MULTISTAKEHOLDER DIALOGUE AT THE GLOBAL SCALE

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131 Mount Auburn Street

Cambridge, MA 02138, USA

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Lawrence E. Susskind, Boyd W. Fuller, Michèle Ferenz, David Fairman

Any inquiries about the paper should be addressed to:

Lawrence Susskind,
Consensus Building Institute, 131 Mt. Auburn Street, Cambridge, MA 02138. Email:
sossi@cbuilding.org

Lawrence E. Susskind, Ph.D., is the Ford Professor of Urban and Environmental Planning at the Massachusetts Institute of Technology, Visiting Professor at Harvard Law School, and President of the Consensus Building Institute.

Boyd W. Fuller is a Ph.D. candidate at the Massachusetts Institute of Technology.

Michèle Ferenz is a Ph.D. candidate at the Massachusetts Institute of Technology and a Senior Associate at the Consensus Building Institute.

David Fairman, Ph.D., is a Vice President at the Consensus Building Institute and Associate Director of the Public Disputes Program at Harvard Law School.

ABSTRACT

Multistakeholder Dialogues (MSDs) are being used as part of many international policy making efforts. Official and unofficial representatives are being brought together to build relationships, set agenda for future official and unofficial dialogues, and even to generate packages of proposals or recommendations. The authors describe the key challenges that face prospective MSD designers, including: finding the right participants, managing with extremely limited financial resources, providing effective meeting facilitation, and integrating the work of MSDs into existing institutional activities and structures. While there are examples of successful MSDs contributing to official policy-making, too many multi-stakeholder dialogues founder because the participants are inadequately prepared, the processes are managed ineffectively, and expectations are unrealistic.

Keywords: multistakeholder dialogue, international negotiation, international treaty negotiation, multiparty negotiation, parallel informal negotiation, public dispute resolution.

INTRODUCTION

Theoretical writing in the field of negotiation and conflict resolution suggests that multi-party, multi-issue disagreements are best handled by (1) bringing appropriate representatives of key stakeholding groups together; (2) ensuring that the representatives and their respective constituencies have the time and resources they need to prepare effectively; (3) providing non-partisan facilitators to manage the dialogue; (4) spelling out mutually agreeable ground rules regarding how the conversation should proceed; and (5) clarifying what the group product or decision will be (Susskind, 1999). In the realm of international treaty-making, informal representatives of unofficial stakeholder groups ("unofficials") have been meeting with country representatives ("officials") for many years. In some instances, these parallel informal conversations, threaded through various stages of the formal treaty-making process, have generated ideas or elements of agreement that have, in fact, made official treaties possible. Sometimes, though, it seems as if the UN-sponsored system of international treaty negotiation is structured so that the official representatives do not have the time or even the permission to meet with unofficials.

Civil society has been seeking a greater voice, not just in official international treaty-making, but in all multilateral efforts to analyze emerging problems, explore policy options, and design new programs or practices. Indeed, many observers now argue that civil society voices should be included in all international deliberations, not just treaty negotiations, to access their ideas and information and leverage their support for implementation.[1]

In response, ad hoc processes of Multistakeholder Dialogue (MSD) and Multistakeholder Processes (MSPs) have emerged. Multistakeholder processes is a more general term, covering not only MSDs but also consultations with unofficial stakeholders that are not dialogue-based.[2] Yet it is clear that most stakeholders today prefer to engage in dialogue. While in this paper we differentiate multistakeholder dialogues, as processes that include face-to-face interaction, from those that do not, we call them all MSDs for the sake of clarity and in anticipation of the increasing use of dialogue in the future.

MSDs are now used by dozens of UN agencies and multilateral organizations[3]. They tend to involve intensive conversations among a range of interest group representatives. Some are focused on exactly the same questions being addressed in official venues, others are organized at the early stage of issue identification to bring new issues or proposals to light. Many involve rather large gatherings, although some are quite small. Many are announced (and even open to qualified observers), although most are by invitation only. Some are facilitated by non-partisan process managers, others are led by chairs who may or may not have facilitation expertise. In most cases, the results of these informal exchanges are meant to become input into official processes; however the linkages are often unclear and the impacts uncertain[4].

The important point is that MSDs—whether organized by non-governmental organizations on a one-time-only basis, or structured as on-going exchanges supported by a multi-national organization—bring non-governmental actors—unofficials—into conversation with official policymakers. While multilateral policy making organizations—such as the United Nations, OECD and World Bank—remain entities that only

countries can join, these institutions are increasingly being pressed to incorporate the views and inputs of non-governmental interests into their work. There are two primary reasons for this. First, the legitimacy of their efforts hinge on the acceptance, if not the approval, of a globally connected and outspoken civil society. Second, they need access to the growing body of relevant knowledge and skills required for complex problem solving. MSDs are the primary vehicle though which these two objectives can be met.

