

MODULE 7

MASS ARRIVAL



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Summary

In previous modules, participants will have heard about two key principles that apply in situations of mass arrival: ***prima facie recognition*** and ***the principle of non-refoulement***.

This module provides background to these principles and related **standards that apply in situations of mass arrival**. It also tries to give a sense of the phases in any mass arrival situation and to link protection risks and the related responses needed for each stage. The emphasis is on the practical application of principle and standards.

This module is structured around **role-playing**, which is designed to bring together the different operational perspectives and responsibilities of the various actors involved in a mass arrival situation.

Depending on the nature of the mass arrival, this may include – in addition to the government – non-governmental organisations, national Red Cross/Red Crescent societies, and the UNHCR. In some circumstances, the police, the military, and national disaster personnel will also be engaged.

Learning Objectives

By the end of this session, participants will be able to:

- Identify some of the key protection concerns that arise in situations of mass arrival as opposed to individual arrival;
- Identify who is responsible for protecting refugees in this situation and develop views on how these actors should work together.

Key Messages

- In situations of mass arrival, the primary protection concern is to enable those fleeing to obtain entry to the country and not to be rejected at the border, which would be a violation of the principle of *non-refoulement*. This principle applies to all countries, even if they have not signed the 1951 Refugee Convention;
- In situations of mass arrival, refugee status is generally conferred on a collective basis (*prima facie*) because it is often the case that people have fled for similar reasons;
- Vulnerable groups such as women, children, the elderly, the disabled, the sick, and separated family members often have more-pressing protection needs than others in a mass arrival situation and should be given priority attention;
- Security and safety of refugees is paramount, and the government has the primary obligation to ensure this and is supported by the UNHCR where appropriate.

Preparation

- **Photocopy the following documents** for every participant: "Handout 1 - Boringia Map" and "Handout 2 - Role Play: Current Situation in Boringia". Make enough copies of **the roles for each group**;
- **Photocopy** "Handout 7 – How to Negotiate" for each participant if you believe it would be helpful to distribute at the end of the role play;
- **Review the Global Consultations policy statements of the UNHCR** and, especially, the 7 June 2004 summary findings of the UNHCR "Ensuring International Protection and Enhancing International Cooperation in Mass Influx Situations";
- **Review the key recent documents** relating to mass arrival.

Module 7 Breakdown			
Timing		Method	Resources needed
Activity 1 - Key Protection Principles in Situations of Mass Arrival	10'	Presentation	Module7.ppt
Activity 2 - Role Play in Boringia	80'	Role play	Handout 1 - Boringia Map Handout 2 - Current Situation in Boringia Handouts 3 to 6 - Roles for Government of Boringia; Boringian Red Cross Society; Boringian Council of Humanitarian NGOs; UNHCR Handout 7 - How to Negotiate
Total: 90 minutes			Badges or table signs for the meeting

Activity 1 - Key Protection Principles in Situations of Mass Arrival			
Timing		Method	Resources needed
Key protection principles	10'	Presentation in plenary	Module7.ppt
Total: 10 minutes			

Note to trainer

- ✓ Many of the following points are drawn from recent **UNHCR policy statements** on the issue of protection in mass influx situations.
- ✓ A good source of guidance is found in **EXCOM conclusions** on mass influx, which are available through the UNHCR website.
- ✓ Refer participants to "Mass arrival" in Protecting Refugees: A Field Guide for NGOs.

Slide 1: Mass arrival

Slide 2: Objectives

- Identify some of the key protection concerns that arise in situations of mass arrival as opposed to individual arrival;
- Identify who is responsible for protecting refugees in this situation and develop views on how these actors should work together.

Slide 3: Characteristics of mass arrival

Before showing this slide, ask participants: What are the characteristics of mass arrival?

Record the answers on the flip chart and then show the slide, which should concur with much of what has already been said.

Mass arrivals tend to share most of the following features:

- **Large numbers** of people arrive at an international border;
- There is a rapid **rate of arrival**;
- There is **inadequate absorption or response capacity in host states**, particularly during the emergency phase;
- Individual asylum procedures, where they exist, are **unable to deal with the assessment of such large numbers of arrivals**;
- **Tensions run high** owing to the urgency of the situation, scale of need, confusion over responsibilities, and manoeuvring for power.

