CCHN Field Manual on Frontline Humanitarian Negotiation

FRONTLINE
NEGOTIATIONS

Centre of Competence on Humanitarian Negotiation

CCHN
Field Manual on Frontline Humanitarian Negotiation

"Out beyond ideas of wrongdoing and rightdoing,

there is a field. I'll meet you there."

Jalāl ad-Dīn Muhammad Rūmī
Persian Poet, Sufi mystic. (AD 1207-1273)

It is a pleasure and a great privilege to introduce the second version of the *CCHN Field Manual on Frontline Humanitarian Negotiation*. The *CCHN Field Manual* builds on the collective experience and perspectives of several hundred humanitarian practitioners engaged in some of the most challenging conflict environments. It offers a set of concrete tools and methods to plan and prepare negotiation processes for the purpose of assisting and protecting populations affected by armed conflicts and other forms of violence.

Through a series of in-depth interviews and informal professional exchanges with humanitarian practitioners from around the world, the CCHN has gathered a unique understanding of humanitarian negotiation practices. The negotiation model presented in the *CCHN Field Manual* is intended to assist humanitarian professionals and their team to plan and review negotiation processes in a systematic and critical manner. By sharing their reflections on current engagements, frontline humanitarian negotiators will be able to evaluate and compare their options, develop new skills, and learn from each other's experience in addressing the recurring challenges and dilemmas of humanitarian negotiation. In the second version of the *CCHN Field Manual*, the readers will notice the increasing involvement of members of the community of practice of the CCHN in both the design and articulation of the methods and tools of the CCHN. While the first version drew extensively from the confidential interviews conducted by the CCHN in the early years of its mission, the new version is being additionally shaped by the growing interest of CCHN community members in contributing to the reflection on current practices and providing support to their colleagues in the field, ensuring the relevance and accessibility of the material to many types of users from frontline humanitarian operators to mandators working with local NGOs or international agencies. Hence the *CCHN Field Manual* is connected to a series of practitioners' and facilitators'

handbooks and a user-led digital platform that support and feed discussions on practical ways to strengthen humanitarian negotiation processes across contexts.

Although the *CCHN Field Manual* presents frontline negotiation practices within a linear model, it does not aim to provide a one-size-fits-all strategy. Each negotiation is unique in terms of environment, culture, relationships and personalities. Humanitarian organizations' mandate and internal regulations also differ in terms of objectives and limitations of negotiation processes. Ultimately, the success of negotiation relies largely on the personal skills and sensitivity of each negotiator underpinning his or her ability to build the necessary trust with the counterparts in complex and challenging environments. The security and safety of humanitarian operations depend on their individual aptitude to adapt their objectives to the operational and political situation while responding to the demands and expectations of the affected populations and communities.

The *CCHN Field Manual* has been made possible thanks to the active contributions and continuous guidance of the Strategic Partners of the CCHN, namely, the ICRC, WFP, MSF, UNHCR, and HD. It gained greatly from the reflections of academic researchers and negotiation experts, such as Professor Alain Lempereur from Brandeis University, Laurent Combalbert and Marwan Mery from ADN Group, as well as team members of the Harvard Advanced Training Program on Humanitarian Action, in particular, Emmanuel Tronc, Rob Grace, and Anaïde Nahikian. Gale Halpern has provided much valued support and guidance in the editing of the first and second version of this Manual. The CCHN also benefited from the generous support of its donors, notably, the Swiss Department of Foreign Affairs, the German Federal Ministry of Foreign Affairs, the Swedish Ministry of Foreign Affairs, the Ministry of Foreign Affairs of Denmark, and the Ministry of Foreign and European Affairs of Luxembourg. Special thanks go to all the humanitarian practitioners, national and international staff, who shared their negotiation experiences over

recent years. Finally, I would like to acknowledge the contributions of CCHN Negotiation Specialists Naima Weibel, Will Harper, Karim Hafez and Joëlle Germanier whose constant and diligent work of elaborating tangible negotiation tools and methods based on current field practices is invaluable. These efforts will continue over the coming years, honing the *CCHN Field Manual* while opening new spaces of informal exchanges among frontline practitioners.

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Table of contents

4| Annex

Introduction

Introduction to the CCHN Field Manual

The **CCHN Field Manual on Frontline Humanitarian Negotiation** proposes a comprehensive method to conduct humanitarian negotiation in a structured and customized manner. It offers a step-by-step pathway to plan and implement negotiation processes based on a set of practical tools designed to :

- Analyze complex negotiation environments;
- Assess the position, interests, and motives of all the parties involved;
- Build networks and leverage influence;
- Define the terms of a negotiation mandate and clarify negotiation objectives;
- Set limits (*red lines*) to these negotiations
- Identify specific objectives and design scenarios; and
- Enter transactions in an effective manner to ensure proper implementation.