The Objectives of MSDs

MSDs provide a forum in which official and unofficial stakeholders can talk face to face. However, conversation is often not the objective. Many MSDs are convened to generate specific proposals for responding to a pressing problem. Indeed, there are a variety of reasons that multilateral organizations have organized MSDs over the past decade. Outlined in Table 1, the objectives tend to fall under four headings: relationship building, gathering and exchanging information, brainstorming and problem solving, and consensus building.[5] These are listed in a hierarchy of sorts, starting with relationship building and ending with consensus building as the "most ambitious" objective.[6] MSDs with "more ambitious" objectives tend also to seek, and achieve if they are successful, the "less ambitious" objectives as well. Thus, for example, a process seeking to generate a consensus on policy will also reinforce relationships, generate new information, and brainstorm a range of creative solutions before reaching consensus.

(TABLE 1 HERE)

Relationship building

When there is acrimony or disagreement over fundamental values and needs, it can be important for conflicting parties to begin building bridges[7]. MSDs can provide such opportunities. Often, the best type of interactions for promoting relationship building are informal dialogues, in which participants seek to understand each other's perspectives, and explore areas of agreement and disagreement. While full understanding is often not achieved[8], visible efforts to hear out other views may lessen fears and open minds.

Information sharing

An essential part of almost all MSDs is the gathering and exchange of information (much of which happens during preparation for face-to-face meetings). Participants can introduce the information they have, so that others can factor this information into their deliberations (outside the dialogue). Or, they can agree to gather new information together. Information generated jointly (called joint fact finding[9]) is more likely to be believed by all parties. Dialogues focused on information sharing are also a device by which convening agencies and organizations can help build the long-term capacity of key groups of stakeholders.

Agenda Setting

Some MSDs may be convened to prioritize future issues that need to be explored or actions that need to be taken. Faced with difficult problems and resource constraints, decision-makers may need to know what issues are of greatest concern to unofficials. The key question may be: what question best reflects the concerns of stakeholders at a moment in time? These MSDs are usually expanded to allow

multilateral organizations to consult with stakeholders to determine what actions should be taken or whether stakeholders are willing to help. Actions may include further studies, perhaps conducted jointly, or perhaps the convening of a future MSD that will allow stakeholders to explore solutions to problems they agree need to addressed, using a process designed to best facilitate such deliberations.

Brainstorming and Problem-Solving

While information sharing is important, the link between it and decision-making is often tenuous. Because of this, it may be difficult to draw busy and influential stakeholders into MSDs unless potential solutions are also under discussion. MSDs can bring together key stakeholders to brainstorm possible new policy options or approaches to problems. Such dialogues may be most important when differences hinge on fundamental value disagreements and not just varying interpretations of fact. Such MSDs may be informal, conducted in private and produce summaries that do not indicate who said what (i.e., no attribution). When official decision-makers participate in such dialogues (usually in their personal rather than their official capacities), they can explore difficult issues without worrying about the positions their organizations may or may not have taken. Other stakeholders can gain access to official decision-makers, learn about on-going negotiations, and help make those negotiations more productive by adding ideas or elements that might otherwise not have been considered. (Martinez and Susskind, 2001)

Consensus building

Finally, some multistakeholder processes seek consensus among the participants. On rare occasion MSDs are called upon to make formal decisions (on behalf of some agency or official entity); it is much

more common, however, that are asked to produce a set of recommendations that will be fed into official policy-making. Consensus is achieved when almost all participants agree they can "live with" a proposed "package" after every effort has been made to address the interests of the participants. In practice, while MSDs seek unanimity, most reach a point where an overwhelming majority agree, but a few have more to gain by dissenting. If, after probing the concerns of the holdouts, the group discovers that there is nothing more than can be done to meet the interests of those who do not agree, they conclude their consensus building efforts. (Susskind, 1999)

ORGANIZING MSDS—TWO FUNDAMENTAL CHOICES

Imagine the choices that potential MSD organizers face. Assume that an INGO or IGO wants to organize a dialogue on an emerging topic of global significance. There has been no push, as yet, to add this issue to the agenda of any policy-making body or agency. However, this organization is convinced that the topic is of growing urgency. Assume, also, that this NGO has funds—perhaps from an interested philanthropic organization, multinational bank, or even a national government—sufficient to bring 25 or so people together for two or three days. First, they must decide whom to invite. They can use their informal networks to identify two dozen individuals from around the world with sufficient background, knowledge, skill, and stature to raise the profile of the issue. Or, they can contact a number of obvious stakeholder groups—international agencies, national governments, and influential NGOs and universities—to increase the political legitimacy of their effort based on the status of the participants.[10] Perhaps a mix of both types of representatives – individuals with standing and politically significant organizations—would be useful. The first might be considered representative of various interest groups or demographic factions because

they are "like them" and can thus ***speak about*** their concerns. The second could be considered representative in a different sense; they are positioned to ***speak for*** and commit a specific constituency.[11]

The second decision facing the organizers is how to structure the interaction. Should it be a time for the official representatives to get to know each other, to learn about each other's concerns with regard to the issue? Or, should the time be used to have technically sophisticated presenters "educate" the official representatives on the issue so they can take action on a prepared package of proposals?