Slide 4: Protection principles in mass arrival

The principle of *non-refoulement* **applies in mass arrival situations** and, as customary international law, it applies even when the country is not a signatory to the 1951 Refugee Convention. States are **prohibited from turning away those who seek asylum** at their borders. It is only under very rare and exceptional circumstances that a state could ever justify violating the principle of *non-refoulement*, for example, where allowing more refugees to cross their border would threaten the life of the nation.

Protection is a shared responsibility. Host states should expect **assistance from the international community** so that the responsibility for protecting refugees is shared.

Granting safe haven to those fleeing another country is not to be seen by the country of origin as an **unfriendly act**.

Specific recognition of the **differing capacities of countries of first asylum** is key to promoting the sharing of responsibility amongst other states.

Capacities will differ both in the **short term and over the long term**, and it is crucial to address this adequately.

A group-based determination should be made at the outset based on *prima facie* recognition. The 1951 Refugee Convention provides for protection of people in mass arrival situations; however, given the impracticality of individualised asylum procedures, it is acceptable that **group-based protection mechanisms** be adopted.

This recognises that those fleeing as part of a mass movement are by any objective measure fleeing from a refugee-producing situation of a type **covered by the 1951 Refugee Convention or regional refugee instruments**.

Prima facie recognition and temporary protection measures **meet an immediate need**.

All protection standards apply. A particular challenge in these situations is to **identify those who are excluded from refugee protection** and also to ensure the civilian character and physical safety of refugees arriving as part of a group. There should be clear procedures in place to deal with those who are excludable, for example, those who are party to the conflict.

The 1951 Refugee Convention standards for physical safety, non-discrimination, economic and social security apply, as does the **search for durable solutions**, such as voluntary repatriation, resettlement, and local integration.

Those assisting in situations of mass influx will be **guided by those principles** relating to particularly vulnerable groups, such as women, children, unaccompanied minors, the elderly, the disabled, and persecuted religious or ethnic minorities, if applicable.

Activity 2 - Role Play in Boringia			
Timing		Method	Resources needed
Introduction to the role play	10'	Plenary	Module7.ppt
Set-up and preparation of the role play	20'	Group work	PowerPoint or flip-chart map to set the scene
Role-play meeting	20'		Handout 1 - Boringia Map
Feedback and discussion	25'		Handout 2 - Current Situation in Boringia
Wrap-up	5'		Handouts 3 to 6 - Roles for Government of Boringia; Boringian Red Cross Society; Boringian Council of Humanitarian NGOs; UNHCR
Total: 80 minutes			Handout 7 - How to Negotiate Badges or table signs for the meeting

Note to trainer

- ✓ *This role play provides participants with an opportunity to test and refine their understanding of the other actors' roles based on refugee protection principles and standards.*
- ✓ *It is designed to build participants' confidence in dealing with similar situations and increase their sensitivity to the organisational constraints, as well as political, economic, and other challenges, that the actors face in seeking to protect refugees.*
- ✓ *A proper setting of the scene and rigorous time management are prerequisites for any successful role play.*
- ✓ *Sufficient time should be reserved for feedback and discussion in plenary, so that participants benefit from each other's experience.*
- ✓ *It is important to recall that the focus of this module is to apply the refugee protection standards to a mass influx situation. It is not the purpose of this module to have detailed discussions about the humanitarian assistance issues that arise in mass influx.*
- ✓ *These issues should be raised only to the extent that they affect the ability to immediately assist refugees.*

Introduction to the role play (10 minutes)

Show Slide 5 to introduce the role-play scenario.

Slide 5: Map of Boringia

Set the scene by describing the situation in Boringia, using the map in the slide and the handout entitled "Role Play: Current Situation in Boringia".

Brainstorm with the participants to point out the contextual factors affecting the protection needs of those in by the Boringia situation.

Prompt them to look at vulnerable groups within the population and identify any specific protection concerns for these groups.

These may include some of the following:

- Violation of the principle of *non-refoulement*;
- Separation of family members;
- Location of refugee camps in proximity to the border;
- Relationship with the host country;
- Forced recruitment and recruitment of child soldiers in Chakamaka;
- Sexual violence and extortion/coercion on both sides of the border;
- Early separation of combatants and civilians in refugee reception centres;
- Secure accommodation of unaccompanied women and children arriving in refugee reception centres;
- Specific health needs of the elderly, infants, and pregnant and lactating women;
- Psychosocial needs of those who have suffered traumatic experiences caused by the trauma of flight or conflicts with host communities: lack of receptiveness, competition over resources, etc.

