



Lesson 3.4

Negotiation and Mediation

Content



- Definition and differences of negotiation and mediation
- Purpose, principles and techniques of negotiation and mediation
- Phases of negotiation and mediation
- Dealing with resistance and challenges



Learning Outcomes

- Define negotiation and mediation
- Explain the differences between negotiation and mediation
- Explain the purpose, principles and techniques of negotiation and mediation
- Identify the phases of negotiation and mediation
- List the actions taken during the phases of negotiation and mediation
- Explain how to handle resistance and challenges during negotiation and mediation

Definitions



- **Negotiation:** An informal or formal process where parties actively discuss their conflict to reach an agreement and resolve their problems
- **Mediation:** A “facilitated negotiation” where an independent third party helps belligerents reach a resolution but does not decide on their behalf

Differences



- **Negotiation:**

- Involves direct communication between the conflicting parties
- The parties themselves are responsible for finding a solution
- More flexible in terms of process but may lack structure if unmanaged

- **Mediation:**

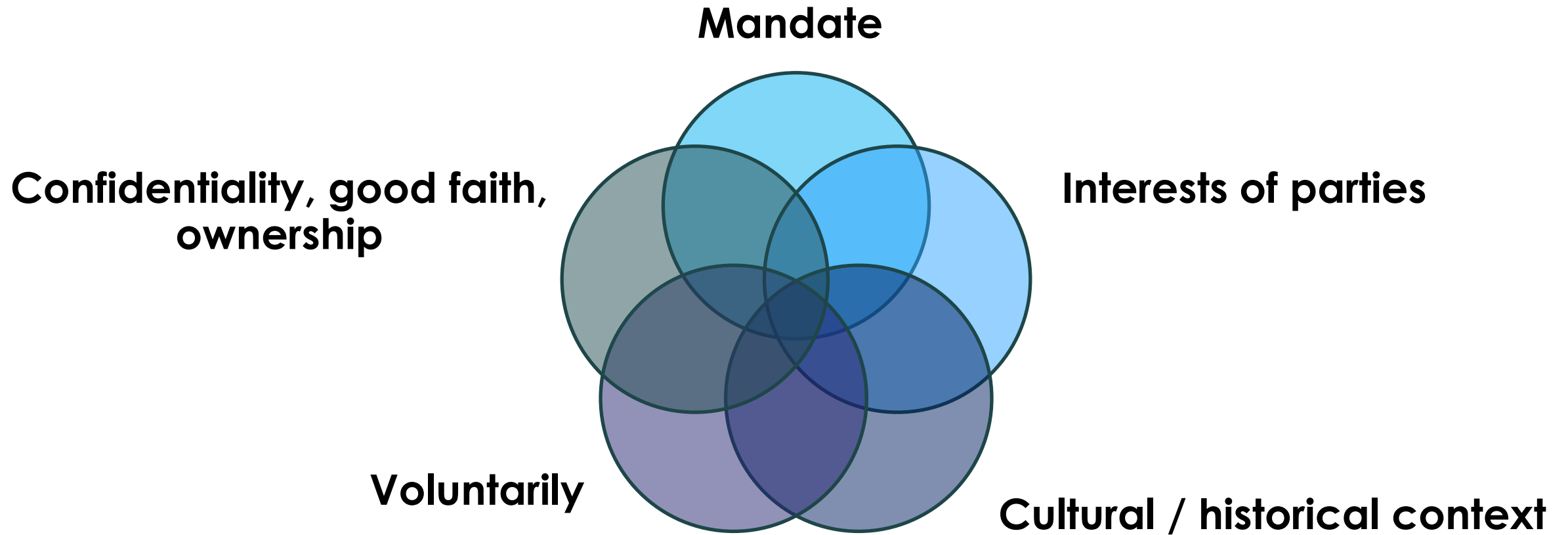
- A structured process guided by a neutral third party (mediator)
- Focuses on improving communication and understanding between the parties
- Useful when negotiations stall or fail due to communication breakdown or emotional barriers

