Third Party Interventions

♦ What is the process for third party interventions

A more active and powerful third party role is that of mediator. Mediation is a procedure whereby a third party assists disputants in achieving a voluntary settlement. Mediators usually impose a structure and process on the discussions that is designed to move the parties toward mutual understanding and win-win agreements. While some mediators take a stronger role in option identification and selection than others, mediators do not have the power to impose a solution. At most, they can suggest a solution, which the disputants may or may not accept.

The most powerful third party role is that of an arbitrator. Arbitration is a procedure whereby a third party holds a hearing, at which time disputants state their position on the issues, call witnesses, and offer supporting evidence for their respective positions. Usually, the arbitrator’s decision is binding and cannot be appealed. Arbitration works well when the parties simply want a settlement, and do not worry about losing control of the process or the outcome. For parties that want to maintain control, however, the other forms of intervention (mediation or facilitation) are often preferred.

Important tasks:

1. Identify essential participants.
2. Afford all participants an equal standing.
3. Structure sessions to encourage participation.
4. Find a neutral location for meetings, probably not in an agency's headquarters.
5. Achieve consensus among participants on the agenda.
6. Provide sufficient time between sessions to do follow-up work and analysis.
When should we use third-party interventions
1. Deadlock or impasse between two parties.
2. Unproductive tension and hostility.
3. Anger and resentment overwhelm negotiators.
4. Mistrust and suspicion are high.
5. Intense emotions appear to be preventing a settlement.
6. Poor communication is beyond the ability of the negotiators to fix it.
7. Misperception or stereotypes hinder productive exchanges.
8. There is serious disagreement over the importance, collection, or evaluation of data.
9. There is disagreement as to the number of type of issues under dispute.
10. Actual or perceived incompatible interests exist that the parties are unable to reconcile.
11. Unnecessary value differences divide the parties.
12. Severe difficulties occur in getting negotiations started or in bargaining through in impasse.

What are advantages and disadvantages of third-party intervention

A. Advantages
1. Creating breathing space or a cooling-off period.
2. Reestablishing or enhancing communications.
3. Refocusing on the substantive issues.
4. Remedying or repairing strained relationships.
5. Establishing or recommitting to time limits and deadlines.
6. Salvaging sunk costs.
7. Increasing satisfaction with the conflict resolution process and its outcomes.
8. It limits the number of players to those involved in the dispute.
10. It allows a neutral party to decide on a resolution to the matter presented which is binding upon all parties.
11. Allowing a neutral third party assist in helping find a resolution to conflicts.

B. Disadvantage
1. The involvement of third parties signals a failure of the negotiation process.
2. Intervention by a third party may signal that the parties have failed to grow, to build relationships, or to become adept in managing their own interdependencies.

3. If the viewpoints of the parties are too distant then progress is difficult to achieve.

4. The third parties cannot enforce any decision and may lose credibility if no resolution is found to the problem.

♦ Provide one example of a third party intervention

During the 1972 crisis between North Yemen and South Yemen, Colonel Qaddhafi of Libya, threatened to hold captive the deliration leader of both sides if they did not reach agreement. Moreover, he offered both sides nearly $50 million in annual aid if they did reach agreement.

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