This is a warm-up exercise, and does not require extensive feedback.

At the end of the 10 minutes, **distribute** "Handout 1 - Boringia Map" and "Handout 2 - Current Situation in Boringia" to each participant.

Set-up and preparation of the role play (20 minutes)

Divide the plenary into four small groups.

Distribute Handouts 3 to 6: "Roles for Government of Boringia"; "Boringian Red Cross Society"; "Boringian Council of Humanitarian NGOs"; "UNHCR". **Each group should play one role** and should not see the others' role sheets, as they form the basis for their negotiation stance.

If you feel that it's necessary, review some key points on negotiation with the group and distribute "Handout 7 - How to Negotiate".

Tell each group that they should follow the instructions below (written on their role sheets) to prepare for the negotiation meeting with other actors:

- Decide on your group's operational priorities with regard to humanitarian action (including who you want to coordinate with and how);
- Elect and brief a representative for the meeting.

Explain that, although they may come up with a whole series of protection concerns during this first step, they may then find that their role means that they will have to downplay some of these issues, focus on just one or two, or prioritise some concerns more than others in line with their own organisational or political constraints.

Tell the groups that they have 20 minutes to prepare for the meeting, so encourage someone in the group to read aloud the information on their role sheet to get the preparation going. **Groups should record** their concerns, so that if they are not all aired during the role-play meeting, then their points are not lost. These can be referred to during the wrap-up.

It is essential that the **government group** be aware of its task as chair of the meeting to **manage time** in a rigorous manner.

Role-play meeting (20 minutes)

Each group's representative should be clearly labelled (with stickers, signs on chairs, etc.).

Invite the representatives to sit around a table in the centre of the room.

The government has the **lead role** in opening and managing the negotiation.

Remind them of their role, if necessary.

If an impasse is reached, or if there is too much time spent on one agenda item or one representative is marginalised, you could send a message to the government representative or the UNHCR to alert them.

If necessary, send the government representative a telegram telling him or her when there are five minutes left.

Feedback and Discussion (25 minutes)

At this point, **the trainer needs to shift the lessons** of the role play to the reality of the context the participants are working in.

Invite those sitting behind the role players to gather in a large circle (rather than returning to their seats).

Start the feedback process by asking:

- What were the barriers to cooperation and finding solutions?
- Was there tension between meeting the political concerns of some of the actors and meeting the protection concerns of the affected population?
- What protection issues did you identify during group work before the negotiation that were not raised and why?

Protection concerns the group should mention include:

- Violation of the principle of *non-refoulement*;
- Separation of family members;
- Location of refugee camps in proximity to the border;
- Relationship with the host country;
- Forced recruitment and recruitment of child soldiers in Chakamaka;
- Sexual violence and extortion/coercion on both sides of the border;
- Early separation of combatants and civilians in refugee reception centres;
- Secure accommodation of unaccompanied women and children arriving in refugee reception centres;
- Specific health needs of the elderly, infants, and pregnant and lactating women;
- Psychosocial needs of those who have suffered traumatic experiences caused by the trauma of flight;
- Conflicts with host communities: lack of receptiveness, competition over resources, etc.

