

# 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

<b>Day 1</b>	<b>Understanding essentials of MGA</b>
<b>Day 2</b>	<b>Translate knowledge into skills</b> in a negotiation by a simulation and your day-to-day work
<b>Day 3</b> autumn 2022	<b>Applying knowledge &amp; skills</b> 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!



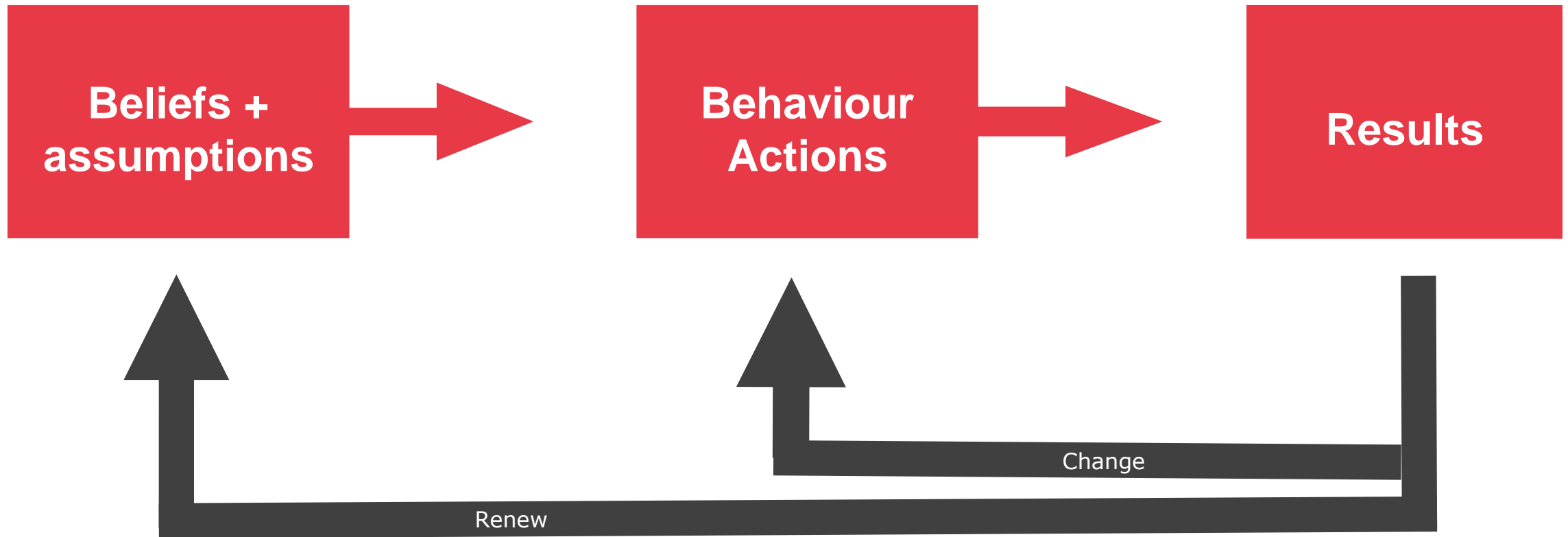
# A first negotiation experience 'egg-cercise'