If the organizers were, instead, addressing an issue that had been the topic of concern for some time, but little progress has been made, the same two questions would have different meaning. In deciding whom to invite, they would have to decide whether progress hinged on "official" support for the elements of a solution; or, instead, whether progress depended on skilled and knowledgeable individuals reframing the problem or brainstorming a new approach that might break an impasse. MSD organizers must always decide whether what is needed is an informal dialogue (out of the spotlight) in which a mix of diplomats and stakeholder leaders discuss their differences or a more formal dialogue working toward a consensus with the help of a professional facilitator or mediator. In those cases where an agreement is generated, at least some of the (official) participants can take word of the agreement, and a text, back to their formal bodies.

(TABLE 2 HERE)

CLARIFYING CONFUSIONS

While MSDs are becoming an increasingly popular tool in support of official international policy-making, there is still much uncertainty about what these processes are, and what they involve. This section looks at several of the most significant confusions and suggests some clarifications.

Who is Participating?

Carlson (1999:171) defines stakeholders as "key individuals, groups, and organizations that have an interest in the issue at hand. They may be responsible for seeing a problem resolved or a decision made, they may be affected by a problem or decision, or they may have the power to thwart a solution or decision." Stakeholder involvement is usually understood to revolve around the participation of individuals and groups with specific interests (and values) at stake; thus, it should not be confused with normative ideas about direct democracy that advocate the first-hand participation of citizens in important governmental decisions. Sometimes the term stakeholder is used denote non-governmental actors—for example, international environmental organizations, industry, or popular social movements. In other cases, it is understood to include government agencies and inter-governmental organizations as well. In this paper, we take the latter view.

Stakeholders vary in their relationship to a decision, and in the intensity of that relationship[12]. Some may have official status, partaking in official decision-making forums outside the multistakeholder dialogue. Others may lack official status, but have significant influence on the decisions of officials, stakeholder

constituencies, or the opinions of citizens, while still others may be essential for the implementation of decisions that are eventually made.

Stakeholders are often categorized by the values or interests they represent. Some institutions divide stakeholders into three groups—government, business, and civil society. However, more fine-grained distinctions among stakeholders have sometimes been made, especially since the 1992 Earth Summit identified nine Major Groups—Women, Children and Youth, Indigenous People, Non-governmental Organizations, Local Authorities, Workers and Trade Unions, Business and Industry, Scientific and Technological Communities, and Farmers[13]. For example, to act as a sounding board for its Commissioners, the World Commission on Dams created an Advisory Forum, which included 68 stakeholder organizations. After a closer examination of the large dams policy arena, the World Commission on Dams distributed representation on the Forum across ten stakeholder categories, including: Private Sector Firms, River Basin Authorities, Utilities, Multilateral Agencies, Bilateral Agencies and Export Credit Guarantee Agencies, Government Agencies, International Associations, Affected People's Groups, NGOs, and Research Institutes[14] (WCD, 2000).

In its most simple form, multistakeholder means that representatives of more than two categories or perspectives participate. However, the definition of multistakeholder becomes more complex when concerns about legitimacy come into play. To many, multistakeholder means that both official and unofficial stakeholders ought to be included in all dialogues intended to shape policy decisions. This reflects the general tenet that anyone affected by a decision ought to have some say in making it. Thus,

an international treaty negotiation attended only by government representatives is not a multistakeholder dialogue, even though representatives of more than two stakeholder groups are present.[15] Some observers of and participants in multistakeholder processes take multistakeholder to mean "inclusive" of all relevant interests. For example, UNED Forum (Hemmati et al., 2001:16) suggests that multistakeholder processes, which include MSDs, "aim to bring together *all the major stakeholders* in a new form of communication, decision-finding (and possibly decision-making) structure on a particular issue" (emphasis added).

We argue that multistakeholder dialogues are those that seek to represent key stakeholders, with the understanding that resource constraints, uncertainty about the scope of the policy arena, and other "real life" limitations may prevent either the identification or the participation of less obvious stakeholders. Practically, while a process is a multistakeholder dialogue when it involves more than two representatives; in political terms, it is hardly worth organizing MSDs unless efforts are made to insure the involvement (perhaps at different levels) of all key stakeholding groups.

On Dialogue and Consensus Building

Identifying the key stakeholders and how they will be represented is one problem, knowing how best to structure the interaction among them is another. In their evaluations of MSPs and MSDs, both the WRI (Dubash et al., 2001) and UNED Forum (Hemmati et al, 2001) stress the importance of dialogue. What is a dialogue? The dictionary defines it as:

- A conversation between two or more persons.
- An exchange of ideas and opinions.

- A discussion between representatives of parties to a conflict that is aimed at resolution.