Purpose of Negotiation and Mediation

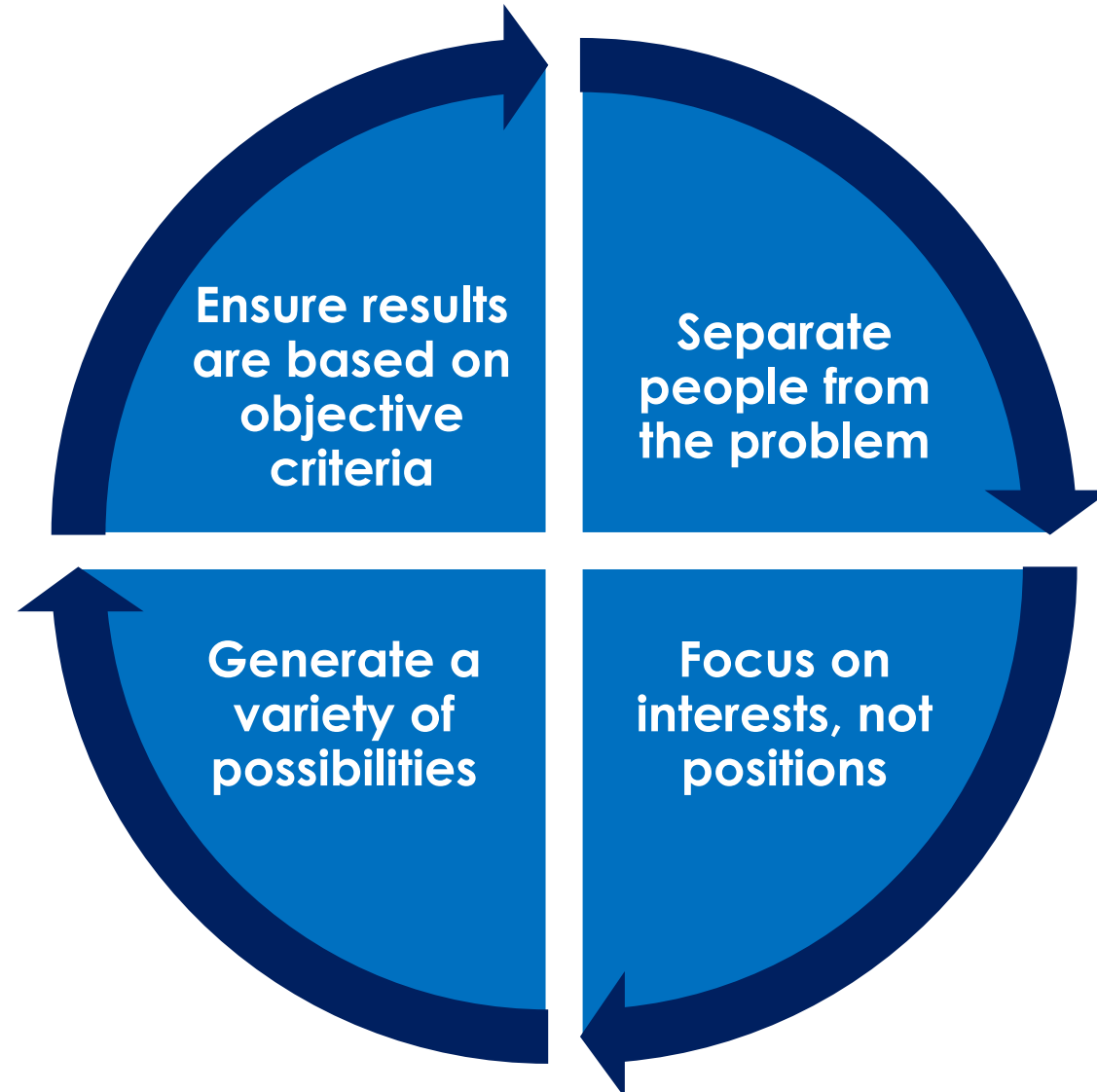


- Identify and understand the root causes of conflict
- Isolate specific issues to be addressed
- Prevent escalation
- Reduce differences
- Resolve disputes
- Prevent recurrence of conflict