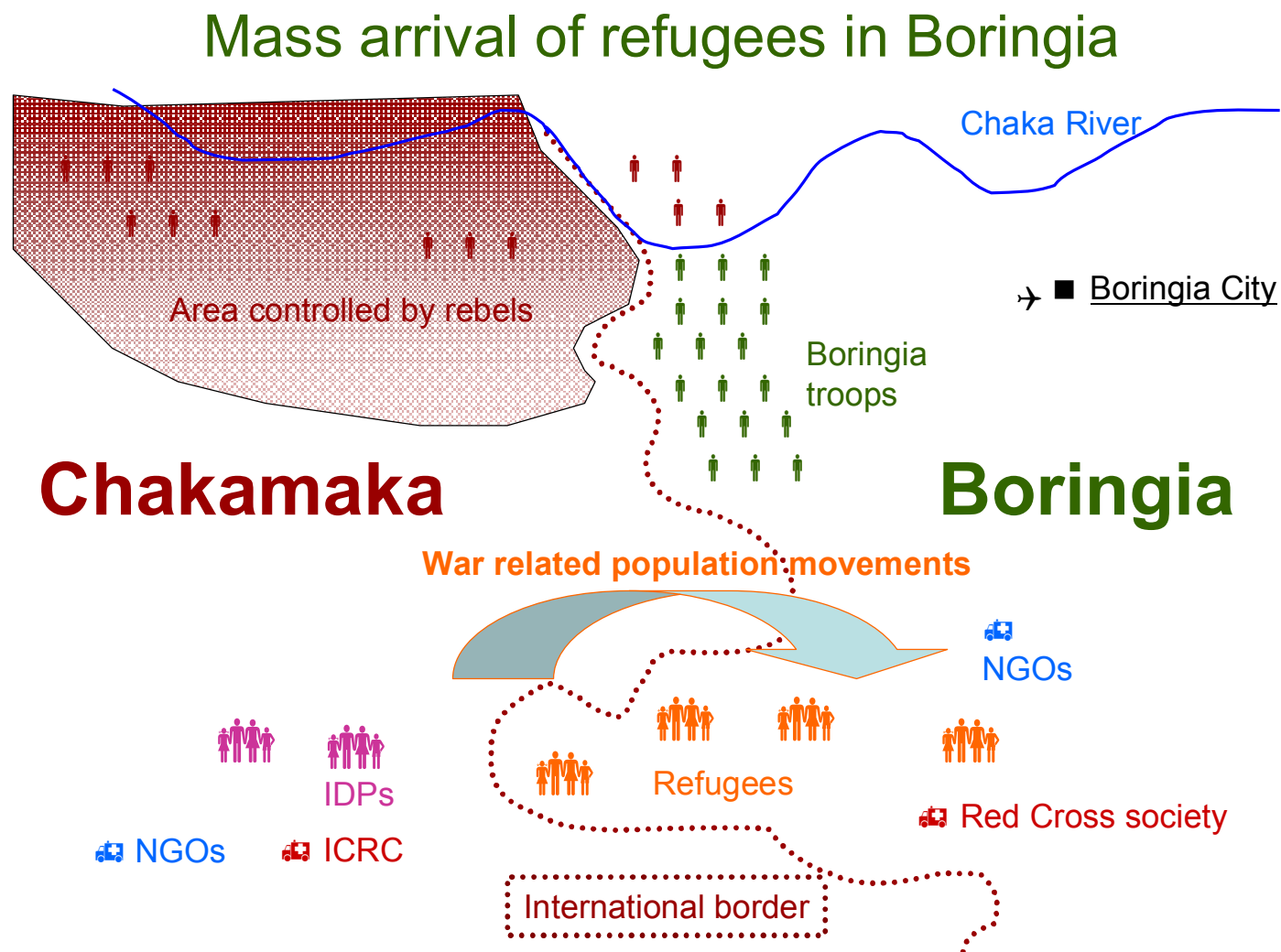
Other issues (including protection strategies) that participants may like to discuss in feedback, or that you may wish to elicit comments on, include:

- The need for early-warning systems;
- The need for objective information on the human rights situation in the country of origin;
- The need for international sharing of responsibility;
- The use of collective determination (*prima facie* recognition) of refugees;
- The need for community organising as part of an effective protection strategy;
- The presence of a gender specialist or focal point on gender to help ensure protection for women and girls in mass arrival situations;
- The role of the media in refugee protection;
- The importance of human rights monitoring and information-sharing between assistance and human rights NGOs and humanitarian organisations (with adequate handling of confidential or sensitive information);
- Presence as a means of deterring authorities and combatants from committing violations of rights;
- The urgency of making information available to those who arrive en masse;
- The need to address the trafficking and smuggling of people;
- Use of Sphere standards when providing assistance in camps;
- Engagement of representatives of the donor government in-country.

Wrap-up (5 minutes)

Recap by highlighting the key messages.

Handout 1 - Boringia Map



Handout 2 - Current Situation in Boringia

There has been an escalation of the armed conflict in Chakamaka, and many thousands of Chakamakans are attempting to flee into neighbouring Boringia.

However, the Boringian government recently closed all border crossings and stationed several battalions of combat troops alongside the frontier. Increasing international pressure has since led the Boringian authorities to reopen the border for a few hours every other day.