These tools are further articulated in a separate *Negotiator's Notebook, Workbook*, and *Digital Platform* linking core knowledge on humanitarian negotiation to ongoing negotiation practices in field operations. The ultimate objective of the **CCHN Field Manual** is to facilitate the sharing of field experiences and reflections on humanitarian negotiation practices among the members of the CCHN community of practice.

By offering a simple experiential model, the goal of the **CCHN Field Manual** and its related platforms is to become an integral part of the professional conversations among humanitarian practitioners engaged in negotiation processes with civil authorities, military forces, non-state armed groups, affected communities, and other agencies and NGOs in the deployment of lifesaving assistance and protection programs.

Defining Humanitarian Negotiation

Humanitarian negotiation is defined as a set of interactions between humanitarian organizations and parties to an armed conflict, as well as other relevant actors, aimed at establishing and maintaining the presence of these organizations in conflict environments, ensuring access to vulnerable groups, and facilitating the delivery of assistance and protection activities. Negotiations may involve both state and non-state actors. They include a relational component focused on building trust with the counterparts over time and a transactional component focused on determining and agreeing on the specific terms and logistics of humanitarian operations.

The **CCHN Field Manual** should serve as complementary reading to the existing literature on humanitarian principles and action. It assumes a core knowledge of humanitarian values and professional norms as well as a degree of proficiency in managing humanitarian programs. It will be most useful to practitioners who already benefit from some years of operational experience in conflict environments.

The **CCHN Field Manual** is not meant to define or promote specific objectives of humanitarian negotiation but to present systematic tools to improve negotiation practices based on the experience and wisdom of this growing community of practice.

Sharing views and experiences on the challenges of negotiating on the frontlines

Frontline humanitarian negotiators are known to conduct highly contextual, personal, and confidential negotiation processes in some of the most remote and challenging environments. While being part of global operations, most frontline negotiators tend to work in isolation from each other and enjoy only limited access to critical information and discussions on negotiation practices in their own situation or across contexts. In recent years, humanitarian negotiators have increasingly recognized commonalities in their practices and the challenges they face in complex environments. The growing interdependence of humanitarian actors on the ground implies a greater need for sharing of experience and peer learning to improve humanitarian outcomes of frontline negotiations.

Engaging in Critical Reflections on the Common Dilemmas of Humanitarian Negotiation

A paradox persists around the role that negotiators play in humanitarian action. On the one hand, humanitarian organizations have limited leeway to negotiate as their action is rooted in non-negotiable humanitarian principles – humanity, impartiality, neutrality, and independence. On the other hand, field operations rely on the ability of humanitarian professionals to seek and maintain access to affected populations by finding the proper arrangements to manage the expectations of the counterparts, while protecting the security of staff and cooperating with local actors. As a result, humanitarian actors find themselves caught between the need to respect humanitarian norms and principles and their role to find the right balance of interests with their counterparts to fulfill their mission and have an impact.

Many readers will find the tools and observations in the **CCHN Field Manual** quite familiar, as the tools and methods are for the most part drawn from actual practices. The content of the first version of the **CCHN Field Manual** was initially informed by the interviews of over 120 field practitioners who have shared their experiences and lessons learned in recent years. The second version has further benefitted from the inputs of over 1000 experienced field practitioners who have taken part in the peer exchange programs organized by the CCHN and its partners. Humanitarian negotiation is more than a technique that one can learn from books and training workshops. It is also more than a personal skill or intuition based on the individual experiences of isolated colleagues. By facilitating the dissemination of experience across time and various locations, the CCHN emphasizes its belief that best practices in humanitarian negotiation should be the product of a joint endeavor among hundreds of frontline negotiators

across contexts and agencies. Through the sharing of negotiation practices and reflections among peers, involving comparing tactics, analyzing judgments, and reviewing errors, the CCHN hopes to bolster the collective wisdom of this emerging professional community.

The CCHN encourages humanitarian organizations to create a safe and positive environment in which negotiation experience can be shared and learned from among peers. Humanitarian professionals are invited to join such discussions in the course of CCHN regional and context-specific peer workshops as well as other CCHN peer exchange activities for field practitioners across organizations.[1]

The larger the community of practice, the deeper the negotiation experience and reflections of its members will be. As the CCHN continues to expand the circle of participants through its peer activities, it is expected that the experiential material contained in the **CCHN Field Manual** and related digital platforms will contribute to improving the capacity of humanitarian organizations to seek access to populations in need in increasingly complex environments.

