

Seminar on Conflict Management and Negotiation Rapporteurs' Report

Rapporteur:

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Venue: Rector's Conference Room
& DSCSC

Date: 22 June 2021

Bangladesh Public Administration Training Centre
Savar, Dhaka-1343

Title of the Seminar : *'Conflict Management and Negotiation'(online)*
Date : *22 June (Tuesday) at 10 AM to 13:00 PM*
Venue : *Rector's Conference Room(BPATC) and DSCSC (Virtually)*
Organized by : *BPATC and DSCSC*
Keynote Speaker : *Syed Mizanur Rahman ndc, MDS, BPATC*
Moderator : *Dr. Shah Mohammad Sanaul Hoque, MDS, BPATC*
Discussant : *Hasan Murtaza Masum, Director & Dr. Mehedi Masud, Deputy Director, BPATC*
Participants : *DSCSC Course 2021-22 (The course commenced on 14 march)*
Total Participants : *251 (204 officers are from Bangladesh and 47 are from 18 friendly countries)*
The list of Friendly Countries : *India, Indonesia, Ivory Coast, KSA, Malaysia, Maldives, Mali, Nepal, Nigeria, Pakistan, Palestine, Philippines, sierra Leone, Sri Lanka, Thailand, Tanzania, Uganda & Zambia.*
Rank of the Participants : *The Course participants are the rank of the Major and Lieutenant Colonel or equivalent from the Armed forces and Additional Police Superintendent of Bangladesh Police.*
Seminar Co-ordinator : *Mohammad Mamun, Senior Research Officer & Mehedi Shahnewaz Jolil, Assistant Director, BPATC*
Rapporteur : *Afia Sultana Keya, Assistant Director & Samiana Sultana, Evaluation Officer, BPATC*

Commencing speech of the Seminar Director:

Hasan Murtaza Masum, Seminar Director opened the seminar with an introductory note. He addressed the attendees/participants and briefly introduced the keynote speaker, moderator, discussants, and rapporteurs of the session. After that a video *documentary on BPATC* was shown. After the video presentation, the Seminar Director requested the Moderator to take over.

Welcome speech of Moderator of the seminar:

At the outset, *Dr. Shah Mohammad Sanaul Hoque, MDS, BPATC* and Moderator of the seminar welcomed the participants, assigned officials of BPATC & representatives of DSCSC. He emphasized that Bangladesh Public Administration Training Centre (BPATC) is one of the premier training institutions for the Civil Servants of Bangladesh. On the other hand, Defense Services Command and Staff College (DSCSC) is the pioneering training institute for the Bangladesh Armed Forces. A Memorandum of Understanding (MoU) was signed between BPATC and DSCSC two years ago with a view of bridging two leading training organizations of the country. According to the MoU, both institutions will prepare a mutually acceptable schedule to foster training and academic programs such as joint seminars, study visits, Faculty exchange, knowledge sharing and so forth. In this context, DSCSC took interest to organize a seminar on 'Conflict Management & Negotiation' at BPATC and the request was cordially accepted by BPATC authority. The initial plan was to organize the seminar with physical presence of the participants of the DSCSC course at BPATC. But the plan was interrupted by the unprecedented situation of the Covid-19 pandemic and hence the seminar was moved online. The moderator hoped that the participants would accept this new normalcy positively and ensure spontaneous active participation on this virtual platform.

Then he requested the Keynote Speaker to commence his deliberation.

Presentation by the Keynote Speaker:

Syed Mizanur Rahman ndc, Member Directing Staff, Bangladesh Public Administration Training Centre started his presentation at scheduled time. At first, he thanked and greeted the DSCSC officials and participants for the arrangement. Next, he shared his decks of presentation slides on conflict management and negotiation, gave an outline of his presentation and also mentioned that the talk would be more like a dialogue than lecture.

Conflict Management

Conflict management is the process of limiting the negative aspects of conflict while increasing the positive aspects of the situation.

There are various types of conflict; such as: Interpersonal conflict, Intra-group conflict, Inter-group conflict and Inter-organizational conflict. The discourse on conflict entails system, society and group of individuals (adapted from Levy).

For conflict management and resolution various techniques are followed. If the goal is conflict management then two types of tools are employed -coercive & non-coercive; if the strategy is conflict transformation then the methods followed are problem solving workshops, dealing with past crimes; if the strategy is structural prevention, the tools might include elements of democratic decision making, autonomy & power sharing, institution building for peaceful dispute settlement; a normative change strategy may leverage human rights and inclusion.