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

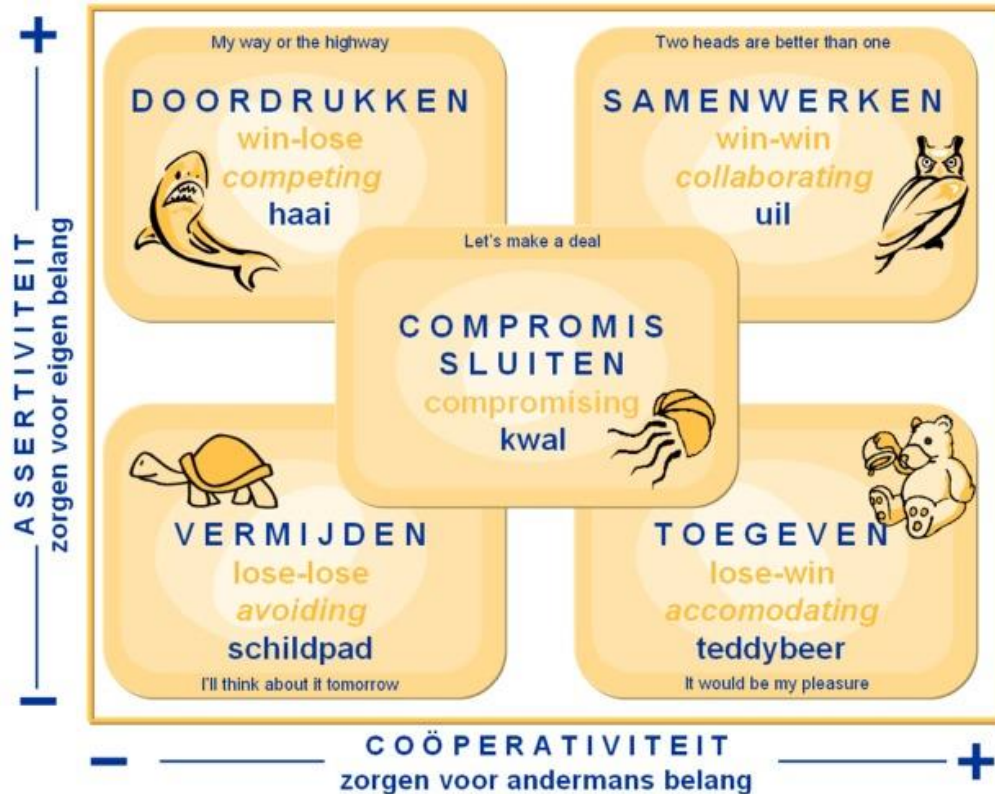
**Try to come to an agreement in 5 minutes time**