Several authors suggest that dialogue is about the "joint construction of meaning." Bohm (1984) suggests that dialogue engages participants in a creative joint thought process through which meaning is created. Others see dialogue as essential to the construction of identity. For example, Bakhtin (1929:252) writes "in dialogue, a person not only shows himself outwardly, but he becomes for the first time what he is, and we repeat, not only for others but for himself as well. To be, means to communicate dialogically."

For our purposes, we assume that participants in a dialogue exchange information about their values, perspectives, and ideas with the expectation that others will listen and make a genuine effort to understand. Complete understanding, while desirable, is not necessary for a dialogue to achieve substantive objectives (like generating policy agreements); nor is it necessary for relationships to improve for a dialogue to have been successful.

REVISITING THE TWO KEY CHOICES

Experience shows that many different kinds of MSDs are being used to achieve the objectives we have outlined. To better understand how MSDs are being used, we have categorized them in terms of the two key variables mentioned at the outset: the form of representation and the objectives of the interaction. This typology was presented in Table 2.

The form of representation is indicative of how the process seeks to draw legitimacy from the selection of participants. When participants are hand-picked and serve in their personal capacity, MSD convenors de-emphasize concerns about the impacts of any commitments reached. They look instead to generate better relationships, "new ideas," and maybe guidelines, recommendations, options, or other softer agreements that can stimulate official deliberation. By including participants with the ability to commit, or at least have a strong influence on, their organizations or communities, MSD organizers increase the legitimacy of the proposals that emerge, especially when they let stakeholders have a greater say in the selection of their own spokespeople.

Representatives can be selected by stakeholder communities who make their own decisions about who should attend, and in what capacity. Or, they can be selected by a convenor or an organizing committee that relies on informal networks to identify "the right" parties to invite. The choice is significant. For example, it would not be reasonable to expect dialogue members to sway their constituencies unless those constituencies had significant say in the selection of the participants.

(TABLE 3 HERE)

The objectives of the interaction are, or should be, the key consideration in designing an MSD. When high levels of mistrust or uncertainty prevail, MSDs should probably be designed with no expectation of commitments. By excluding the need to arrive at consensus, parties can explore their disagreements more frankly. What non-committal processes usually seek is better understanding of the issues, better

relationships among stakeholders, and perhaps an increased capacity on the part of stakeholders to absorb technical or other relevant background material. Commitment-seeking processes, on the other hand, aim for more. They work best when relationships are somewhat improved, perhaps through previous dialogues. These processes seek to generate options or a recommendation that all parties agree are the best in response to the defined problem.

In the following sections, we give examples of each of these types of dialogues. No MSD described here is a perfect example of a dialogue, rather they are illustrative of the two fundamental choices we have outlined, the implications of these choices for the MSD outcomes, and the potential for MSDs to improve the quality and legitimacy of official negotiations.

(TABLE 4 HERE)

Type I Dialogues

Sometimes, a seemingly intractable conflict will emerge around a set of policy choices that parties find it difficult to talk about. Stakeholders may have heard public pronouncements issued by others which fly in the face of all they believe and value. They may know little if anything about the information or rationale that underlies such statements. Furthermore, a significant degree of mistrust may exist, making some parties unwilling to even meet with others for fear of being co-opted or used for public relations purposes. In such cases, Type I MSDs can be used to initiate communication, build relationships (and

understanding) among stakeholders, and to exchange information which may help the stakeholders, convenors, and decision makers, understand the sources of the controversy.

Many organizations—such as Chatham House in the United Kingdom—host Type I dialogues among influential and knowledgeable people about issues of international importance or controversies surrounding important and topical international issues. Individuals, organizations, and corporations are free to join the Chatham House on an equal basis. Currently, the membership of the Chatham House includes leading and knowledgeable persons from politics, business, the media, the academic world and nongovernment organizations. The institution itself takes no positions on the issues around which it hosts dialogues; instead, any report or other record created is always attributed to the author.

In the dialogues, participants examine specific issues and their potential policy implications. These dialogues may be recorded, or they may be kept private under the Chatham House Rule, which says that "participants are free to use the information received, but neither the identity nor the affiliation of the speakers, nor that of any other participant may be revealed; nor may it be mentioned that the information was received at a meeting of the Institute."[16]

Other Type I dialogues may be hosted by multilateral organizations or countries. For example, the OECD convened **The OECD Consultation with Non-Governmental Organisations on Questions of Biotechnology and Other Aspects of Food Safety**[17] on November 20, 1999. The intention of the dialogue was for the OECD to hear and understand the views of participating NGOs on biotechnology

and other aspects of food safety. Held in the Paris headquarters of the OECD, the dialogue included representatives from non-governmental organizations, business, trade unions, scientific communities, government representatives from the five relevant OECD committees. Diplomatic representatives of a number of OECD Member countries also attended as observers.