According to the Boringian Ministry of the Interior, some 37,144 people have arrived in Boringia over the last two weeks. In addition, almost 240,000 people are said to have been forced to leave their homes as a result of ongoing fighting and are scattered throughout the eastern provinces of Chakamaka. According to reports, most of these uprooted populations are trying by whatever means possible to head towards the border.

In Chakamaka, rebel troops have almost total control over the eastern provinces, and state troops defending the remaining government-held areas are losing ground daily.

The government has declared a state of emergency and has suspended the parliament, the judiciary, and national legislature. Males from the age of 15 and up are being conscripted into the armed forces. Draft evasion and desertion are subject to severe penalties, including life imprisonment.

International media continue to provide dramatic pictures of desperate people stranded at the Chakamakan side of the border.

At the same time, there are unconfirmed reports of armed rebel groups that have infiltrated Boringia. It appears that cross-border raids by Chakamakan rebels have been launched from makeshift military bases in Boringia near the Chakamaka/Boringia border.

Handout 3 - Role Play: Government of Boringia Role

Various actors have convened for a closed-door meeting today hosted by the UNHCR. The objective of the meeting is to agree on practical humanitarian arrangements to address the mass displacement situation in Boringia.

The actors: The organisations represented at the meeting are:

- The Government of Boringia;
- The Boringian Red Cross;
- The Boringian Council of Humanitarian NGOs;
- The UNHCR in Boringia.

Checklists for protection activities carried out by the Red Cross and NGOs relating to mass arrival can be found in “Pre-flight and Flight” in *Protecting Refugees: A Field Guide for NGOs*.

You are the Government of Boringia

- The growing refugee population is putting a massive strain on your already struggling economy. The reception capacity of the local authorities in the border provinces is already overstretched. Therefore, you need to find additional ways and means to address the accelerating large-scale influx of refugees. You may want to brainstorm on this point as a group before you go into the meeting with demands/suggestions.
- You have your own internal stability and national public order to consider, and you cannot afford to become involved in dismantling Chakamakan rebel activities on your side of the border, as you feel this may drag you into the conflict next door.
- You are party to all major international human rights and international humanitarian law instruments, including the 1951 Refugee Convention relating to the Status of Refugees and its 1967 Protocol. Art. 3 of the revised 1992 Boringian Immigration Act stipulates that the president of the Boringian Republic has the authority to admit, for humanitarian reasons, and when not contrary to the national interest, foreigners who are refugees.
- You take pride in the fact that you have a history of hospitality towards refugees and have always acted towards them in a responsible way. You are resolute that the international community should assume a large share of responsibilities to help the Boringian people cope with the mass influx of refugees.

For the meeting, you need to:

- Identify your priorities in this situation and what you want from the other actors. (It will also be useful to consider what they will ask of you.);
- Select a representative who can represent your interests in the meeting. Since time is of the essence, it will be important to give clear, concise messages and identify alliances and solutions rapidly;
- Go back and review the handout on negotiation, as that may help you to decide how to approach the meeting.

Handout 4 - Role Play: Boringian Red Cross Society Role

Various actors have convened for a closed-door meeting today hosted by the UNHCR. The objective of the meeting is to agree on practical humanitarian arrangements to address the mass displacement situation in Boringia.

The actors: The organisations represented at the meeting are:

- The Government of Boringia;
- The Boringian Red Cross;
- The Boringian Council of Humanitarian NGOs;
- The UNHCR in Boringia.

Checklists for protection activities carried out by the Red Cross and NGOs relating to mass arrival can be found in “Pre-flight and Flight” in *Protecting Refugees: A Field Guide for NGOs*.

You are the Boringian Red Cross society

Your organisational aim is to help vulnerable civilians, regardless of the cause of their vulnerability. You work in accordance with the seven fundamental principles of the Red Cross and Red Crescent movement. In helping vulnerable people on an impartial basis, you make no distinction as to nationality, race, religious beliefs, class, or political opinion. You are guided solely by the needs of the vulnerable population and give priority to the most urgent cases of distress.

Based upon the RC movement’s experience in helping refugees, you believe you possess the following key areas of strength:

- Offers of assistance from other components of the International RC movement, such as the International Committee of the Red Cross, the International Federation of RC societies, and various national RC societies, both within and outside the region, that are willing to provide financial and material assistance.
- An established system for tracing activities to help re-establish communication between members of separated refugee families.
- A nationwide network of RC teams at the municipality level, a small pool of health-care and disaster-response experts, and a large group of volunteers, all of whom have been mobilised to help the arriving refugees.