# The starting point: renew to a win-win



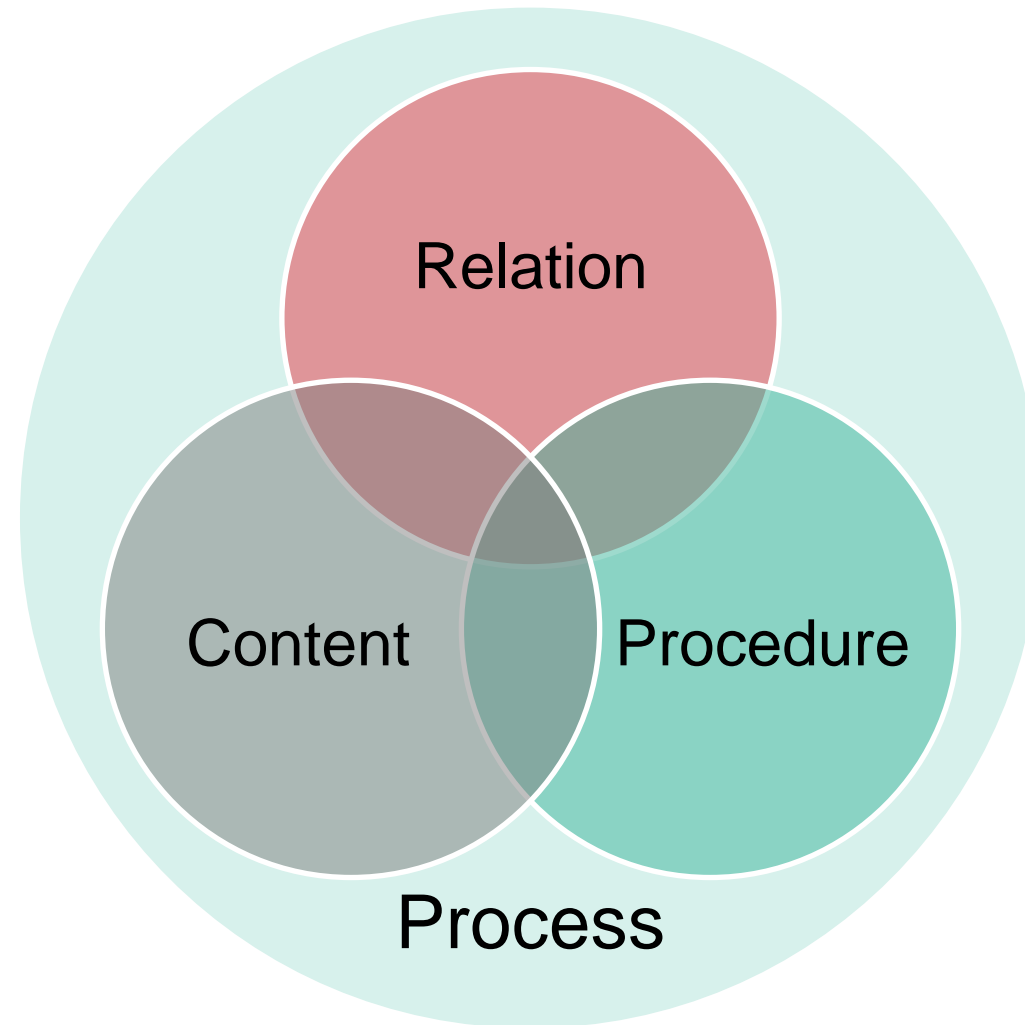
# Strategies for negotiations



Bron: Thomas-Kilmann model, 123 management



# Negotiation | Four domains

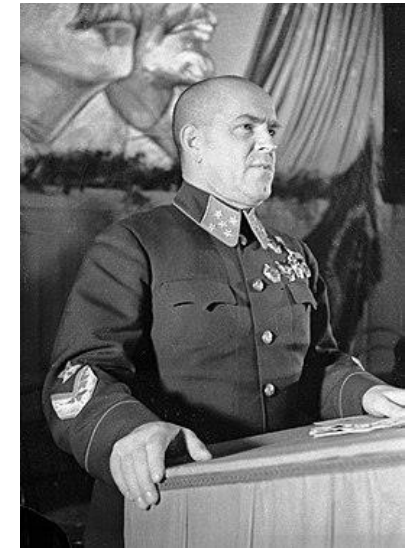


# Break



# 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







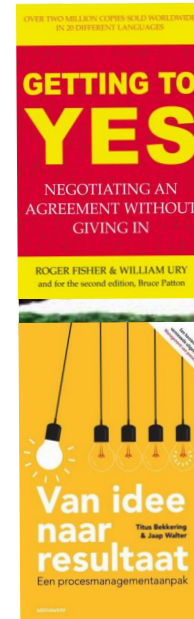
# Connective negotiation

## A different approach

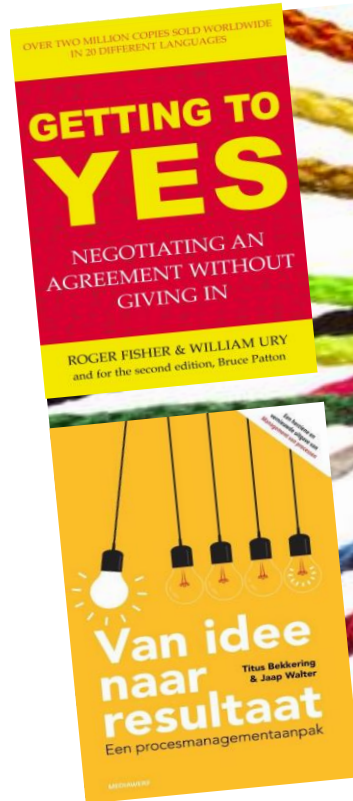


# The Mutual Gains Approach

- > 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 KNOWLEDGE AND  
CREATIVITY**  
From- and for everyone