In non-coercive diplomacy, a state attempts to influence the behavior of another state by providing benefits as side-payments. Track-I, Track-II, Track-III diplomacy, third party involvement, Joint decision making process etc are non-coercive diplomacy. **Track one diplomacy** is what diplomats usually do: formal negotiations between nations conducted by professional diplomats. Official discussions typically involve high-level political and military leaders and focus on cease-fires, peace talks, and treaties and other agreements. In such scenario, heads of states meet, discuss issues over tea and release joint statements. **Track two diplomacy** refers to conflict resolution efforts by professional non-governmental conflict resolution practitioners and theorists. It is unofficial, non-structured interaction. Since it is unofficial – influential academic, religious and NGO leaders and other civil society actors can interact more freely than high-ranking officials. **Track three diplomacy** is people-to-people diplomacy undertaken by individuals and private group; for example- Pakistanis love Indian movies and performers, Indians love Pakistan's cuisine and musicians.

Negotiation:

Then the Key-note speaker discussed about the goal and approaches of negotiation. In his view, it is a process of dialogue between two aggrieved parties, which is intended to envisage a peaceful and acceptable solution to conflict.

The speaker highlighted the differences between mediation and negotiation. In mediation, it is not necessary to find out a win-win situation for the parties involved; whereas, in negotiation, a win-win situation for both the parties is dug out. Although in any conflict situation negotiation is preferred, but at times it is not feasible and mediation is adopted. The speaker discussed lose-win, win-win, loss-loss, win-lose matrixes with some real-life example.

The concepts of BATNA, WATNA, ZOPA were elaborated with references to different scholarly opinion. BATNA (best alternative to a negotiated agreement) is defined as the most advantageous alternative that a negotiating party can take if negotiations fail and an agreement cannot be made. It is a negotiation tactic and should always be considered before a negotiation takes place. It is never wise to enter into a serious negotiation without knowing BATNA. On the other hand, WATNA (worst alternative to a negotiated agreement) is the worst option or outcome for a party, in case the parties fail to reach an agreement during the negotiation process. ZOPA (zone of possible agreement) is an area where parties of negotiations attempt to find a common ground.

Negotiation techniques can be varied with situation's demand. Sometimes the party should compromise, in some cases positional bargaining, integrative negotiating i.e. - compensation, lag rolling, cost-cutting or bridging is needed.

The speaker elaborately discussed Borisoff & Victor's '5As' theory. The theory explains negotiation goal. The '5As' are Assessment, Acknowledgement, Attitude, Action and Analysis. Then he explains '4Rs' -Reasons, Reactions, Resolution and Role of third party- as conflict resolution strategy.

After an exhaustive lecture of 50 minutes, the key-note speaker drew conclusion with a run down on the main points of discussion.

Remarks by Discussants

Discussant-1:

Dr. Mehedi Masud, DD, BPATC started his discussion by greeting everyone. He praised the key-note speaker for his in-depth analysis and for covering the important facets of the topic. He mentioned conflict as essentially behavioral that is experienced from home to marketplace. In his

opinion, conflict is natural since many men, many minds. Therefore conflict needs to be embraced in a constructive way. Conflict has both merits and demerits. On the one hand, conflict allows us to generate creative ideas. On the other, it is a waste of time, resources, and cost. We can manage conflict through negotiation. During negotiation we must focus on two issues- position or distributive based negotiation and interest or integrative based negotiation. Then he went on describing negotiation dilemma with few examples.

Discussant-2:

Hasan Murtaza Masum, Director, BPATC

The discussant thanked and greeted everyone. He appreciated the lecture given by the key-note speaker and mentioned that the talk was informative and elaborate. He mentioned that conflict is viewed mainly as boiling situation. However, it is mostly perceptual. It means, a conflict needs to be acknowledged by parties involved. He also mentioned that humankind cannot avoid conflict and have to learn to live with it.

He pointed out that although the key-note speaker talked about few models of conflict management, he did not mention which one is preferred in what circumstance. He also emphasized negotiation as the most critical part of conflict management. Negotiation, however is not an end; rather it is a process to an end.

The discussant mentioned that the lecture given by the key-note speaker covered almost all the aspects of conflict management and negotiation. Hence, it was a very comprehensive presentation.

