

# Conflict Resolution and Consensus Building:

Applications to the small-scale mining sector

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## Objectives

- Document narratives of conflicts in the small-scale mining sector
- Discuss generic and traditional techniques for amicable and efficient resolution
- Understand the distinction between conflict management and resolution
- Provide a set of recommendations to various stakeholders to promote consensus-building and conflict resolution

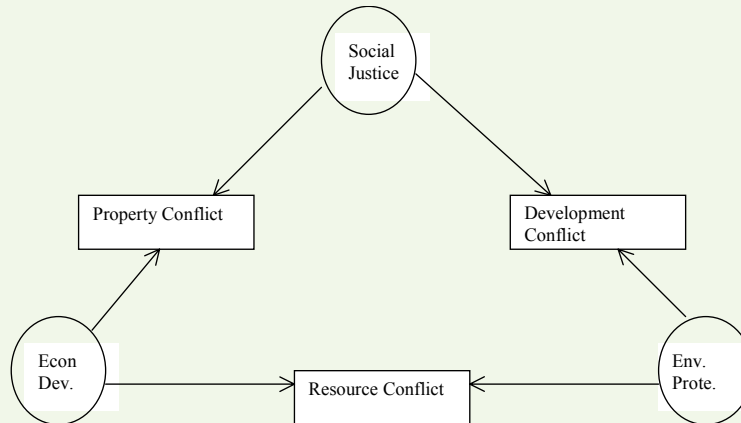
## Agenda

- 14:00 – 14:15 Introduction
- 14:15 – 14:45 Polarity exercise
- 14:45 – 15:45 Presentation
- 15:45 – 16:00 Break (think-time)
- 16:00 – 16:30 Traditional tech.
- 16:30 – 16:50 Rec. development
- 16:50 – 17:30 Debriefing and finalizing recs.

## Questions to Consider

- What are the sources of power for small-scale mining communities?
- Is there an absence of trust between players and if so why?
- How would you define “resolution” to a conflict?
- What are the traditional techniques for conflict resolution in your community?

## *Anatomy of Env. Conflicts*



## Conflict assessment I Communities of interest (and power)

- Small-scale miners
- Multinational mining companies
- Mineral processing centers
- Environmental NGOs
- Indigenous rights NGOs
- Human Rights NGOs
- Government Strata – local, state, national
- Consumers

## Conflict assessment II: The Issues (and priorities)

- Property rights and ownership
- Alternative livelihoods
- Access to markets
- Taxation of revenues
- Environmental health and safety
- Linkage to conflict movements

## Divergent Attributes of Conflicts

- Distributive versus Integrative Conflicts
  - Zero Sum Games and non-Zero sum games
- Power Dynamics: What are the Sources of Power in Negotiations?
- Motivation:  
Conflict Management or  
Conflict Resolution

## Management versus Resolution

"Conflict resolution creates a state of uniformity or convergence of purpose or means; conflict management only realigns the divergence enough to render the opposing forces less diametrically opposite or damaging to each other "

(Folberg and Taylor 1984, p. 25)

## Consensus- Building Negotiation versus Consultation

- What are the differences?
  - Voting is not as consequential in consensus processes
  - Polarization is avoided in consensus processes
- What are relative advantages and disadvantages of each?
  - Clarity of issues in majority-democratic processes – marginalizing extremes
  - Time it takes to reach agreement

## Commonality of Conflicts (Softer issues)

- The Primacy of Trade and Bargaining
- Creating and Claiming Value: Issue and Player Linkage
- BATNA: Best Alternative to a Negotiated Agreement
- ZOPA: Zone of Possible Agreement

## Human Behavioral Attributes

- Psychological Attributes
  - The Peril of Entrapment through Escalation
  - The Perception of Pugnacity
  - The Evolution of Trust
    - Repeated Interactions
    - Reliability of Stakes
    - Quick feedback of changes
    - Long time horizons for agreements

## Avoiding Entrenchment

- Positions versus Principles
  - Reducing the conflict to the essential elements
    - Is it about a company or a concept?
    - Is it about an issue or an ideal?
    - Is it about resistance or resolution
- But how do we deal with unbalanced power structures?

## Strategies

- Knowing the BATNA of the other Parties
- Mediation
  - Objectivity on principles but advocacy of process
  - Resources for mediation
- Information sharing: the slippery slope
- Sequencing of negotiations;
  - Knowing your option versus alternatives
  - Probability of agreement based on having players or issues on board

# Creating and Claiming Value

- How might we create Value?
  - Derivative issues
  - Trade
  - Linkages:
    - Competitive and Cooperative
    - Issues and Players  
(antagonistic and synergistic)
- Value can be claimed through:
  - accountability
  - Negotiation process strategies

# The Five "Fs" of Conflict

