



High stakes, principled
engagement:
The power of listening

Barbara Sharp
Managing Director, Pax Populus

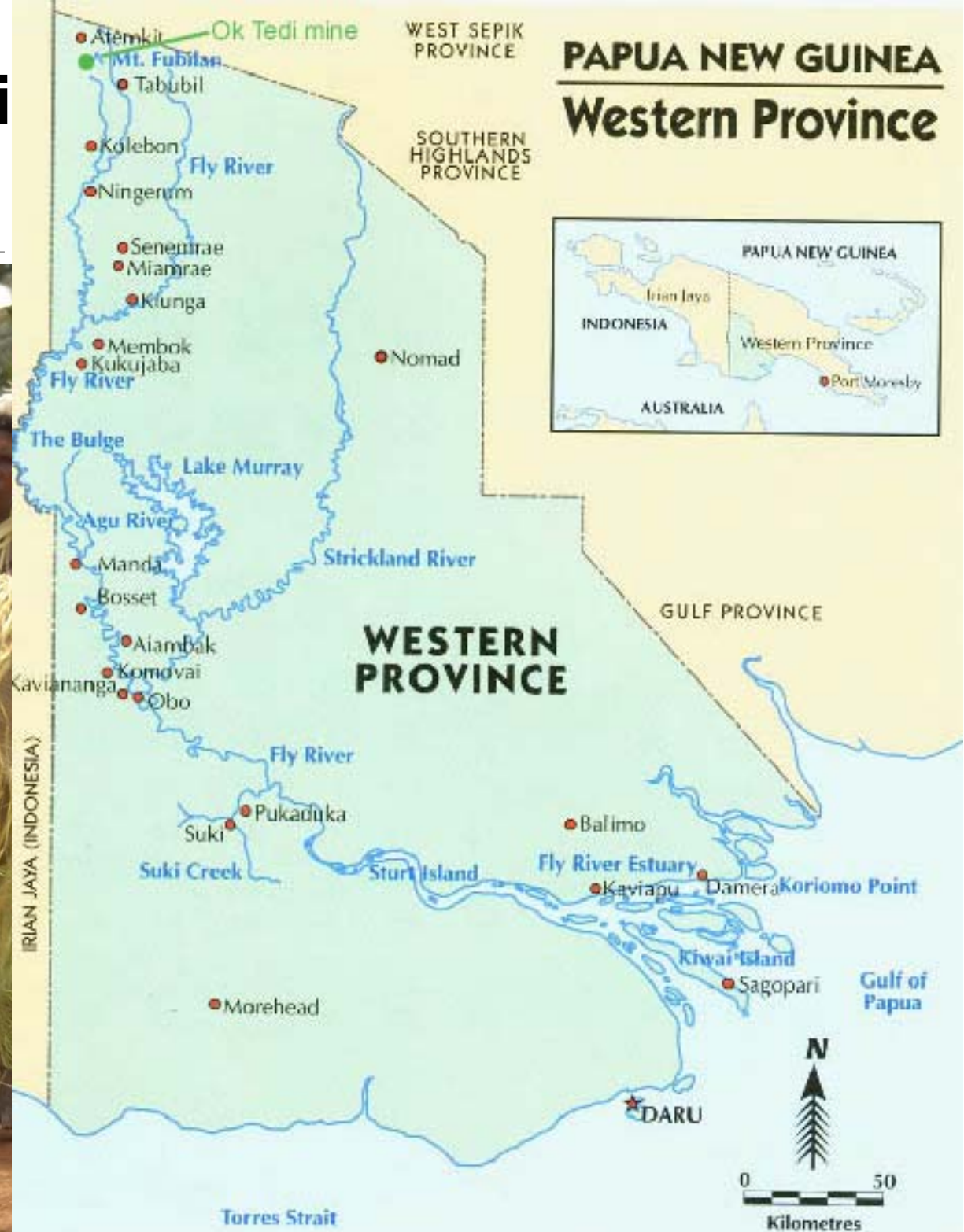
“Why Don’t People Listen?”

“The truth is that if we approach communication as if it were a process of injection, we will have entirely missed the point.

“We will have failed to notice that you can’t separate communication from the idea of a relationship between two or more people and that a relationship is an extraordinarily complicated thing.”