Question and answer session:

1. *Squadron leader Sarwat, Bangladesh Air Force*, ask question to the panel.

Till now we have not emphasized to repatriate the Rohingyas to Myanmar. Still we have lack in conflict management skill. What should be the negotiation technique while pursuing diplomatic maneuvering in pursuance of Rohingya crisis?

Ans: **Keynote speaker** mentioned that Bangladesh followed a peaceful settlement of dispute with neighboring countries. Honorable PM Sheikh Hasina has taken a lot of steps to repatriate the Rohingyas back to their homeland. As the Rohingya refugees currently live here,

Bangladesh govt. give them humanitarian support and provide for their basic needs. Global community is also helping us. We need an effective bilateral discussion to solve the Rohingya problem as early as possible.

2. *Lieutenant Commander Tanveer, Bangladesh Navy*, ask question to Dr. Mehedy

It might be easy for a negotiator to determine the BATNA between Jack and Jill (reference to the discussant's mention of an English rhyme) but if we think about a little complex situation where the nuclear negotiation goes between USA & Iran, the negotiator may not have the idea or the negotiator may not be able to determine the BATNA. My question is that in a situation like this when the negotiator cannot determine the exact BATNA or ZOPA. What should be the negotiation approach for a negotiator?

Ans: **Dr. Mehedy Masud**, discussant of the seminar mentioned that the question is more like the classic case of Cuban missile crisis that happens in 1962. It was a case of position based and interest based negotiation.

In 1962 USA deployed missiles in UK, Italy and Turkey. In retaliation, USSR wanted to deploy nuclear missiles on the land of Cuba. This triggered an unhappy situation in the world. Negotiation is one of the biggest achievements of the Cuban Missile Crisis. Khrushchev needed assurance that America and its allies wouldn't invade Cuba. US President Kennedy agreed on this so there was no need for missiles presence in Cuba. It was a win-win situation.

Then he mentioned that as like above example negotiation approach should determine.

3. *Major Kamrul, Bangladesh Army* asked question to the panel

Every year Bangladesh govt. spends a handsome amount of budget for the development project. We have a few flyovers in Dhaka, constructed by RAJUK and supposed to be looked after by govt. organization. None takes any responsibility; neither RAJUK nor Dhaka North City Corporation. Now-a-days it has become a prominent crime scene. Police need to monitor the flyover also. Among the three organizations, what kind of negotiation or interest-based negotiation you think might bring out a solution to this problem?

Ans: **The Keynote speaker** replied that in developed countries, there is City govt. But in our country the concept of city govt. is absent. Mayors of our country are sometimes raise this issue for better co-ordination among all govt. departments. The present scenario is WASA is working independently, so does RAJUK. Present government is also thinking for a permanent solution to sort out these problems.

4. *Luckey, Additional SP, Bangladesh Police* asked question to the panel

For the betterment of the country or for the development of the country a mutual respect among the internal bodies of the govt. is required. But we see various times different news are coming from different sector-may be from the police department or from the admin or from the army. Is there any specific organization that co-ordinate among this matter before giving the messages from the govt. parties to other? As the media is getting the contradictory news and the country losing its image. Is there any suggestion regarding this matter?

Ans: **The keynote speaker** said co-ordination is done by the cabinet headed by Cabinet Secretary. All ministries, division, department are liable to the cabinet. The cabinet do the coordination role. During the Novel corona virus situation we see the secretary's role. Everything is coordinated from the cabinet. If there is any sort of problem that can be talked about. As a cadre official we should obey the rules of PRB, CrPC. Legislative, executive, judiciary- these three organs perfectly done their jobs to make holistic outcome. I believe that we are working as a same team-'the Bangladesh team' and whoever or from what places doesn't matter. For the country our ultimate goal is to complete the vision, mission, that has been set by the govt. So we should work together.

5. *Wing Commander Rajib, Bangladesh Air Force* asked question to the panel

To resolve any conflict, if the negotiation starts too early or too late there might be no good result or the expected result that might can achieve. In presentation you have mentioned stages of conflict. From the four stages in which stage negotiation should start to get the best result?

Ans: **The keynote speaker** said that in the globalized world we have to always prepare for any sort of situation. We know that prevention is better than cure. So preemptive measure have got some strength in the negotiation game. When we go for negotiation if we don't do the ground work we cannot do the negotiation perfectly. Most of the developing countries they do actually

taking notes in the negotiation table but the developed country usually do a lot of ground works for facing the negotiation game. For Bangladesh, ocean victory is a good example. We salute Rear Admiral Khurshed Alam, he has done a lot of ground work before negotiation while the other parties they are not actually ready in that way. So we need do a preemptive measures to win the game of diplomacy then we get a successful result.