Paradoxically, limited attention has been devoted so far to strengthening the negotiation capabilities of humanitarian organizations. While the demand for such skills and methods is constantly growing, there are few instances of training programs dedicated to humanitarian negotiation in field operations. Humanitarian organizations have often been uneasy about discussing their negotiation practices, considering the personal, contextual, and confidential character of relationships with counterparts. For many, negotiation with parties to armed conflict has been, and is still, often perceived as part of political interplays among states and other powerful actors taking place outside the humanitarian space and away from the recognized humanitarian principles. Field practitioners will recognize that negotiation has become a major part of their activities but remain uncomfortable in discussing their experience without a proper humanitarian language and framework. The few instances of literature on human-

itarian negotiation in the 20th century are often composed of over-glorified stories of engagements with little to no critical reflections on the tactical dilemmas of these interventions and their political environments. At the risk of downplaying the contributions of leading negotiators and the role of frontline humanitarian organizations, there has been little effort in recent decades to collect actual data on negotiation practices and systematize humanitarian negotiation tools and methods.

It is only since the late 1990s that reflections on humanitarian negotiation, mediation, and diplomacy have introduced new domains of policy inquiry. This expansion of observations of frontline engagements parallels the growing numbers of humanitarian actors entering this domain of activities since the end of the Cold War. This amplification is also the product of the increased blending of operational agendas from the traditional humanitarian action to preserve life and dignity to more development-oriented program-

1. For more information on the calendar of activities of the CCHN, please visit: http://frontline-negotiations.org.

ming, conflict management, and mediation activities. The first professional guidelines on humanitarian negotiations were published in the early 2000s by the Centre for Humanitarian Dialogue, OCHA and Conflict Dynamics International (see insert). As part of its institutional strategy calling for more evidence-based reflections on its operational practices, the ICRC undertook a first review of its negotiation practices starting in 2013 under the *Humanitarian Negotiation Exchange* (HNx) program, which further aimed at fostering a community of practice among ICRC negotiators. This effort prompted other organizations to join and engage in similar reviews.

It is in this context that the leadership of the five members of the *Strategic Partners on Humanitarian Negotiation* (ICRC, WFP, UNHCR, MSF and HD) created in late 2016 the Centre of Competence on Humanitarian Negotiation (CCHN), inspired by an ICRC internal platform favoring the exchange of negotiation experi-ences among field practitioners. In the *Strategic Partners*' view, most of the knowledge and experience required to effectively undertake the challenges of frontline negotiation are already present in field operations, spread among experienced humanitarian professionals operating on the frontlines. The best way to build the capability of agencies to negotiate in these demanding circumstances is to facilitate the capture, analysis, and sharing of negotiation experiences among frontline negotiators and across agencies and contexts. The mission of the CCHN focuses specifically on creating a safe space among humanitarian negotiators to share their practices and to enable critical reflections on negotiation strategies and tactics in complex environments. These exchanges consequently nurture the elaboration of the **CCHN Field Manual** tailored to the needs and demands of field practitioners.

Training and Policy Guidance in Humanitarian Negotiation

Starting in the late 1990s, research and policy centres invested in the development of the first guidance on humanitarian negotiation. Deborah Mancini-Griffoli and André Picot wrote a first *Humanitarian Negotiation Handbook* in 2004, published by the HD Centre, which recognized the need to plan and prepare a humanitarian negotiation process. In 2006, under the auspices of OCHA, Gerard McHugh and Manuel Bessler produced a *Manual for Practitioners on Humanitarian Negotiation with Armed Groups* to develop policy guidance on addressing the dilemmas of principled negotiations, later revised in 2011 by Conflict Dynamics International (CDI) and the Swiss Department of Foreign Affairs. More recently, training programs have been developed by CDI, the Clingendael Institute, CERAH, and the Danish Red Cross/the Norwegian Refugee Council, among others, introducing core knowledge, tools, and skills on humanitarian negotiation and community mediation. The peer workshops of the CCHN are the latest iteration of this process, opening a safe space to exchange negotiation experience and reflect on challenges and dilemmas of humanitarian negotiation.

On the Role of the CCHN Community

Since the launch of the activities of the CCHN in 2016, this reflection has involved several hundred humanitarian professionals from various agencies and local organizations across field operations. As of October 2019, over a thousand field practitioners have taken part in CCHN peer-to-peer activities. These activities are based on the conscious efforts of participants to engage in informal exchanges on personal negotiation experiences as a central means to learn common approaches to complex negotiations and to assist others.

As members of the CCHN community, field practitioners can further take part in specialized sessions on themes selected by participants in the peer workshops. These sessions may, in

Figure 2 : Distribution of CCHN Peer Workshop participants by country of operations (top 13) as of September 2019.

Figure 1 : Distribution of CCHN Peer Workshop participants by agencies (top 15) as of September 2019.

turn, trigger the creation of "peer circles" of 10-15 members hosted by the CCHN who meet regularly to share information and review strategies of ongoing negotiation processes. Field research conducted by the CCHN and its academic partners on selected challenges and dilemmas of frontline negotiations further inform specialized sessions and peer circles as required by the members of the CCHN community. Finally, participants in the peer activities can opt to become *CCHN Facilitators* by following a dedicated training organized by the CCHN. *CCHN Facilitators* orient peers and manage exchanges as well as guide the development of CCHN tools and methods. As the community progresses, the CCHN will be able to identify and review emerging challenges and dilemmas of humanitarian negotiation and develop pathways to deal with them.