Hugh Mackay

IC Negotiation: case study Ok Tedi PNG





IC Case study: Ok Tedi PNG

- History of litigation and public protest
- BHP shareholders targeted
- BHP – David vs. Goliath,
- Levels of distrust? HIGH
- Levels of reputational impact ? HIGH
- Risk to high capital project? HIGH
- Opportunity for SD? HIGH



IC case study: Ok Tedi PNG

- OTML had a practical business objective
 - stability
 - “social licence to operate”
 - sustainable development
- CMCA compensation for projects (cash)
- 2005 review trigger, and increased impacts
- OTML still had to find a way through, despite court action, despite BHP exit



IC case study: Ok Tedi PNG

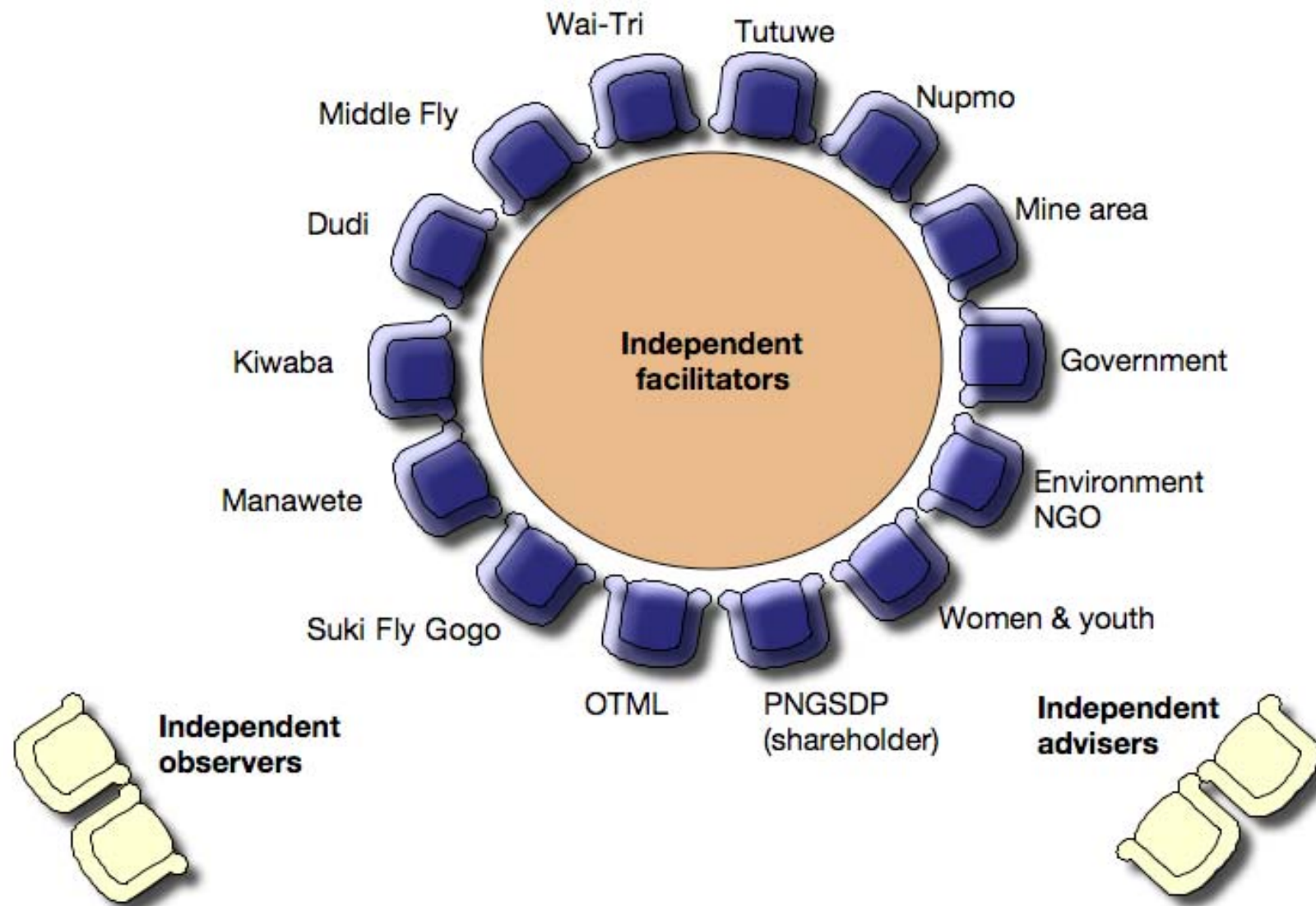
- The response?
 - IC Negotiation - practical way thru' distrust, withstand legal and civil society scrutiny
 - Deliver on business objectives
 - Manifestly fair to all - village level and global ngos
 - **Can the mine conscionably continue?**



