



As a facilitator, your task is not to solve the problem in place of the parties. Your role is to help the parties negotiate themselves the best possible solution to the problem – i.e.: a solution which allows them to satisfy their respective interests better than their respective walk-away alternatives. In other word: take care of the process, not of the content.

Therefore, plan ahead what you will do in order to reach the following objectives:

→ Help the parties have a meaningful dialog together and design an efficient decision-making process – i.e.: help them develop and maintain a productive **working relationship**.

In practical terms, make sure that the parties discuss the following questions:

- * Which joint working objectives would like to reach during this meeting?
- * What are the topics to be discussed? What are the issues to be solved?
- * Which rules should be adhered to in order to maintain a productive working relationship during the negotiation?

→ Help the parties explore and understand their respective **perceptions and points of view**, without judging.

In practical terms, ask the parties to describe one after the other how the conflict came into being – e.g.: what did you observe and experience that, in your view, led to the conflict? Once they have done this, help them compare their "stories" and list both the similarities and the differences:

- * how far do we see things in the same way?
- * how far do we see them differently?

→ Help the parties make a thorough inventory of their respective interests.

In practical terms:

- * Don't just ask the parties what they want or refuse. Dig deeper and ask them *why* they want or refuse what they tell you they want or refuse (until you feel that you now really understand what is fundamentally important for each one of them).
- * Don't close the inventory without asking the parties a couple of times whether other things are important to them, in addition to what they have already mentioned.
- * When the inventory of the respective interests seems to be genuinely complete, ask the parties to classify them in three categories: common, conflicting and simply different.

Furthermore, it is often useful to ask the parties if there is one "overriding objective" which they might both want to achieve together. If there is such an objective, it is worthwhile to write it down and keep it visible throughout the negotiation.

The following two questions may also be helpful: Whether or not you shall reach an agreement, what should never be allowed to happen in this case¹? What is your ideal vision of the future in this case (be careful however to ask this question in such a way so that it does not encourage the parties to restate their original position).

→ Help the parties invent mutually beneficial **options**.

In practical terms, let them discuss the following questions:

- * How could you create mutual gains on the basis of your common interests?
- * What could you do in order to satisfy two different interests at the same time?
- * How could you combine your respective skills and resources in a different way, in order to generate additional mutual benefits?
- * How could you enlarge the scope of your negotiation in order to increase mutual gains or reconcile conflicting interests more easily?

→ Help the parties design a solution to their conflicting interests which they both consider as well-founded and fair (and can therefore justify towards their constituents).

In practical terms, encourage the parties to look first for **neutral decision criteria and procedures** that might help them figure out what a fair solution could be— e.g.:

- * prior practice and precedents
- * industrial standards and benchmarks
- * recommendations from independent experts
- * etc.

→ If the parties cannot reach an agreement, help them evaluate realistically the attractiveness of their respective **walk-away alternatives**.

In practical terms, ask the parties what they plan to do or could envisage doing in order to protect their respective interests if they are unable to resolve their dispute by mutual agreement. Once the respective walk-away alternatives are listed, assess with the parties the advantages and disadvantages of those alternative courses of action.

Depending upon the results of this assessment, the parties will then be in a position to decide whether it is really in their best interest to walk away, or try harder to find a mutual agreement.

Proposing to the parties prior to the negotiation to prepare themselves by using a checklist which is structured along the lines of the present instructions is useful². The parties will then be well prepared to discuss the questions which you will ask them. This, in turn, will make your task considerably easier.

Last piece of advice: use visual aids (flipcharts, pin walls, etc.) during the negotiation as much as you can in order to structure the discussion, summarize the statements and ideas of the parties, and pilot the discussion in a constructive direction.

¹ If the parties express the same preoccupations, those preoccupations are actually common interest!

² See: www.sumbiosis.com > Tools & Know-How > Checklists