At this early stage, members of the CCHN community have started conversations to define the core competences of frontline humanitarian negotiators in terms of knowledge, attitudes, and skills underpinning the necessary capabilities to undertake humanitarian negotiation.

This "competence chart" is designed to help members of the CCHN community, as well as their agencies, in focusing their attention on key features to invest in as they are considering ways to strengthen negotiation capabilities across humanitarian operations (see *Annex*). These conversations have also led toward a greater awareness among community members about their commitment to colleagues on the frontlines as well as a sense of due diligence to agencies and other stakeholders in the development of this critical professional domain.

On the Planning of a Negotiation Process

The **CCHN Field Manual** builds on the assumption that one needs to ascertain a common framework of analysis and vocabulary to be able to compare negotiation experiences across time, contexts and issues in a useful manner. While negotiation experiences are inherently personal and contextual in nature, they also present recurring dilemmas and challenges from which one can learn and instigate more effective tools and methods. These common features also support the establishment of a shared professional space for the planning of negotiation processes, exchanges of experience, and professional reflections.

From 2016 onward, the CCHN has been gathering information on the negotiation practices of several hundred humanitarian professionals covering their experience, tactics, and strategies. This empirical analysis was guided by the early reflections on humanitarian negotiation practices conducted by 24 ICRC frontline negotiators in Naivasha, Kenya, in November 2014. The Naivasha gathering organized by the ICRC's Humanitarian Exchange Platform - a precursor of the CCHN, produced a first model of a generic humanitarian negotiation process in terms of planning steps, consultations, and engagements with the counterparts and their stakeholders based on the negotiation experience of the ICRC participants. The original *Naivasha Grid* was presented as an ICRC planning tool for frontline humanitarian negotiation at the first Annual Meeting of Frontline Humanitarian Negotiators in October 2016.[1] The *Naivasha Grid* framework was further developed and adapted to a multi-agency setting by the CCHN in the following years. It became both an analytical tool to observe and review humanitarian negotiation processes across agencies and contexts and a

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1. See the *Report of the First Annual Meeting of Frontline Humanitarian Negotiators*, Centre of Competence on Humanitarian Negotiation (CCHN), Geneva, October 2016, p. 23.

map to plan the successive tasks, roles, and responsibilities between the frontline negotiator, his/her support team, and the mandator responsible for framing the negotiation exercise in a given mandate (see Figure 3).

The *Naivasha Grid* confirms the leading role of the **frontline negotiator** in the negotiation process defined along the **Green Pathway**. This role is supported in an intermittent manner by the **negotiation team** which

the frontline negotiator is part of, along the **Yellow Pathway**, implying a critical dialogue between frontline negotiators and field colleagues to consider tactical options based on the interests and motives of counterparts, the specific objectives of the negotiation, the design of scenarios, and the mapping of the networks of influence. The whole negotiation process is framed by the **mandator**, along the **Red Pathway**, in terms of strategic objectives and red lines informed by institutional policies. These policies and objectives are assigned by the mandator to the negotiator, generally through the line management within the organization.

While the *Naivasha Grid* provides a set of logical pathways drawn from recent practices, it focuses primarily on the specific steps of a negotiation process. Several important aspects of humanitarian operations that surround and inform the negotiation process, including the assessment of needs, the design of programs, internal deliberations, and negotiation with the mandator, have been omitted from the *Grid*. The implementation of a final agreement is also not covered by the *Naivasha Grid*. While these aspects are central to humanitarian programming and action, they are not understood as key to the practice of a frontline negotiator in relation with his/her counterparts, which is the focus of the **CCHN Field Manual**.

Figure 3 : Naivasha Grid : Planning a Negotiation Process

Quick Guide on How to Use the CCHN Field Manual

The **CCHN Field Manual** presents humanitarian negotiation as a linear planning and deliberation process. It provides specific tools and reflections on every step of the process as well as a pattern of distribution of roles and responsibili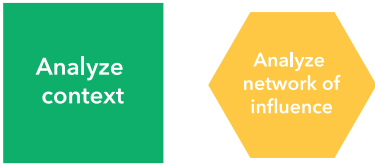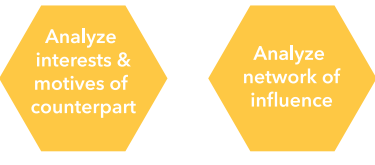ties. It is important to mention that these steps and roles should not be taken in isolation. A manager or field operator can be engaged at various stages of concurrent negotiation processes in the same context where he/she may act alternatively as mandator, team member, or frontline negotiator, depending on the specific object of the negotiation and level of the counterpart. The *Naivasha Grid* encourages interactions between these steps and roles with the understanding that their actual distribution may evolve from one engagement to the next. A junior manager should therefore, for example, learn to lead a negotiation process on the frontline as well as play a support role as a team member and eventually mandate a negotiation process to a staff member under his/her supervision. The capabilities of

an organization to negotiate on the frontlines entail a collective endeavor where the three distinct roles are properly assigned and recognized as contributing equally to the success of the operation.