6. *Major Sefayet, Bangladesh Army* asked question to Hasan Murtaza Masum

You have said that Conflict is a perception if we perceived that there is conflict considering one issue- our Saint martin that has been shown in the border of some other countries map for twice, first time we negotiated and it was removed and again second time we negotiated, it was removed. What is the preemptive measure we can take on that issue so that it is permanently stop and no threat from any other side for our country?

Ans: **Mr. Hasan Murtaza**, the discussant of the seminar said that conflict is a perception, when all the parties concerned and acknowledge that there is conflict situation. There are different ways and means out there. Conflict can be seen as distributive, integrative. Now the best way to resolve any conflicts to sit together and listen to other parties. And your position should be backed up by your scientific data, the legal framework and also the will of the nation. As for your case if any part of our territory is misrepresented and claimed by others; at first we should try to sort it out by bilateral negotiation. If it fails then we have third party option open to come in as mediator or arbitrator.

7. *Major Dinusha, Srilanka Army* asked question to the panel

When getting involvement of a third party for a conflict resolution there may be challenges to overcome. Sometimes they may try to promote their interest and they may support one specific party and try to do injustice to other party. How we can get overcome this challenges specially getting involvement of third party?

Ans: **Mr. Hasan Murtaza Masum**, the discussant of the seminar responded that in negotiation only trusted partners are welcomed. Trust is essential in negotiation. Obviously we should seek assistance of third party whom we can trust. There is ethical part of negotiation. When all the parties are involve in a negotiation process we should consider the ethical aspect of negotiation actively.

Then **the keynote speaker** added that UN secretary general Kofi Anan when he was as secretary general he could not be mediator. Later on he has actually given the responsibility to observe the Rohingya issue. The Anan commission report is very important for us as well as for the world. Definitely you have got alternative choices also. Third party can be chosen from interested party or from other interested parties from the global platform. So we have to do ground work for the selection of a negotiator.

8. *Lieutenant Commander Naim, Bangladesh Navy* asked question to Dr. Masud.

As Dr. Masud Sir has suggested to manage the conflict through interest base solution but what if there is conflict of interest. For example, jack & jill both want to have the same land for separate purpose. In that case what can be the approach of a negotiator?

Ans: **Dr. Masud**, the discussant of the seminar mention that there is a conflict handling matrix developed by Thomas Filman—it has two access – vertical access, horizontal access. From these matrix of negotiation, five distinct negotiation style emerged: competing, collaborating, compromising, accommodating, avoiding. Whether the Negotiator trying to reach an agreement or resolve a conflict with multiple parties they often fall into one or more these five style.

These are the five strategy we can follow to avoid conflict of interest.

9. *Additional SP, Liakot, Bangladesh Police* asked question to the panel

We have some inter conflict amongst the service. To mitigate national and international problems, we have to be more firm and smart as we upraise from LDC to developmental status.

As BPATC is the peak and summit training institution for all cadres. Is there any specific course or subject to your recent curriculum that can make our new generation officers more firm and more brave heart to made our service easier towards our people?

Ans: **The keynote speaker** said that we have some rules and regulation to accommodate these sort of ambiguity and to resolve these sort of things. BPATC try their best. Three important things for new cadre officials have to adopt that is knowledge, skill and attitude. Attitude part is very important in foundation training course. To make them global standard public servant our curriculum is renewed. We always try to re-invent, bring reforms in our curriculum. There is curriculum development committee. We have got MoU with many reputed international

universities and also training institutions. We do this sort of seminar, workshop to share knowledge.

As a govt. official we have some basic criteria that has to be followed all the time- Neutrality, patriotism, meritocracy, team building. We should ask question to ourselves whether people have their trust on us or not. Also we should obey the service rules which is defined in PRB, CrPC.

Concluding Remarks by the Officials of DSCSC:

Chief Instructor, DSCSC Brigadier General Abul Hasnat Mohammad Tariq, ndu, afwe, psc, thanked all for vibrant participation. He shows his heartfelt gratitude to BPATC authority for arranging this seminar. He mentioned that he enjoyed a lot and it was a successful seminar.