You are very concerned that the Chakamakan government is conscripting minors, and you want to find ways of immediately addressing this issue.

You wish to identify the range of protection needs of those fleeing Chakamaka and to identify the most vulnerable groups amongst the refugees, whilst seeking to persuade the others to make optimal use of your key areas of strength.

For the meeting, you need to

- Identify your own organisation’s operational priorities, who you need to coordinate with, and how you intend to do this;
- Select a representative who can represent your interests in the meeting. Since time is of the essence, it will be important to give clear, concise messages and identify alliances and solutions rapidly;
- Go back and review the handout on negotiation, as that may help you decide how to approach the meeting.

Handout 5 - Role Play: Boringian Council of Humanitarian NGOs Role

Various actors have convened for a closed-door meeting today hosted by the UNHCR. The objective of the meeting is to agree on practical humanitarian arrangements to address the mass displacement situation in Boringia.

The actors: The organisations represented at the meeting are:

- The Government of Boringia;
- The Boringian Red Cross;
- The Boringian Council of Humanitarian NGOs;
- The UNHCR in Boringia.

Checklists for protection activities carried out by the Red Cross and NGOs relating to mass arrival can be found in “Pre-flight and Flight” in *Protecting Refugees: A Field Guide for NGOs*.

You are the Boringian Council of Humanitarian NGOs

- You are a national umbrella NGO defending refugee rights and promoting humane asylum policies. Thirty-seven humanitarian relief and development-oriented agencies are members of your network.
- Your traditional areas of humanitarian expertise include providing refugees with housing, psychosocial counselling, and education services.
- Based upon informal talks with Chakamakan refugees, you have learnt that most males of draft age were prevented from leaving the country and their whereabouts are not known.
- The refugees mentioned that their identity documents were confiscated on the Chakamakan side of the border.
- Many refugees have approached your staff to express concern about the confidentiality of their statements during interviews with staff of various international delegations visiting the reception centres. A discussion has started within your own staffing team on how to treat sensitive information gathered during informal monitoring rounds within the refugee communities.
- There are also growing rumours that supporters of the Chakamakan rebels have infiltrated some of the larger reception centres in a bid to intimidate the family members of men who refused to join the rebel ranks.
- As a result of having to mobilise all resources available to respond to the first wave of arriving refugees, your funding situation is catastrophic. There is a possibility that either the government or the UNHCR may have funds available for NGOs such as yours.
- You want to ensure that the various concerns refugees have shared with your staff will be accurately reflected in a sensible, commonly agreed action plan to protect the refugees.

For the meeting, you need to:

- Identify your own organisation’s operational priorities, who you want to lobby, who you need to coordinate with, and how;
- Select a representative who can represent your interests in the meeting. Since time is of the essence, it will be important to give clear, concise messages and identify alliances and solutions rapidly;
- Go back and review the handout on negotiation, as that may help you to decide how to approach the meeting.

Handout 6 - Role Play: UNHCR in Boringia Role

Various actors have convened for a closed-door meeting today hosted by the UNHCR. The objective of the meeting is to agree on practical humanitarian arrangements to address the mass displacement situation in Boringia.

The actors: The organisations represented at the meeting are:

- The Government of Boringia;
- The Boringian Red Cross;
- The Boringian Council of Humanitarian NGOs;
- The UNHCR in Boringia.

Checklists for protection activities carried out by the Red Cross and NGOs relating to mass arrival can be found in “Pre-flight and Flight” in *Protecting Refugees: A Field Guide for NGOs*.

You are the UNHCR

Both governments are party to all major international human rights and international humanitarian law instruments, including the 1951 Refugee Convention and its 1967 Protocol. Boringia has a history of hospitality towards refugees. Art. 3 of the revised 1992 Boringian Immigration Act stipulates that the president of the Boringian Republic has the authority to admit, for humanitarian reasons, and when not opposed to the national interest, foreigners who are refugees.

As guardian of the universal instruments relating to refugee protection, you wish to remind the Boringian authorities of generally accepted human rights principles, including the right of everyone to seek and enjoy asylum from persecution (Universal Declaration of Human Rights), the principle of *non-refoulement*, and the minimum standards of treatment during a large-scale influx of refugees (see “Asylum” in *Protecting Refugees: A Field Guide for NGOs*) and more-recent **EXCOM conclusions** on the protection of refugees in situations of mass influx.