The **CCHN Field Manual** follows the distribution of roles and responsibilities documented in the Naivasha Grid by the CCHN Community in recent years. Hence:

- The **Green** section of the *CCHN Field Manual* focuses on the specific tasks of the **FRONTLINE NEGOTIATOR** managing the relationship and leading the transactional discussion with the counterpart(s);

- The **Yellow** section focuses on the support role of the **NEGOTIATOR'S TEAM** in accompanying the frontline negotiator in the planning and critical review of the negotiation process; and

QUESTIONS AND TOPICS	RELEVANT AREAS OF THE CCHN FIELD MANUAL	RELEVANT TOOLS AND PAGES
How can I analyze a **negotiation environment**?	Analyze context — Analyze network of influence	Gathering quality information about the context: **P. 48-63** Drawing the island of agreements: **P. 64-84** Network mapping and leveraging influence: **P. 252-276**
How can I better understand the **position of the counterpart**?	Analyze interests & motives of counterpart — Analyze network of influence	Analyzing the position of the counterpart: **P. 199-217** Network mapping and leveraging influence: **P. 252-276**
How can I define my **negotiation objectives**?	Mission and strategic objectives — Identify own priorities & objectives	Design of the mandate: **P. 319-331** Identifying one priorities and objectives: **P. 220-229**
How can I draw **scenarios of a negotiation**?	Institutional policies and red lines — Design scenario & bottom line	Identification of red lines: **P. 342-374** Exploring the common shared space: **P. 230-249** Identifying the shared benefit of the negotiation: **P. 278-288** Evaluate cost-benefit of options: **P. 288-309**
What are my **red lines** and who determines them?	Institutional policies and red lines	Identifying own priorities and objectives: **P. 220-229**
How can I **leverage influence** over the counterpart?	Analyze interests & motives of counterpart — Analyze network of influence — Develop tactical Plan	Analyzing the position of the counterpart: **P. 199-217** Network mapping and leveraging influence: **P. 252-276** Fostering legitimacy and building trust: **P. 90-104**
Do I have the **authority to negotiate**–and who decides?	Mission and strategic objectives	Design of the mandate: **P. 319-331** External communication around the negotiation process: **P. 332-338**

- The **Red** section focuses on the role and responsibilities of the **MANDATOR** as part of the institutional hierarchy of the organization defining the terms of the mandate of the frontline negotiator, including its limits (red lines), and reviewing the results of the negotiation.

Readers will find an arrangement of practical tools for each role within each of the sections, accompanied by real-life examples. These tools have further been compiled in the workbook related to the **CCHN Field Manual** (available on the CCHN website) where practitioners can test their knowledge and apply the tools and methods to reflect on ongoing negotiations. The workbook should be not only a learning tool, but also a useful compilation of templates to use in a negotiation process. It is expected that negotiation practitioners will refer to the most relevant areas of the **CCHN Field Manual** in support of the planning of ongoing negotiation processes.

The following table assists readers in identifying the most relevant segments of the **CCHN Field Manual** based on the topics or questions that bring them to the **Manual**.

QUESTIONS AND TOPICS	RELEVANT AREAS OF THE CCHN FIELD MANUAL	RELEVANT TOOLS AND PAGES
How can I improve my **legitimacy as a negotiator**?	Develop tactical Plan	Fostering legitimacy and building trust: **P. 90-104** Determining the typology of a humanitarian negotiation: **P. 106-136**
How can I deal with a **difficult or hostile interlocutor**?	Engage in transaction	Addressing the human element of the transaction: **P. 178-188**
How can I ensure that the **agreement will be implemented**?	Engage in transaction	Drawing the island of agreements: **P. 64-84** Creating a conducive environment for the transaction: **P. 156-166** Clarifying the terms of the transaction: **P. 168-177**
How can I build **trust with the counterpart**?	Analyze context / Develop tactical Plan	Drawing the island of agreements: **P. 64-84** Fostering legitimacy and building trust: **P. 90-104**
How can I ensure the **safeguarding of institutional policies and principles**?	Institutional policies and red lines / Develop tactical Plan	Identification of red lines: **P. 342-374** Drawing the pathway of a normative negotiation: **P. 137-151**
What is the **role of a negotiator**?	Mission and strategic objectives / Develop tactical Plan	Design of the mandate: **P. 319-331** Fostering legitimacy and building trust: **P. 90-104**