Each meeting began with opening statements from speakers, followed by a period during which participants could explore the issues introduced. Three sessions were held dealing with consumer concerns, environmental concerns, and agriculture food sector concerns. Each session had a Chair drawn from news organizations[18]. Chairs prepared session summaries highlighting the ideas, concepts and points of view that emerged during the Consultation. A summary of the whole consultation was prepared by the OECD Secretary-General.

Other examples of Type I dialogues include Dialogue Sessions: the multistakeholder dialogue at the 8th Informal Meeting of Environment Ministers, Bergen, Norway and the Roundtable on Environment, Development, and Sustainable Peace (EDSP) which is part of the World Summit on Sustainable Development (WSSD).

Type II Dialogues

Type II dialogues do not seek to generate a consensus or a unified product. Unlike Type I dialogues, however, they do seek to draw out "official statements" from individual participants in their capacity as representatives of key constituencies. Thus, Type II dialogues can lead to the setting of a public agenda

or the clarification of questions that need to be answered before formal decision-making should proceed. They may also be used to clarify the need for, and establish the agenda and plan to implement, Type III and Type IV MSDs. Because some commitments by stakeholders are sought, Type II dialogues must include at least some representatives of stakeholder groups who can speak for and encourage the desired actions by their constituents.

The **UN Commission on Sustainable Development (CSD) Multistakeholder Dialogues** are one important set of examples of Type II dialogues[19]. With official representatives from CSD member countries as well as non-government stakeholder representatives, these MSDs[20] have sought to generate dialogue among official negotiators and representatives of the Major Groups for the purpose of exchanging ideas and presenting fresh perspectives to inform the intergovernmental process. After each dialogue, the Chair produces a Chair's report summarizing the discussion—usually the key themes and suggestions raised in the dialogue.

To identify possible participants, the CSD Secretariat picks focal organizations—obvious leaders among the Major Groups—to identify and ascertain the interests within their category of stakeholders. These focal organizations use their informal networks to identify and invite potential contributors, or they may organize more explicit consultations among themselves. What level of internal consultations constituencies decide to employ is their choice. The Major Groups vary in their internal cohesion as well as the extent of their usual internal consultation processes. In general, they all involve diverse

constituencies; so the selection of representatives to speak for the different positions within these constituencies, especially when there are obvious internal divisions, is difficult.

Consensus is not sought in such multistakeholder dialogues, although some government representatives say that consensus might be a useful goal. The Chair's report is published as part of the official proceedings; however, whether government delegates use the findings is a matter of individual choice. Generally, the MSDs that have been more successful in influencing policy makers have been those aggressively promoted by the Chair and supported by stakeholder lobbying. In those MSDs where the Chair has acted as an engaged facilitator and promoter of the process, stakeholders have been able to achieve a lively debate and mobilize follow-up activities.

Other examples of Type II dialogues include the WSSD Prepcom MSDs, the International Conference on Freshwater MSDs , and the Gland Workshop.

Type III Dialogues

In their effort to influence international negotiations and policy-making, Type III dialogues seek to go beyond Types I and II by producing joint policy recommendations for consideration by relevant decision-makers. Type III MSDs invite stakeholder representatives—participating in their personal capacity—to speak about the values and ideas they know best. The commitments of organizations are not sought, only respected individuals speaking on their own behalf. Such dialogues seek to increase the effectiveness of group problem-solving by reducing the need to defend formal positions of groups or

organizations. Success does not require agreement on a complete package; elements that participants agree might ultimately be shaped into an agreement can constitute a successful product. When Type III dialogues are successful, they produce one or more proposals that achieve the status of "ideas in good currency" in official forums.

One example of a Type III dialogue is the **Talloires Policy Dialogue on Trade and Environment**[21]. In March 1994, several American foundations[22] took the initiative to host a series of meetings to bring together representatives from the international environmental community and the trade policy community to discuss (privately and informally) conflicts that had emerged around the intersection of trade and environmental policy and, where possible, to suggest possible options for the resolution of the most controversial issues.

The purpose of the MSD was to create an on-going dialogue in which some official decision makers and influential "unofficials" could explore differences, build understanding, seek areas of common ground, and explore possible solutions that they as individuals could agree were most appropriate for actions by international policy-makers. Among the desired products was an intellectual and policy framework for dealing with seemingly intractable conflicts between the trade and environmental points of view. The goal was to communicate this framework and feasible options to the relevant policy making bodies, particularly the newly-created World Trade Organization Committee on Trade and Environment (CTE).

The Talloires Policy Dialogue began with a meeting hosted by the Rockefeller Brothers Fund in New York in March 1994. From this session, a steering committee—representing a balance of environmental and trade participants, as well as developed and developing country interests—was formed to choose the participants for the Talloires Policy Dialogue. Then, the question was asked by the Steering Committee, are there other stakeholder categories that must be included, and who can best represent them? The Steering Committee identified potential participants using its informal networks. The participants selected held important positions in the trade and environmental arenas. They were invited to attend an informal dialogue that would only produce public summaries outlining points of agreement and disagreement; who said what would not be indicated.