Principles of Negotiation and Mediation



Techniques of Negotiation and Mediation



Phases of Negotiation and Mediation



- **Planning and preparation**
 - Understand the context and define objectives
 - Address logistical aspects



- **Conduct**
 - Manage interactions
 - Address issues



- **Follow-Up**
 - Ensure implementation of agreements
 - Gather feedback



Negotiation: Planning Phase



- **Advanced preparations / considerations**

- Understand the conflict and its stakeholders
- Establish an agenda



- **Internal preparations**

- Team roles and responsibilities
- Identify needs for specialists



- **Final preparations**

- Timely preparation and execution of the process
- Logistical aspects



Negotiation: Conduct Phase



- **Opening Talks**

- Salutations
- Introductions



- **Main Talks**

- State the actual facts
- Guide negotiations



- **Summary**

- Summarise and repeat agreements
- Thanks and farewells

Negotiation: Follow-Up Phase



- Conduct a post-meeting analysis / AAR
- Prepare a brief to HQs
- Detailed written report
- Feed into UN information systems
- Keep the parties informed



Mediation: Planning Phase



- Meet parties separately beforehand
- Discuss the conflict internally
- Develop an agenda and select a neutral, secure meeting location
- Establish meeting conditions (armed/unarmed, participants, LA, seating, etc.)
- Consider possible solutions





Mediation: Conduct Phase



- Read agreed agenda at the start
- Update on previous agreements
- Stay impartial and respectful
- Ensure balanced outcomes
- Guide discussions
- Reschedule if no agreement



Mediation: Follow-Up Phase



- Conduct a post-meeting analysis
- Prepare a brief to HQs
- Detailed written report
- Feed into UN information systems
- Keep the parties informed



Dealing with Resistance and Challenges



- Listen actively and stay patient
- Address challenges without arguing
- Acknowledge different perspectives
- Avoid commitments
- Stay impartial and composed
- Reinforce agreements and express gratitude



General Tips



- Give compliments and keep eye contact
- Approach with respect, dignity, calmness, fairness, and be open minded
- Common ground and terminology
- Ensure clarity in complaints (written)
- No promises
- Keep commitments
- Ensure confidentiality



Summary of Key Messages

- Negotiation involves direct communication between conflicting parties, while mediation is a structured process guided by a neutral third party
- Negotiation and mediation techniques address issues rather than individuals by separating people from the problem, focusing on interests, and fostering creative solutions
- Effective conflict resolution requires preparation, active facilitation, and consistent follow-up
- Negotiation requires an understanding of the conflict's background, clear objectives, and ground rules. Mediation relies on structured agenda, respect and impartiality
- Follow-up actions, such as analysing outcomes, reporting to HQs, and maintaining trust, are critical to sustaining long-term success



Learning Activity 1

Plenary Quiz (True or False)

1. Negotiation involves direct communication between the conflicting parties

☐ True

☐ False

Learning Activity 1



2. The essence of negotiation and mediation is to address the root causes of conflicts through constructive communication

☐ True

☐ False

Learning Activity 1



3. The principles of negotiation and mediation focus on ensuring fairness, respect, and inclusivity by adhering to the mandate; however, they do NOT require recognizing the needs of all parties or respecting cultural contexts.

☐ True

☐ False

Learning Activity 2



Group discussion

Total Time: 15 mins

Preparation: 8 min

Discussion: 7 min

- What are the key purposes of negotiation and mediation in UNPKO?
- What are the guiding principles that ensure these processes are effective?
- What strategies can UNMO use to handle challenging circumstances effectively, and why are they important?