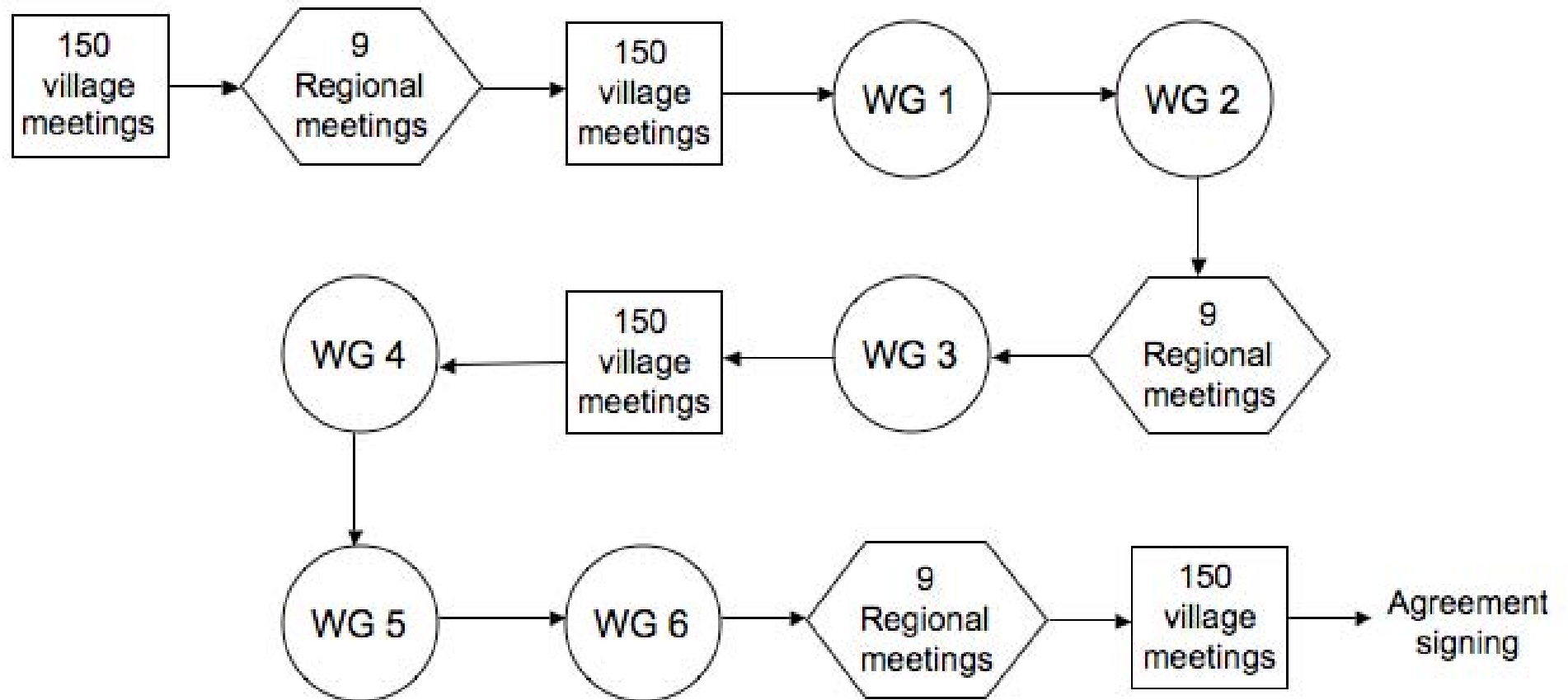
Informed Consensus Guiding Principles

- Integrity
- Transparency
- Equity and participation
- Fairness
- Respect
- Responsiveness
- Adequacy of information
- Timeliness
- Statement of Commitment