The Talloires Policy Dialogue met four times from 1994 to 1996 in Talloires, France. Designed by the Steering Committee and dialogue facilitators to be closely synchronized with the work of the CTE, this MSD explored the most contentious problems, and possible solutions to them, on the CTE agenda, including, for example, whether environmental taxes or charges imposed to achieve environmental purposes should be considered trade barriers, how trade sanctions ought to be included in multilateral environmental agreements, the lack of transparency in the operations of the WTO, and the possible trade impacts of eco-labeling. In the last meeting, participants considered recommendations that might be included in the CTE's report to the WTO Ministerial Conference held in Singapore in December 1996. Particular emphasis was placed on reframing the WTO's mandate and implementing a more transparent approach to its ongoing negotiations. All meetings were facilitated by professional mediators.

Before each session, the organizers prepared and distributed a background paper on specific issues suggested by the Steering Committee, drawing on writings of experts in the field, and framing the key questions in dispute. The background papers (not more than 10 pages each) were distributed with copies of the referenced literature in advance of each session. Each session ended with the facilitators summarizing and identifying the main points of agreement and disagreement. These summaries were prepared by the facilitators in a written form (without attributing specific proposals or comments to particular individuals), vetted by MSD participants, and then distributed to the participants for use at their discretion.

The Talloires Dialogues did all the things a "Good Ideas" dialogue would be expected to do—it established networking relationships among adversaries, facilitated the exchange of information, helped to scope the formal agenda of the relevant decision-making body, and strengthened the institutional capacity of some of the participants from developing countries. But it also did more. It illustrated the capacity of such a MSD to produce politically plausible responses options to some of the toughest issues facing the official negotiators.

Other examples of Type III dialogues include: the Working Group for the Preparation of a Draft Convention on Access to Environmental Information and Public Participation in Environmental Decision-Making; the NGO Global Forum; and the World Commission on Dams.

Type IV Dialogues

Including official and unofficial stakeholders with the capacity to commit, or significantly influence their constituents, Type IV dialogues seek to create a consensus set of recommendations that can be taken to official decision making forums with the hope, and perhaps expectation, that they will be incorporated into official policy. Type IV dialogues seek to build legitimacy through both the formal positions of participants and the fact that they have been able to reach consensus. Dialogue members are chosen for their ability to commit, or significantly encourage their constituencies to agree to and implement the dialogue's recommended policies and actions.

Two examples of Type IV multistakeholder dialogues are the **Schlangenbad Pre-COP**[23] **Informal Workshop on Climate Change** and the **Buenos Aires Pre-COP Informal Workshop on Climate Change**. In 1997, the Schlangenbad Workshop on Climate Change[24] provided an opportunity for those deeply involved in the climate change negotiations—senior negotiators, relevant experts (in law, policy, technology and science), and representatives from nongovernment organizations—to discuss issues related to the convention in a setting free from the constraints of formal negotiations.

The Schlangenbad Workshop participants met immediately prior to the final negotiating session of the Ad Hoc Group on the Berlin Mandate and the Third Meeting of the Conference of the Parties in Kyoto, Japan. This MSD was designed to allow participants to explore a wide range of ideas and suggestions that participants could agree were more responsive to the particular problems likely to be considered at the formal negotiation sessions. Participants were drawn from a wide range of developed and developing countries, environmental organizations and business interests.

To better prepare for the Workshop, the facilitation team undertook more than 20 off-the-record, confidential interviews with national delegates to probe possible tradeoffs and generate policy suggestions. The facilitators incorporated the results of these interviews into an unofficial background paper, which was distributed to the participants before the Workshop. The paper highlighted points of disagreement that were creating barriers to consensus, and outlined possible "package" that might bridge these differences at Kyoto. As a result of the interviews, sessions at the Workshop were devoted to each of the following key topics:

- What are the major issues that should be resolved before Kyoto?
- What are the linkages among these issues that might provide a basis for tradeoffs that could promote consensus?
- What needs to be done after Kyoto – both to implement whatever Protocol is adopted and to further the objectives of the convention – to stabilize greenhouse gas concentrations in the atmosphere at a safe level?

This last point represented a significant shift in thinking since the participants were focused almost entirely on the upcoming Kyoto negotiations to the exclusion of the period beyond. The Schlangenbad Workshop was not intended to reach closure on major policy matters before the Conference of the Parties, but it did provide an opportunity for joint exploration and informal problem-solving that included testing the level of acceptance of certain new policy ideas. At the end, the MSD led to the emergence of new "ideas in good currency" without asking anyone to risk the appearance of premature commitments; and identification of strategies and packages of options that might help resolve disagreements.

The Workshop produced a summary document that was vetted by participants and distributed to both participants and official negotiators at the Kyoto meeting. Summaries of the Workshop were introduced to the official negotiations in a time frame intended to convey the key understandings of the brainstorming process and influence formal decision-making. There was a general sense that, given more time, a series of such workshops could have stimulated an even deeper and more far-reaching result.