**ASSERTIVE CITIZENS**  
Participating government



**CHANGING POSITION  
GOVERNMENT**  
New laws



**TRANSPARENCY 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



CartoonStock.com

# 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)



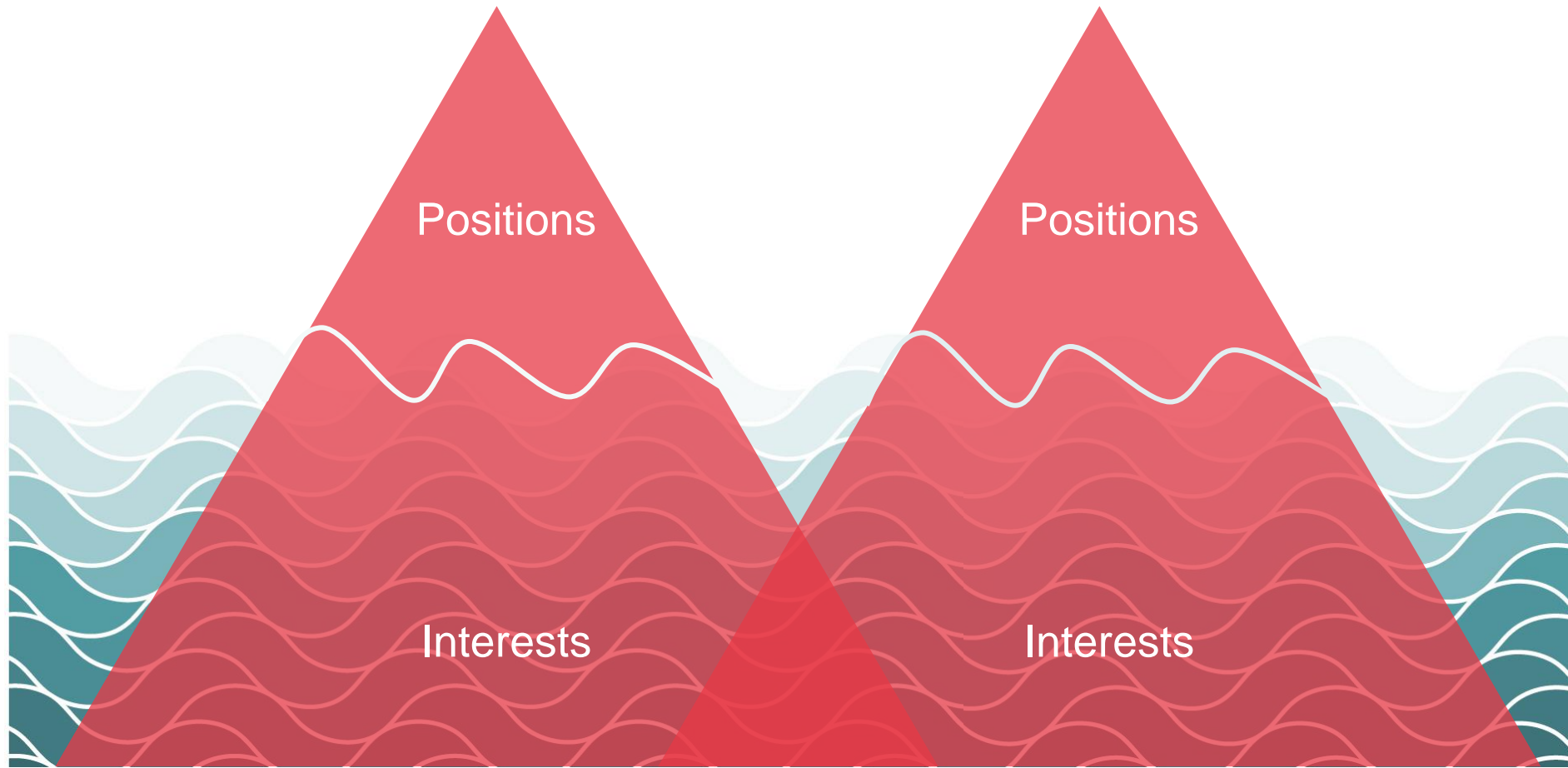
4. Work on sustainable relationships, building trust