On the international scene, there is no political will to provide peacekeeping troops or police contingents to stabilise the situation. It is not clear if other states will share responsibility for responding to this refugee crisis.

In similar situations of conflict elsewhere, diversion of humanitarian supplies to benefit combatants instead of civilians proved to be a major concern. You can identify a whole range of protection concerns for those who have fled and who may flee in the near future. You therefore need to make a list of the actions necessary in order to protect those fleeing Chakamaka, and work through this list at the meeting. Initial items might include:

- Authorisation to have safe and unimpeded access to the refugees;
- Identification of the protection and assistance needs of the refugees in general and in particular the most vulnerable groups based on the information available;
- The nature of the activities you and others should undertake to help those at risk, and how you can work together on this.

For the meeting, you need to:

- Identify your operational priorities, what you need from the other actors, who you need to coordinate with, and how.
- Select a representative who has the leadership skills to cover difficult topics rapidly, and identify possible solutions.
- Go back and review the handout on negotiation, as that may help you to decide how to approach the meeting.

Handout 7 - How to Negotiate

The role play in this module asks participants to simulate a negotiation meeting. This handout briefly familiarises participants with some of the key concepts of negotiating, so that each group will be able to prepare itself more effectively for the role play.

Negotiation is defined as: “a discussion with the goal of finding terms of agreement”.

Know what the purpose of the negotiation meeting is. Are you trying to:

- Resolve a conflict?
- Reach a group decision?
- Explore new ideas or concepts?
- Identify or solve a problem?

Make a pre-negotiation plan

- **Establish clear objectives;**

Make sure you know which items are your ABSOLUTES and which are VARIABLES that you might be willing to concede. Remember, clarity improves communication, which is the conduit for effective negotiations.

- **Determine the options;**

Elaborate options for mutual gains (win-win): the parties to the negotiation should look for ways to increase the size of the total pie rather than split it.

- **Get the facts;**

Furnish your interlocutors with background and factual information, relevant data that will reinforce your arguments, and, if possible, make sure to provide the sources.

- **Know your audience;**

Each party has its own set of priorities. Try to identify: what outcome they are seeking and what their interests are. Knowing your interlocutors allows you to tailor your presentation and arguments to their needs and interests.

During the negotiation meeting

- **Focus on interest, not positions;**

According to Fisher and Uri, the parties to a negotiation should concentrate on **their interests** rather than on **positional bargaining**. They illustrate this with a story of people arguing over an orange.

One wants the peel to bake a cake; the other wants the fruit to make orange juice. Each insists on a fixed position: “Hey, I get the orange!” Eventually, following much acrimony, they split the difference, dividing the orange in half. Unfortunately, with their differing interests, they could have both come out ahead, if one got the peel and the other the fruit.

Reconciling interests rather than positions works better because, for every interest, there usually exist several possible positions that could satisfy that interest. Indeed, in many negotiations, close examination of the underlying interests often reveals the existence of many more interests that are shared or compatible than ones that are opposed.

- **Insist on objective criteria;**

A good strategy is to insist that the agreement must reflect some fair, objective standard – independent of the position of either side. This will help lead to solutions on principle, not pressure. By discussing objective criteria instead of stubbornly holding positions, neither party is giving in to the other; both are yielding to a fair solution.

- **Ban egos and emotions;**

Don't let egos and emotions get entangled with the discussion. In emergency situations such as a mass arrival of refugees, tensions will run high. Refocus promptly on the aims of the meeting.

Always tackle the problem without attacking or blaming your interlocutor. If it happens, respond calmly by stressing the sterile and counterproductive aspect of this strategy.

- **Empathy;**

Demonstrate that you understand your counterparts' interest, worries, etc. This sends a strong signal of your willingness to listen and to reach a constructive solution.

- **Agreement;**

Once you've reached a negotiated settlement, before you agree to it, make sure that you're comfortable and perfectly clear with the provisions.

Close the deal by putting it in writing and have all parties to the agreement sign it.

Remember: Preparation is probably the single most important part of successful negotiations. Frequently, when a deal is struck to the advantage of one party and the detriment of the other, seeds of disagreement and retaliation are sown, which can generate counterproductive results.

A better way to negotiate is to **find out the needs of the other party and try to meet them without losing sight of your own goals.**