The second Pre-COP Workshop, the **Buenos Aires Pre-COP Informal Workshop on Climate Change**[25], was held in Buenos Aires, Argentina in October, 1998. Prior to the Workshop, the facilitation team prepared a background paper based on interviews with nearly 30 invited participants. The Workshop began with a two-day session for 11 senior officials from non-Annex I[26] countries and non-governmental organizations. Twenty-five participants from both Annex I and non-Annex I countries spent a third day jointly discussing the following six issues:

- How to increase the pace of signature and ratification of the Kyoto Protocol;
- How to move toward implementation of the key elements of the Kyoto Protocol, even as we wait for its entry into force;
- How to engage the private sector more directly and formally in the implementation of the original objectives of the Climate Change Convention;
- How to build confidence in on-going efforts to implement the Climate Change Convention while increasing the cooperation between Annex I and non-Annex I Parties;
- How to support ongoing efforts in non-Annex I countries to reduce the growth of greenhouse gas emissions; and
- How to shape a research agenda responsive to the original objectives of the FCCC[27].

The MSD generated a number of strategies related to giving a clear signal that progress was being made to implement the Protocol and the Convention and convincing the world-at-large that climate change remained a crucial issue. Examples of proposed strategies included: documenting progress

and publishing detailed descriptions of voluntary efforts to date, developing preliminary pilot tests of new implementation mechanisms (such as emissions trading), expanding the role of the private sector, and reorganizing the work of the COP Secretariat and Subsidiary Bodies.

In conjunction with the Climate Change Secretariat and its Extended Bureau, as well as the Chairman for the upcoming Buenos Aires COP, the Workshop facilitation team produced a formal report synthesizing these recommendations; the report was distributed to all 175 national delegations in advance of the 2–13 November 1998 COP. The formal sessions adopted a number of the recommendations.

Other examples of Type IV dialogues are rare. The World Commission on Dams Forum was at times a Type IV dialogue that deliberated upon and refined the deliberations of the World Commission on Dams, but ultimately resource constraints limited its ability to contribute to the quality and legitimacy of the WCD's final report.[28]

BEYOND CONVENING: FACILITATING MSDS

For MSDs to be successful, good facilitation is usually required. From our experience facilitating MSDs, including several of the cases described above, we have found that there are a set of basic facilitation requirements that must be met by MSD facilitators or chairs.[29] First, process managers focus on the preparation of a written conflict or issue assessment to help frame the dialogue. Such assessments – based on off-the-record interviews with a wide range of potential stakeholders -- give the MSD convenors a clear sense of how the issue is viewed in the world-at-large. A complete assessment is also essential

for organizations seeking to brief their chosen representatives, or for individuals attending in their personal capacity. In short, a conflict or issue assessment, prepared by an independent or "neutral" party, can ensure that an MSD brings together the right people, focused on the right issues.

Second, MSD facilitators or chairs have to be sure that all participants begin with a relevant set of background materials. They need key documents that summarize the information that already exists and generates a new (unbiased) synthesis that goes beyond the positions that have already been staked out. This is especially true for unofficials with less technical capacity.

During the MSD, facilitators, or process managers, should be available to help participants produce documents that either serve as focus for understanding their disagreements or offer a basis for generating new agreements they can take back to their constituencies. This kind of on-line process assistance usually requires the assistance of a team of facilitators – one to coordinate the conversation, one to kept track of points of agreement and disagreement, and one to handle meeting logistics.

Finally, an activist facilitator can look for and point out weaknesses in the efforts of the group and can offer assistance as needed – sometimes even outside the meeting. For example, sub-committees of MSD participants might meet between formal meetings of the full group to hammer out options or choices that the full group seems unable to handle.

Unfortunately, most MSDs are not professional facilitated. Either the organizers do not have the resources to employ such assistance or they do not understand that facilitation requires the involvement of skilled professionals with both process management skills and substantive background in the issues under discussion. Too often, staff of convening organizations attempt to provide minimal facilitation themselves, not realizing that individual stakeholder organizations are not likely to be viewed as non-partisan by other stakeholders, and thus are not likely to be credible as process managers. Finally, MSD sponsors rarely invest sufficient time and resources in pre-MSD issue assessment, information gathering and joint fact-finding. This means that less experienced or well-financed groups are always at a disadvantage.

Culture and Facilitation

While we have found that the principles outlined above apply to the facilitation of dialogues of a great many different kinds in a wide variety of settings, we also acknowledge the importance of culture— that is, ethnicity, nationality, disciplinarity, political beliefs, and so on[30]. Cultural dynamics can affect many aspects of MSD design and management, including: (1) the speed at which people can work; (2) the extent to which relationship issues are important, and how quickly they need to be addressed; (3) the extent to which ideology may appear to trump factual analysis; (4) and the need for translation.