Role and tasks
of the frontline
negotiator

Introduction

The objective of the *Manual* is to provide a comprehensive pathway to plan effective negotiation processes for humanitarian professionals on the frontlines. This section focuses primarily on the specific tasks assigned to humanitarian negotiators, including context analysis, tactical planning, and transaction with the counterparts. These tasks assume the support of the negotiation team accompanying the planning and review of the negotiation process (see Section 2 Yellow); and the framing and guidance of the mandator based on the institutional policies of the organization (see Section 3 Red).
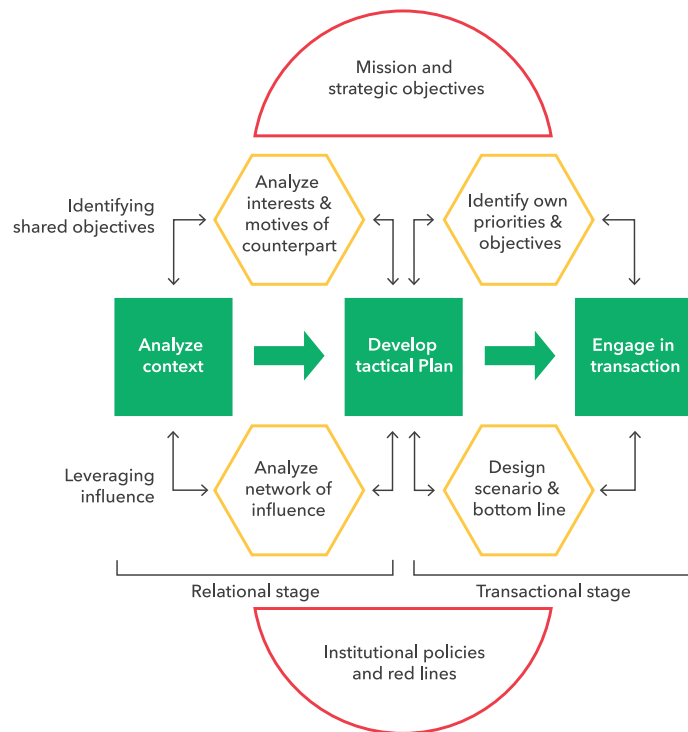
Figure 1 : On the specific tasks of frontline humanitarian negotiators

As described in the *Naivasha Grid*, frontline negotiators have a central role to play in a negotiation process as they represent the organization in a personal relationship with the counterparts. Building on the empirical analysis of negotiation practices produced by the CCHN and research conducted by Harvard's Advanced Training Program on Humanitarian Action (ATHA), one can observe that :

1. Humanitarian professionals operating on the frontlines have primary responsibility for establishing and maintaining the relationships with the counterparts on which agencies hope to build the necessary trust and predictability required by their operations;

2. These relationships should be understood as social constructs subject to the political, cultural, and social environments in which agencies operate; and

The success of a humanitarian negotiation is contingent on the ability of humanitarian negotiators to build trust as part of ongoing relationships with the counterparts, to identify shared objectives, and to have the capacity to leverage influence through the use of networks of stakeholders.

3. Understanding the context is therefore a critical step to preparing a humanitarian negotiation and engaging with the counterparts regarding access to the population in need, delivery of assistance, monitoring and protection activities, and enhancing the safety and security of staff, beneficiaries, and premises.

In this context, specific attention should be devoted to setting up a conducive environment for relationship building with counterparts in terms of:

1. Gathering information on the situation and analyzing the political and social environment in which the process will be conducted;

2. Developing tactical tools and plans to adapt the objectives of the organization to the specific environment and actors of the negotiation; and,

3. Engaging in fruitful transactions in order to produce benefits on all sides.

This section provides critical tools to assist frontline humanitarian negotiators in the elaboration of their negotiation approach across these three steps.

Module A : Context Analysis

Analyzing the conflict environment is an integral part of the work of humanitarian professionals in the field. This task is of particular importance in frontline humanitarian negotiation in order to gather a solid understanding of the social, cultural, and political aspects of the situation and to build a trusted relationship with the counterparts. This analysis is further preparation for reflections with the *negotiator's team* on the position, interests, and motives of the counterparts and

Figure 2 : Analyzing context as a source of information for network mapping and analysis of the motives of counterparts

the mapping of the network of influence, as presented in the Naivasha Grid.

These tasks are at the core of the relational stage of the negotiation aimed at building and maintaining a rapport with counterparts and other stakeholders. This stage is also a time for the negotiation team to reflect with the humanitarian negotiator in the lead, compare notes with colleagues from within and outside their organization and develop a critical sense about everyone's perception of the conflict environment. These reflective and consultative tools are presented in the next section (see Section 2 **Yellow**) on the role and tasks of the *negotiation team*. For now, this section focuses on practical ways to sort information about the context of a negotiation in preparation for the development of a tactical plan.

TOOL 1: GATHERING QUALITY INFORMATION ABOUT THE CONTEXT

A humanitarian negotiation generally begins with two competing narratives about a situation. On one side, an organization is expressing serious concerns regarding the needs of a population affected by a conflict and offers its services as part of the humanitarian response. On the other side, the authority in charge of the population or of the access to the region is putting into question the accuracy or reliability of the information presented by the humanitarian organization, criticizing the priority of the proposed response, or challenge the mandate of the organization. The core goal of the negotiation process is to find a way to reconcile these two narratives around some pragmatic arrangements.