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



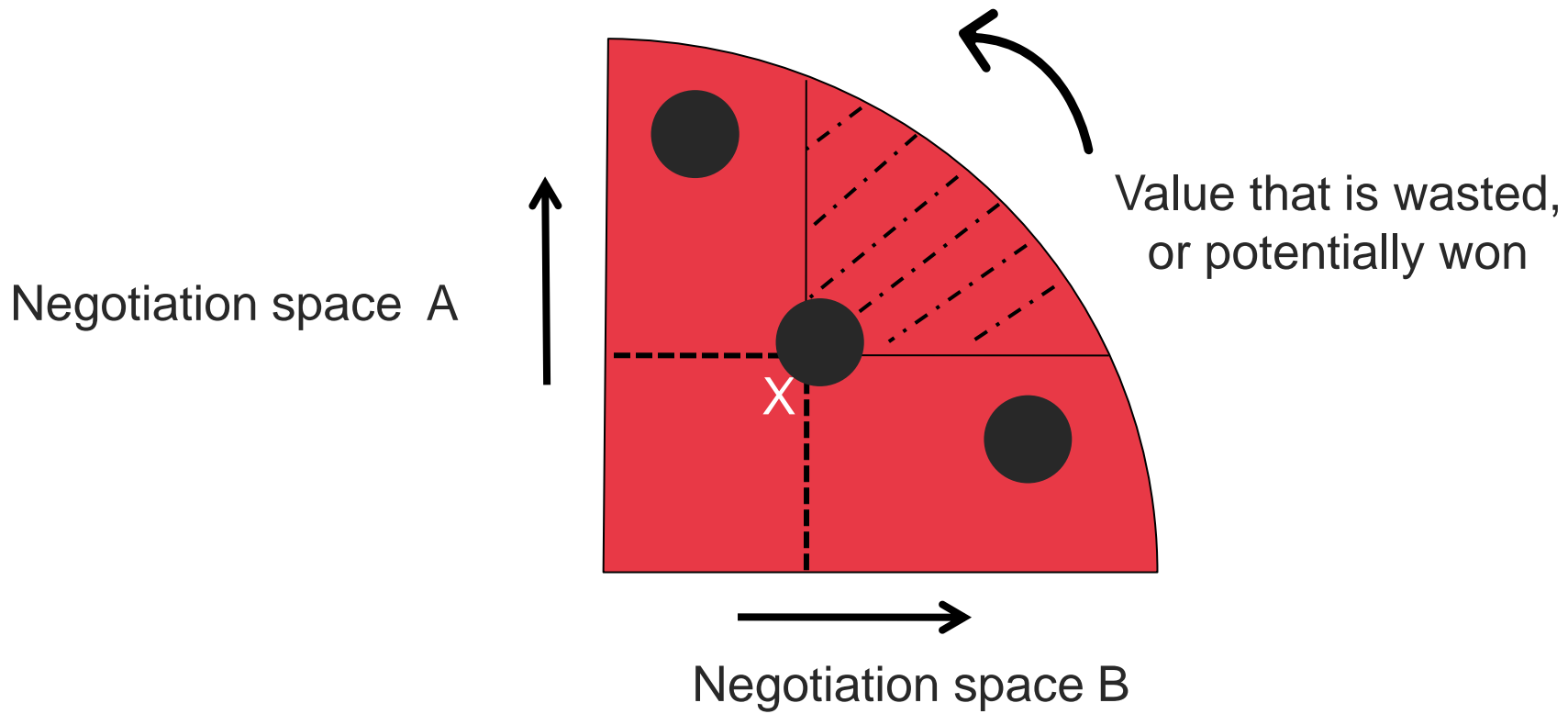


# SALLY SOPRANO

- > 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?*

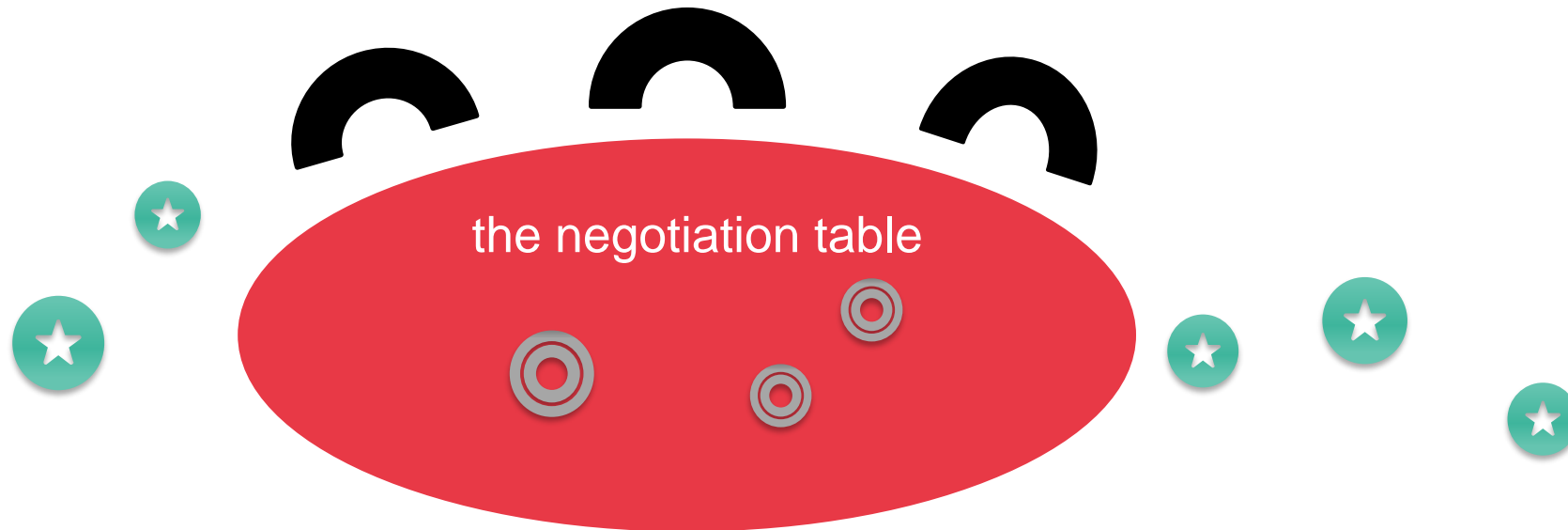


