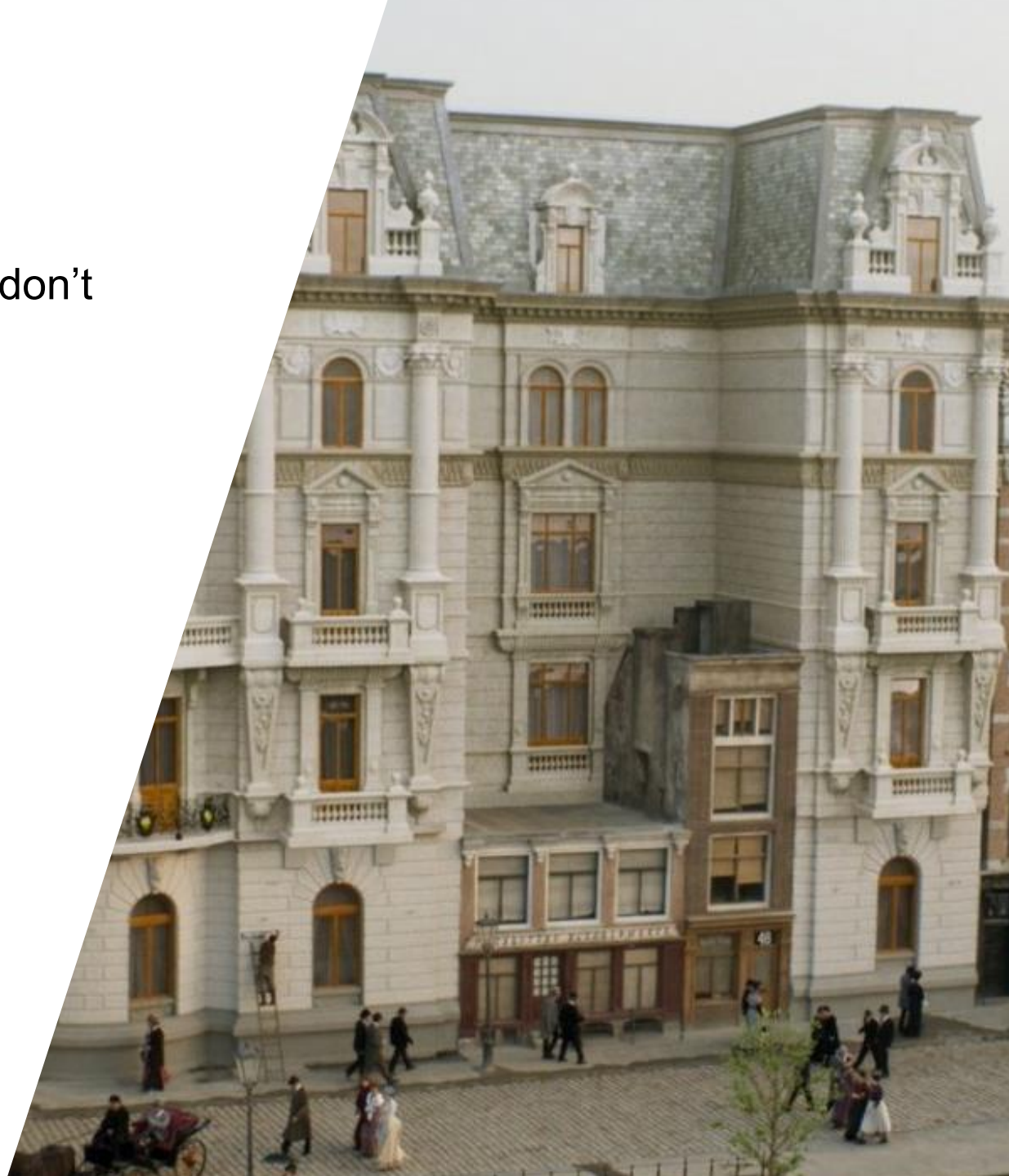
Difference between alternative and solution

- > An **alternative** lies outside the negotiation table 
- > A **solution** is AT the negotiation table, and you find it together 



How to define your BATNA?

- > List all alternatives you have in case the parties don't come to an agreement
- > Value them
- > The best alternative is your 'Plan B'
- > Analyze their BATNA
- > Improve your own BATNA



Essence 4 | Joint fact finding

- > You share information that you need for a final decision with all parties
- > You develop knowledge together
- > Joint fact finding may be required throughout the process: from exchanging existing reports during preparation to examining possible options and the feasibility of various options later in the process
- > Information and knowledge are unambiguously written down



Essence 4 | Joint fact finding

Agree on:

- > What do you know?
- > What do you not know?
- > What do you need to know? (And why?)