In the early stage of a negotiation process, the quality of the information brought forward by the humanitarian organization is of critical importance in determining the chance of success of the negotiation. The traction

Gathering quality information is often an undervalued stage of a negotiation. One can spend months negotiating access to an important location while missing critical information on the context, humanitarian needs, power networks, or other humanitarian actors operating in the area.

of the information supporting the offer of service surpasses by far the gravity or urgency of its concerns. In fact, the more intense the concerns expressed by the organization, the more scrutiny they will attract from counterparts regarding the *credibility* of the sources and the *reliability* of the information.

In times of emergency, it may be difficult to gather quality information due to the lack of access to the population or the complexity of the issues. However, one cannot overstate

the power of solid, unambiguous, and verifiable information in a negotiation process, even on issues that may not be central to the interaction for the purpose of demonstrating the credibility and legitimacy of the humanitarian organization and its negotiators. Rough assessments, while of value for rapid mobilization of resources, can turn into major liabilities at the negotiation table.

As a first step in planning a negotiation process, it is important to ensure that the negotiator and his/her team have all the necessary quality information about the context to establish and maintain the credibility required for the specific negotiation. The focus and depth of information will vary depending on the objective and environment of the negotiation.

While it may appear obvious, it is worth mentioning here some of the core issues and potential sources of information to start an analysis of the environment. The quality of information depends on several factors:

Enhancing the Quality of Information

A statement such as:

"We have information that dozens of families are starving in the areas under your control."

will have a limited impact at the negotiation table if it is not properly sourced, detailed, and corroborated.

While information like:

"A local church has informed us last week that 125 people suffer from severe malnutrition, 35 of whom are children. 12 children have been put on therapeutic feeding at the local clinic."

will add significantly more traction not so much because of its dramatic character but because it demonstrates the ability of the organization to collect detailed information based on local contacts and then corroborate this information with other medical sources.

ELEMENTS OF INFORMATION	SOURCES
The political, social, cultural, economic, and legal aspects of the context, as well as causes and evolution of the conflict.	*Media, policy analysts, historians, political actors, entrepreneurs, lawyers, activists, etc.*
The humanitarian issues emerging from the context.	*Government, local authorities, communities affected, local NGOs, INGOs, other agencies, media, police, military.*
The people, processes, and operations involved in generating humanitarian needs.	
The people, processes, and operations involved in responding to humanitarian needs.	
Past and current negotiation processes and their actors.	*Local NGOs, agencies, their counterparts*
Challenges and dilemmas of these negotiations.	
Security issues involved in the negotiation and operations.	

1. The **knowledge of the source** of the information in the eyes of the counterpart (e.g., data collected by the local clinic);

2. The **integrity of the "chain of custody,"** i.e., all intermediaries are trusted and shared the same standards of authenticity and quality (e.g., local church);

3. The **clarity of the information** presented, i.e., with the least amount of ambiguities and vagueness; and,

4. The **information has been corroborated** by an independent third party.

These factors are often interrelated : clear, unambiguous information tends to come from a trusted source, unaltered in its transmission, and easy to corroborate by third parties. Ambiguous and unclear information tends to have a problematic source or chain of custody and is usually uncorroborated.

There are several barriers to accessing quality information, especially on the frontlines, due to insecurity, suspicion, language, cultures, etc. Humanitarian organizations often find themselves relying on single-source assessments that can be easily instrumentalized, especially in tense environments. As a result, organizations often negotiate with a lack of contextual information compared to the counterparts. The latter will often try to assess from the outset their "information advantage" in relation to how much the humanitarian negotiator does or does not know about the context, since better access to information will give them an advantage in the negotiation. Unsurprisingly, counterparts in government or armed groups will not hesitate to bundle, hide, or contradict information from the humanitarian organization as a way to create confusion and uncertainty. The first defense against such tactics is to ensure that the negotiator has the best access possible to quality information from various sources in the preliminary stage of the negotiation process. A second challenge

in sharing information with the counterparts is being unable at times to disclose the source of the information out of concern for the security of the individual or organization that provided it. In the case of a single-source assessment, one may not even be able to share the original information out of fear of reprisal against the individual source. To counter such risks, organizations and negotiators should, by default, seek out multi-ple sources of information in politically tense environments in order to mitigate potential pressure against identifiable sources (e.g., humanitarian negotiators should meet several representatives of a community or local authorities to corroborate information over time even if they provide little added value to the information itself).

How to Evaluate and Sort the Quality of the Information

As discussed above, the planning of a negotiation requires the gathering of information about a number of issues, including, but not limited to, the humanitarian needs of the population. An organization's moral authority (which may not be seen as such by the counterpart) is not enough to leverage influence on the counterpart. Quality information must be presented to the counterpart to support the request of the humanitarian organization, uphold the credibility and legitimacy of the negotiator, and respond to the needs of the population in the most adequate manner.