# Difference between alternative and solution

> An **alternative** lies outside the negotiation table

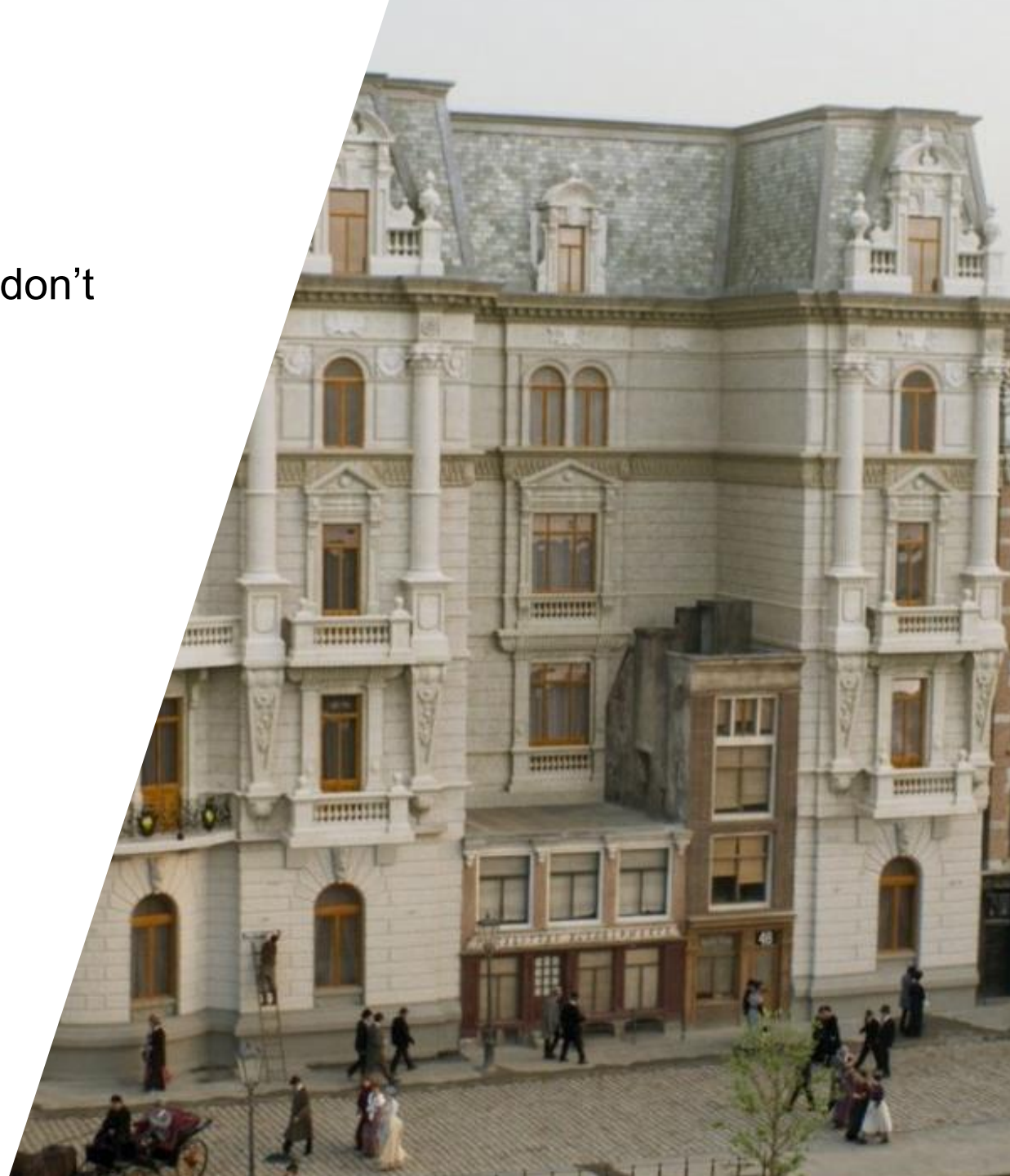


> A **solution** is AT the negotiation table, and you find it together



