
DECEMBER 2020

The year 2020 has finally come to an end and will definitely appear in our children's history books. This global pandemic may have thrown our intuitions off balance, but it has also pushed us to surpass ourselves, to help us keep going. In any hardship, it is important to focus on the positive, so that it takes precedence over the difficulties experienced.

What assessments can we make for negotiation? ADN Group and the department of multilateral diplomacy at UNITAR trained 3,757 people, from 128 different nationalities, in both live and long-distance training courses. We also assisted and conducted 53 high-stake negotiations.

This edition will cover 5 of these negotiations and their learnings, which can be transposed into any negotiation. Each of these negotiations was a success and are proof of the necessity of being trained, prepared and being capable of carrying out a negotiation in a professional manner.

To ensure confidentiality, we have decontextualised the following negotiations, and modified the sums of money and parties involved. The content and final results of the negotiations conform to reality.

BREACH OF A COMMERCIAL CONTRACT

Two international industrial groups express the desire to put an end to the partnership that binds them together. Their commercial relations are outlined by a contract that is highly unbalanced. Group A would be allowed to breach the contract without any penalties but Group B has to hand over the sum of 55 million dollars to Group A. We are mandated by Group B to minimise the exit cost. After 6 months of negotiation the contract ends. Group B paid the grand total of ... 0 dollars. How did this happen?

During the negotiation we discovered that Group A wanted to end the contract as quickly as possible because they were already in discussion with another partner (Group C). This future contract would only be possible if the contract between A and B was terminated. Having this information put us in a strong position and we were able to slow the rhythm of the negotiation, to push Group A into revealing themselves. Because Group A would gain a lot more by, rapidly, signing a new contract with Group C, we were able to minimise the exit cost, so that we reached the total of 0 dollars after 6 months of negotiation.

Key learnings :

- ◆ Do not attempt to minimise a demand without having explored all possible negotiation leverages
- ◆ The quality of your information increases your negotiation power

HARD STRIKE IN A FACTORY

We are mandated to deal with social conflict by the management of a factory because of a strike initiated by a very virulent trade union. There are many heavy, unheard of demands. The factory is in great difficulty and the majority of the employees are threatened with layoffs, for economic reasons, if a solution is not found rapidly. Unfortunately, the first round of the negotiations between management and the trade union representatives, who refused to make any concessions, were unsuccessful. We stepped in at this point, given the mission by management. After our first round of negotiations, we were able to regain the upper hand, psychologically, when dealing with the virulent trade union representatives, and we began to understand that the trade union representatives really wanted the factory to shut down, to be able to benefit from legal and supra-legal compensation, planned as a redundancy scheme, which would be particularly beneficial to them. The unrealistic demands were just a means to make management seem responsible for the factory closing down.

Key learnings :

- ◆ In negotiation, the displayed position (employee demands) often does not reflect the real (personal) stakes involved
- ◆ When we begin a negotiation, it is necessary to ensure that a shared common objective exists between the participating parties (in this case it should have been saving people's jobs)

KIDNAPPING AND RANSOM

A western couple is kidnapped in a remote region. We are mandated to negotiate directly with the kidnappers, by the organisation concerned. The abductors are asking for a ransom of 30,000 dollars in under 5 hours, or else the hostages will be executed. The negotiation comes to an end, after 30 minutes, when we find out the kidnappers don't really detain the hostages. How did we find this out? When we asked for proof that the hostages were still alive, the kidnappers were unable to produce it. How were the kidnappers able to contact the organisation? They followed the western couple to the airport and took photos of the labels on their bags, which had their names and their affiliation with the organisation written clearly on it. The couple was on a flight for 12 hours. They were unreachable as long as they were in the air. This is the reason the kidnappers had a tight scheduled ultimatum to make the scenario seem more credible.

Key learnings :

- ◆ Ask yourself the right questions to receive the right answers
- ◆ Always take the time to map out the actors before initiating contact

COMMUNITARIAN CONFLICT

Two communities clash over the control of land. Why is there a rivalry? This land has a river running through it and water is crucial to provide for the people in the region's needs.

We are called upon by the mediator, who is credible in the eyes of both communities, but who is, unfortunately, helpless in resolving this conflict. We position ourselves in the mediator's shadow, to help him as best we can. After an eight-hour preparation, we come to the conclusion that the conflict is not really about the land, but rather about the leaders who have a position of principle, where they both wish to establish their legitimacy with their community. We suggest that their negotiation be carried out by the leaders' N-2 and the mediator, to temper the debate. The conflict will be sorted in two weeks, by giving regulated access to the river for both communities.

Key learnings :

- ◆ When it is hard to put aside deteriorating emotions, try removing the negotiators, in so far as you are able to, to avoid sterile escalation
- ◆ Desired objects (land) are rarely a real purpose and usually a means to an end

HELP VACCINATION RATE PROGRESS

At the beginning of the year, we were contacted by the management of an organisation, who was concerned about the low vaccine rate of its personnel and the high mortality rate of its employees. A high transmission rate of disease from this organism to its clients, as it is open to the public, had been observed, including the emergence of diseases that had mostly been eradicated. The organisation has 800 employees and the vaccination rate is only estimated at 30%, despite regular communication campaigns from management. The objective is to reach 95% vaccination rates by the end of the year. We managed 87% in two months. How did we achieve this?

After mapping out the actors and having targeted interviews, we realised that two particularly charismatic, but paranoid and rather perverse people, (a man and a woman) had a hold over the other employees, using fear. Both of them spread messages every day saying the vaccine was associated with "evil and demons". The employees accepted this kind of speech, despite themselves, as they were mostly spiritual believers, and were afraid of the consequences. By severing the link between the employees and these two people and by enlightening the personnel's judgement, without attempting to convince them, vaccination rates rose up to 87%. On a side note, we found out the two charismatic leaders never fell ill because they were both vaccinated.

Key learnings :

- ◆ Preparation represents 80% of a negotiation.
- ◆ Understanding the sociogram is decisive. It defines the relations of influence and power between the actors.

**The United Nations Institute
for Training and Research
and ADN Group**

**wish you happy holidays
and many wonderful
negotiations to come
for the year 2021!**