The quality of the information can be sorted in a straightforward way, assigning a degree of relative quality to elements of information by adding nominal values from 0 (poor quality) to 3 (high quality) for each criterion mentioned above. It provides for a scale of a maximum 12 units (3 degrees X 4 criteria) for each element of information.

For example:

As reported by a local NGO, Justice for All, community leaders estimate that there are between 20,000–30,000 inhabitants in Camp Alpha located on the outskirts of the city.

What is the potential traction of this information as the negotiator meets with the authority to seek access to the IDP camp?

CRITERIA OF QUALITY	0 POOR QUALITY	1 LIMITED QUALITY	2 GOOD QUALITY	3 HIGHEST QUALITY
Knowledge and integrity of the source		Community leaders are direct witnesses with limited ability to assess the situation and perceived vested interest		
Integrity of the "chain of custody"			Probable validity if NGO was present in the camp	
Clarity of the information	1/3 variation is very large for an estimate			
The information has been corroborated by an independent third party	There is no corroboration			

Total: 3/12

The information in this example will have limited value in the negotiation process in view of the uncertainty attached to it. Corroborating and narrowing the estimated number of IDPs could help considerably in improving the value of the statement at the negotiation table.

Another example :

A nutritional assessment in the remote district Alpha conducted by Food Without Borders (FWB), a recognized INGO and implementing partner of your organization, demonstrates an increase in rates of malnutrition over the last six months, affecting especially children under 5 suffering from chronic wasting. This assessment was confirmed in the latest report of Help the Displaced International (HDI), a UK church-based charity. According to the Ministry of

Agriculture, the latest crops in the region yielded poor results due to the lack of rain, resulting, as observed by the local staff of FWB, in families selling household items in the market to be able to purchase minimal amounts of food. The situation is expected to worsen as winter approaches.

What is the value of this statement in terms of quality information as the negotiator meets with the authority to undertake a food distribution program in the district?

CRITERIA OF QUALITY	0 POOR QUALITY	1 LIMITED QUALITY	2 GOOD QUALITY	3 HIGHEST QUALITY
Knowledge and integrity of the source				Specialized INGO seems competent and has access to the population
Integrity of the "chain of custody"				This assessment was handed over directly by the source
Clarity of the information		Data seems insufficiently clear (rates and evolution are undocumented)		
The information has been corroborated by an independent third party				Observations of the MoA & HDI seem to corroborate the difficult food security situation

Total : 10/12

This statement presents high-quality information that may provide significant traction at the negotiation table. It could be further improved by gathering more detailed data on the evolution of malnutrition levels.

Analysis of the quality of the information can be amalgamated in one table which allows a sorting of priority elements based on their degree of quality, using the following example.

Protecting a local staffer against retribution

A truck driver comes to the office UK charity Seeds for All (SfA), and informs the officer in charge that, according to the villagers, a day laborer of SfA has been arrested in the morning at the main crossroad of the village by armed men in civilian clothes. He adds that the rumor says that the day laborer has been detained by the police of the district. He is suspected of stealing some of the seeds being distributed by SfA.

In view of the ethnic profile of the day laborer, SfA staff fear that he could face serious physical retribution in police custody if he were detained overnight. There are allegations of other incidents of ill treatment and forced disappearance by the police circulating within the community.

Questioned by the local staff of SfA, the head of the local police station denied detaining the individual. After some time and several conversations with family members of the police chief, it appears that the individual was transferred around noon from the police station to a remote location deep in the rural area of the district. Community members reported to SfA local staff that they have observed a police car leaving the village with the day laborer at 12h30.

What information will the SfA negotiator use in the first meeting with the head of police to find a solution to this problem and get the release of the day laborer before nightfall?

The following table can be used to sort the validity of each element of the case on a scale of 0 – 3) 3 being the highest quality.

ELEMENTS	SOURCE	CHAIN	CLARITY	CORRO-BORATED BY 3RD PARTY	TOTAL MAX. 12 UNITS
Information about the arrest of the day laborer	3 (direct witness)	2 (benevolent truck driver)	3 (time and location of arrest is clear)	0	8
Detention by the police	1 (rumor)	2 (no clear chain)	1 (unclear about location)	0	4
Stealing seeds	1 (rumor)	2 (no clear chain)	1 (unclear charges)	0	4
Fears of ethnic retribution	3 (your staff)	3 (direct concerns)	2 (unclear threats)	0	8
Allegation of ill treatment and forced disappearance by police	2 (affected community members)	1 (no clear chain)	1 (unclear fears)	1 (by several members of the community)	5
Testimony on the new place of detention in remote location	2 (coming from the family of the head of police)	3 (coming from your staff)	3 (time and location of transfer)	3 (observed by community members)	11