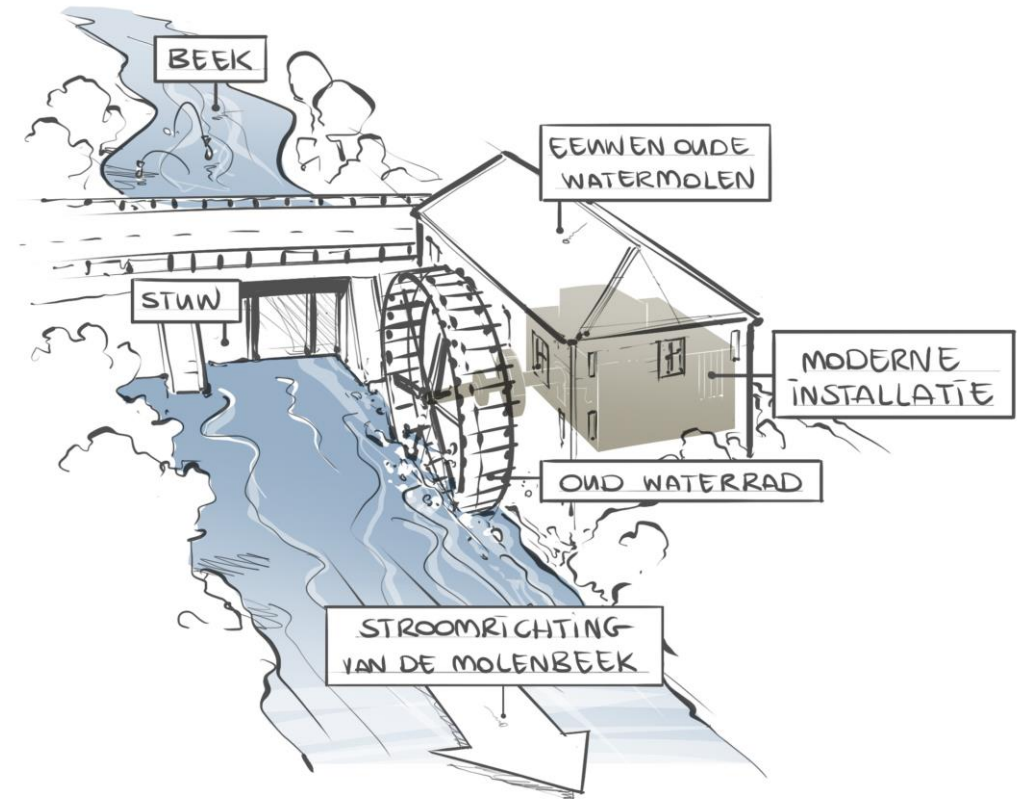
Think forward:

- > What will you do with the obtained information?



Molenbeek

- > Read the Molenbeek situation
- > Discuss in pairs:
 - What questions would you ask if you were one of the parties at the table to arrive at joint fact finding?
 - Do NOT only think about content questions!

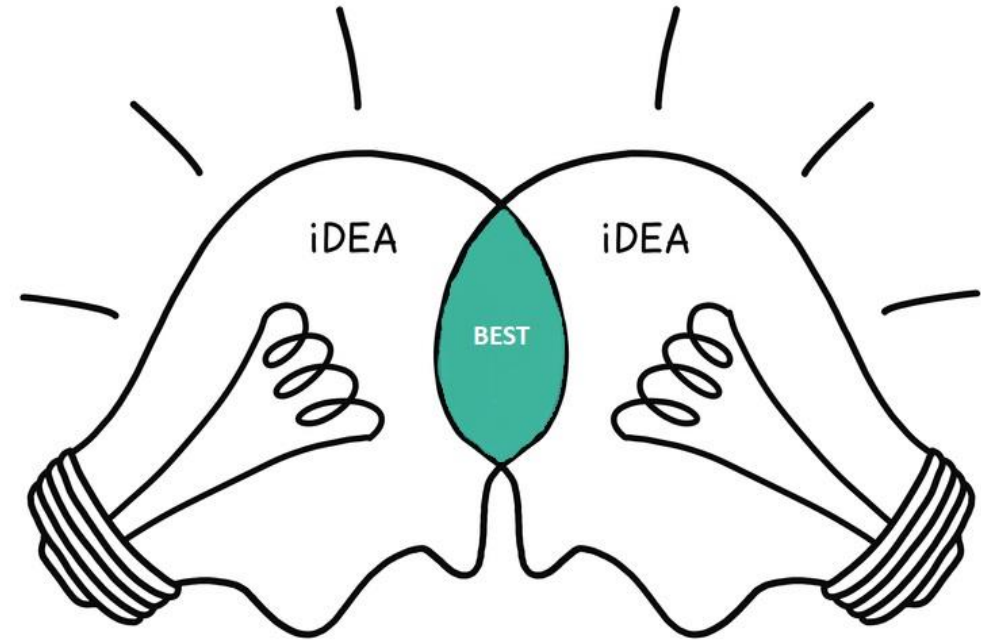


Joint fact finding

DARE TO ASK, AND ASK FURTHER

The crux is in:

‘Joint’ fact finding



Essence 5 | Building sustainable relationships

What kind of behaviour contributes to a good relationship ?



Essence 5 | Building sustainable relationships

There are six key pillars to build on this essence:

- > Listen
- > Care
- > Accept
- > Respect
- > Trust
- > And..... smile



Behaviour to build trust

- > Talk straight
- > Show respect
- > Create transparency
- > Repair errors
- > Show loyalty
- > Deliver results
- > Do it better
- > Recognize reality
- > Clarify expectations
- > Be approachable
- > Listen first
- > Keep appointments
- > Provide trust

Equality and equity

Equality is not the same as equity (of treatment)

Each party differs in interests, position, size, etc., but ...

At the table the parties have an equal role:

- > Everyone has input in the process and is responsible for the process
- > Everyone can contribute to solutions and / or has a part in the solution



Wrap up of today's programme

- > The power of ground rules
- > Negotiation strategies
- > What is MGA: the win – win frame work
- > When is MGA useful?
- > Five Essences



5 Essences of connective negotiation



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2. Create value (enlarge the pie)



3. Know your BATNA (Best Alternative to a Negotiated Agreement)



4. Work on sustainable relationships, building trust



5. Joint fact finding



REGISSEURS
VAN EEN
BETERE
TOEKOMST