Roundtable membership: Equity & Participation

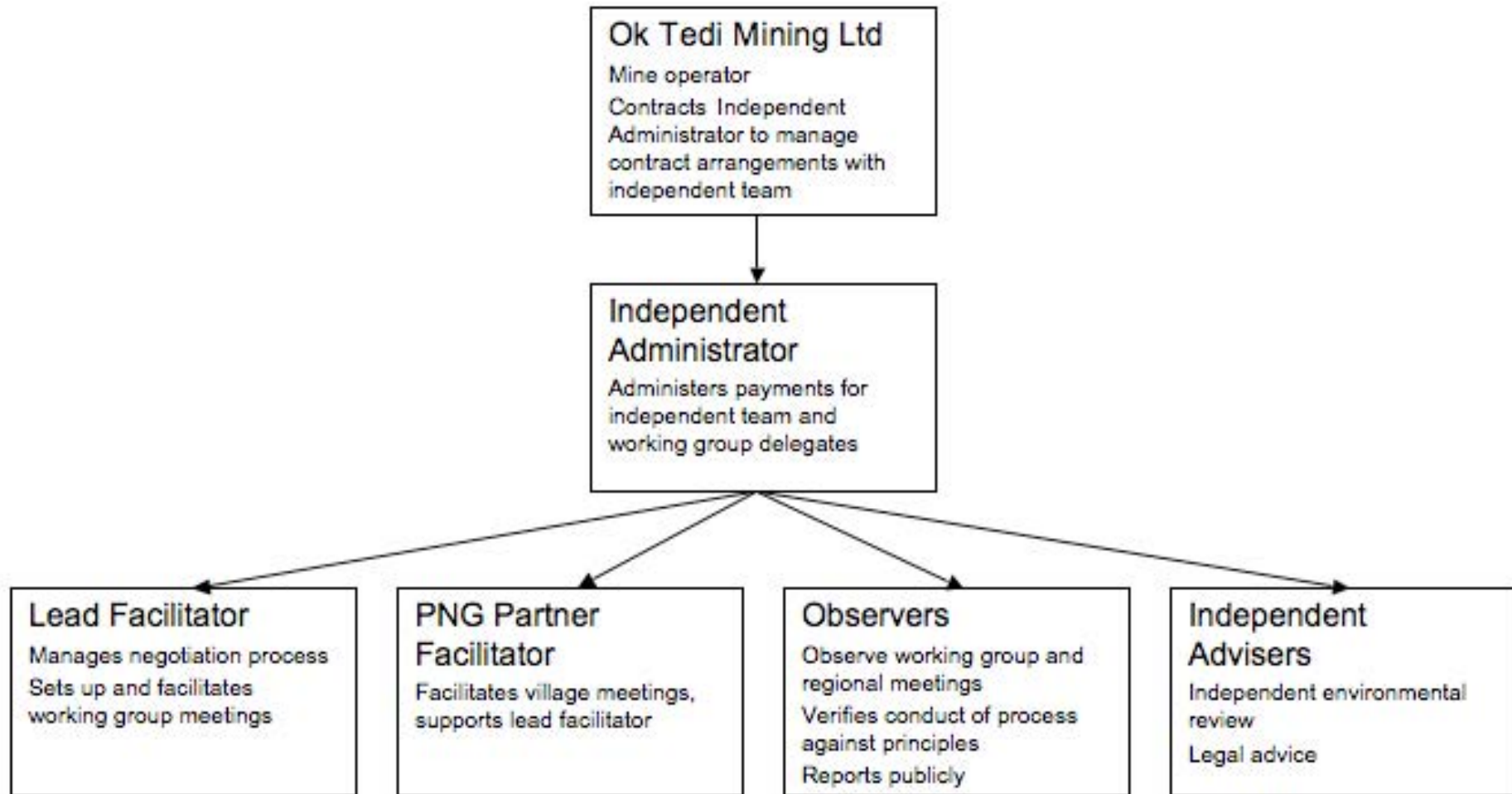


The meeting cycle: communication





Independent process supporters: Transparency



IC Negotiation: Ok Tedi PNG

- Communication the instrument:
 - democracy, participation, transparency
- www.wanbelistap.com
 - minutes of meetings, key supporting documents, observers' reports
 - community information kits
 - wired and unwired world
 - media only when agreement was reached (except for campaigning outside)