# 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?)

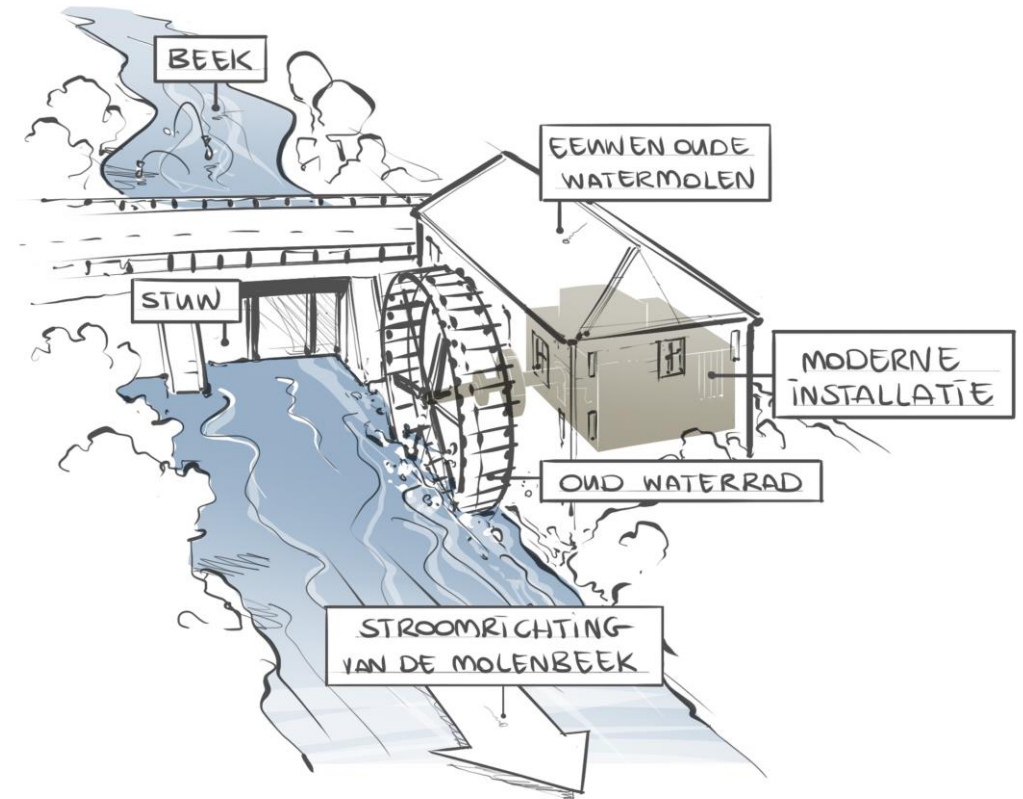
Think forward:

- > 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!

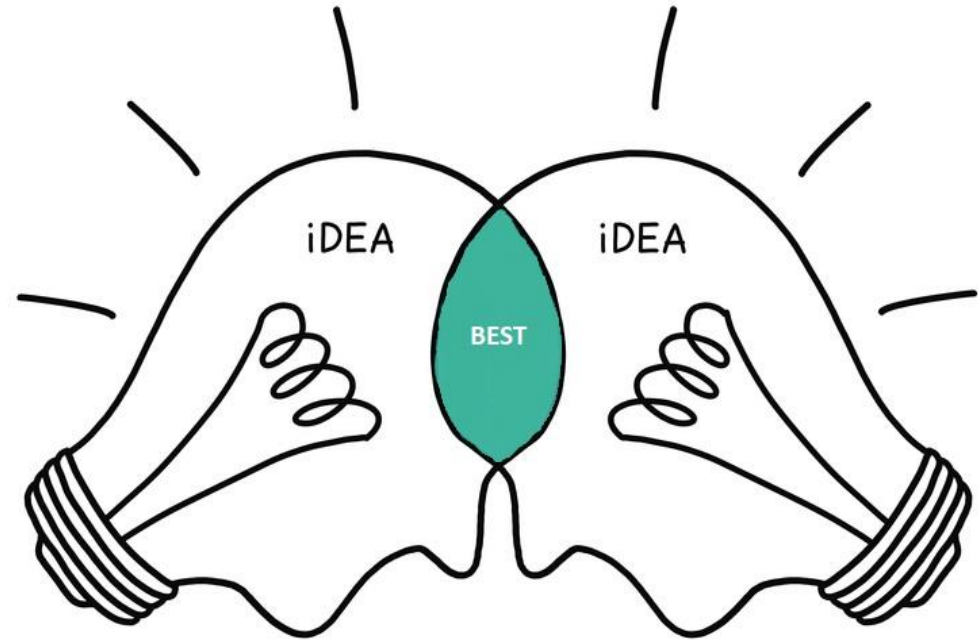


# Joint fact finding

**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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5. Joint fact finding



REGISSEURS  
VAN EEN  
BETERE  
TOEKOMST