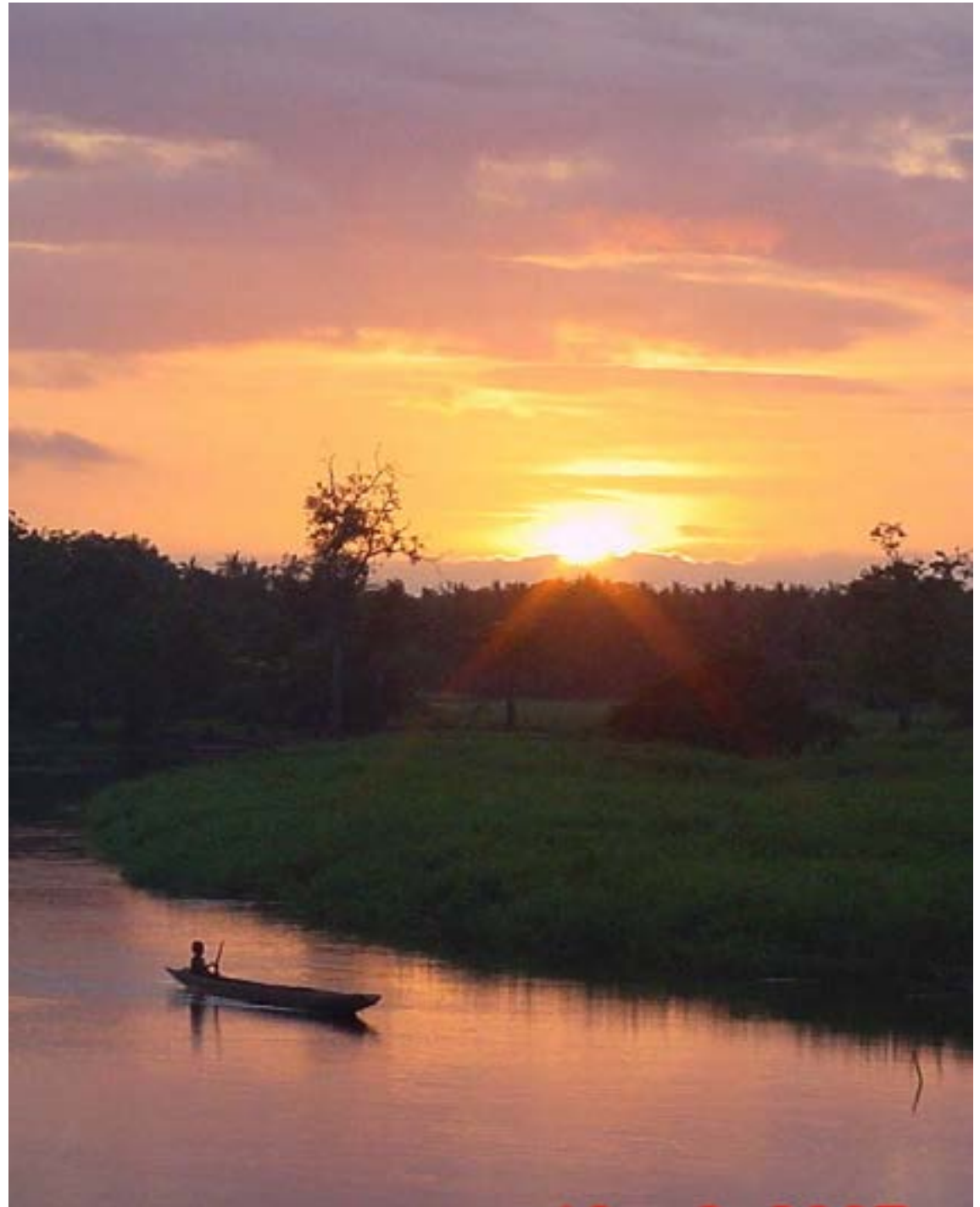
Why Is IC Negotiation powerful?

- Power *sharing*
- Power *balancing*
- Relevant and *diverse* interests important for a robust outcome
- *Transparency* through communication and independent structural support



Informed Consensus: 3 + 2

- 1. Mediation
- 2. Interest-based negotiation
- 3. Relationship-based communication
 - Guiding Principles
 - independent process team
 - (ToR, charters etc)



1. Mediation



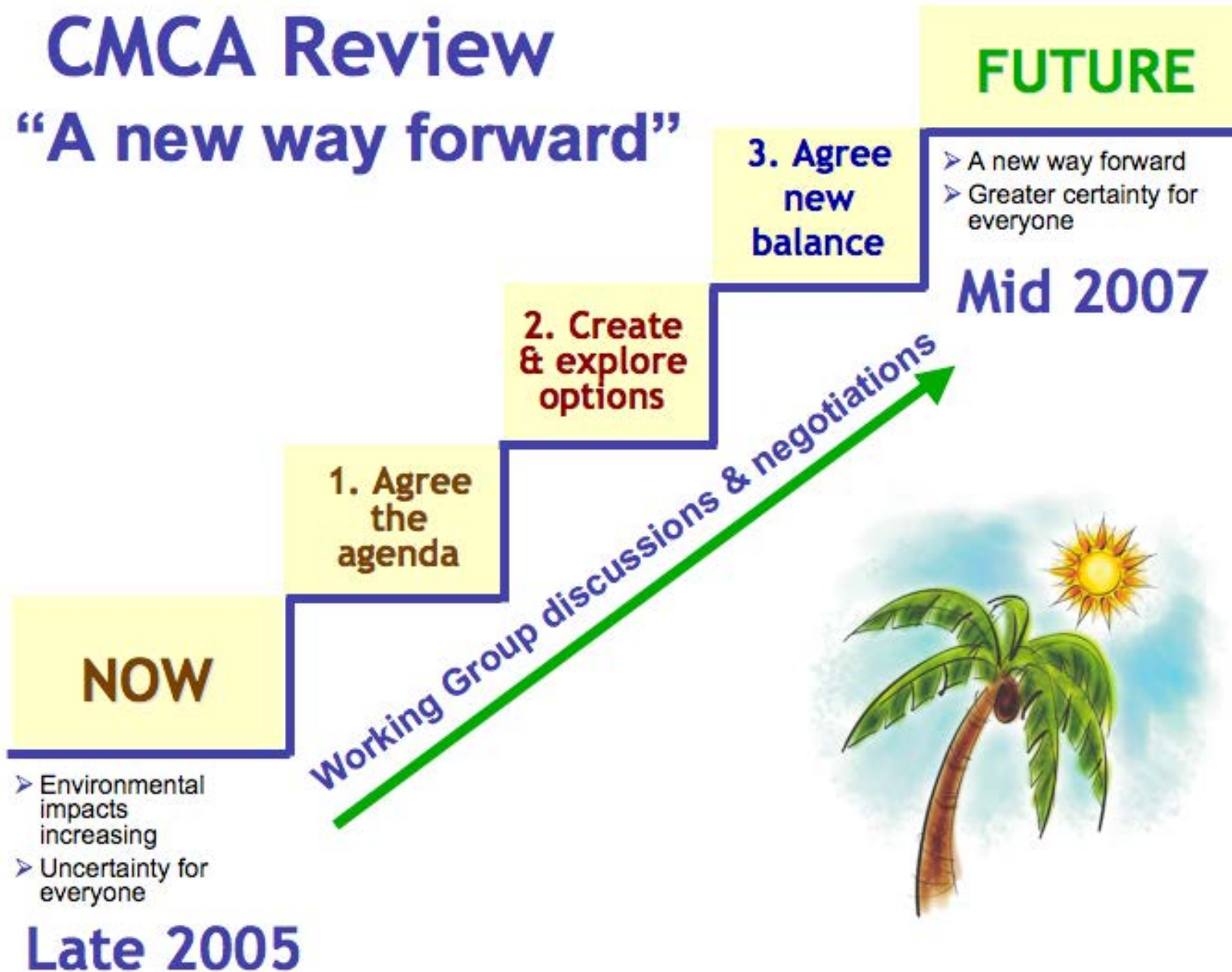
2. Interest-based negotiation

- integrative (interests) v. distributive (positional)
- training for participants
- Harvard Negotiation Project
- Trade zone
 - Creative option development



CMCA Review

“A new way forward”



3. Relationship-based communication

- Extrapolates the personal to the multi-party
- Shared past and shared future
- Imperative for two-way communication
 - iterative
- Essential lubricant for negotiation process



What we learnt

- Pace: not too fast, nor slow
- Nerve and leaders
- Lose or gain participation
- Preserve perpetuity, if possible
- Deep understanding of women's participation needs first
- Other tools: JFF



“Conflicts are created
and conducted by
human beings. They can
be ended by human
beings.”

George Mitchell
US Middle East envoy



**Em tasol
Tenkyu tru**



pax populus

	RB Communication	IC Dialogue	IC Negotiation
Goal of win/win, not win/lose	●	●	●
Uses direct one-on-one engagement	●	●	●
Focus on “listening” and “responding” tools	●	●	●
Central engagement tool is the “round table”	-	●	●
Independently facilitated process	-	●	●
Diversity of stakeholder interests are represented	-	●	●
Outcome of discussions are shared, agreed, robust	-	●	●
Independent (technical/legal) advice available to group	-	○ ●	○ ●
Transparency through public reporting	-	○ ●	●
Strong focus on agreement as an end point	-	○ ●	●
Independent observers to boost transparency	-	-	●
Designed to handle very low levels of trust & high conflict	-	-	●
Process facilitation/support team independently engaged	-	-	●
Process funds held and administered by a neutral party	-	-	●

Key:

- Always included
- |● May or may not be applicable
- Not included