We have found that ensuring effective communication is usually the biggest challenge in multicultural dialogue. Where significant cultural differences, and perhaps disagreements exist, MSD facilitators and chairs must go slowly at the outset to permit adequate time for developing groundrules and clarifying

terminology. Process managers may also want to use caucuses or parallel work sessions so that "like-minded" participants can stop periodically to check in with each other. As the process unfolds, facilitators and chairs must stay vigilant to ensure that all parties understand each other. It helps, too, if the facilitation team is itself multicultural in its composition. In some cases, certain participant groups may need specialized advocates or advisors to assist them in interpreting what is going on. Others may need to contact constituencies more often as they absorb new information and ideas.

Many of the MSD management efforts described above can be seen as part of an attempt to build an ad-hoc culture for a specific dialogue that transcends pre-existing cultural differences. Joint rules of interaction, norms, language, shared facts and analyses, and new relationships can form the basis of an overarching shared culture (unique to the MSD forum), especially if the interaction among participants and organizations occurs over multiple sessions.[31] Furthermore, if we assume that any individual has multiple cultural characteristics—professional, ethnic, national, political—than the potential for finding commonalities among individuals becomes more likely. It is not unlikely, for example, that while engineers from different countries may differ on a given issue, as engineers they will share some similar insights.

QUALITIES OF SUCCESSFUL MSDS

To achieve their purposes, multistakeholder dialogues need to establish themselves as legitimate sources of information and influence. MSD designers must consider how the process (of participant selection and information gathering) will be assessed by others AND how the outcome will be reviewed

(Innes, 1999; Ferenz, 2002). Because MSDs need to attract, and retain, key stakeholders with limited attention and resources (along with funding dollars), MSD designers must work to generate and maintain legitimacy from beginning to end. In evaluating process and outcomes—and in determining what leads to perceptions of legitimacy—we believe observers and participants attach a great deal of weight to fairness, wisdom, and efficiency.

Fairness

Fairness is one of the basic values of society, especially in North America, and it is usually used as an important criterion in assessing deliberative and participatory processes. Determining whether the outcome of a multistakeholder process is fair can be difficult. The different values held by each stakeholder group make it hard to agree on a common metric for assessing the allocation of gains and losses among different groups[32]. At the very least, most observers believe that the fairness of the outcome hinges on the fairness of the process by which it was achieved.

In looking at both process and outcomes, fairness is most often measured in terms of stakeholder perceptions[33]. Questions about the perceived level of fairness can be posed at every step and about every aspect of a multistakeholder dialogue—including the dialogue itself, its design, the ability of participants to voice concerns about process design or implementation. More specifically, Webler (1995) suggests that fairness can be measured in terms of access, initiative, debate, and decision[34].

For example, a process design gains legitimacy when stakeholders feel that they, or some appropriate representative of their concerns, has participated in the dialogue or its design. A similar gain in legitimacy might be achieved if a trusted, impartial person, organization, or steering committee—comprised of a balanced set of stakeholder representatives—took overall responsibility for process design.

Wisdom

A fair process does not necessarily produce the wisest outcome, even if the participants feel they were treated well. Wise outcomes are those that stand the scrutiny of technically qualified, independent analysts as well as stakeholders. That is, the outcome of an MSD should be seen as producing the best or at least reasonable set of proposals given the knowledge available at the time (Susskind and Cruikshank, 1987). Wise outcomes are most likely to be achieved when participants have ready access to relevant information and jointly selected expertise—in a language or a form that they can use (Lynn and Kartez, 1995; Ehrmann and Stinson, 1999; Ozawa, 1991).

Efficiency

Finally, a MSD process should be efficient. At first blush, this is a measurement of how well the MSD achieves its purpose. Second, ideally the benefits of the dialogue should outweigh its costs. Cost-benefit calculations, however, are very much in the "eye of the beholder." For example, convenors might assess the outcome of an MSD in terms of the increased odds of implementing an agreement compared to the costs of mounting the process. A non-partisan facilitator might assess the outcome of an MSD in

light of the extent to which the interests of all the parties are met (and no joint gains are left unclaimed). On the other hand, particular stakeholders from industry and civil society often evaluate the outcome of an MSD in terms of the cost to them of participating compared to their impact on the resulting agreement. A priori valuations of the efficiency of an MSP are likely to influence when and how MSDs are used and who chooses to participate. After-the-fact assessments are rarely prepared in a systematic way.

Evaluating MSDs

While too broad to apply to any particular MSD, the above indicators can be used to formulate more specific indicators for evaluating MSD success . Under any circumstance, it is necessary to focus on both process characteristics and outcomes. Webler (1995) has proposed a set of indicators that can be used to measure process success in terms of deliberative democratic norms. Innes (1999) has developed a list of 16 indicators that can be used to evaluate specific consensus building efforts, covering both process and outcome success. In a recent evaluation of four MSDs convened by the Commission on Sustainable Development, Ferenz (2002) used the following indicators:

- The degree to which the dialogues have met the primary goals of the organizers and stakeholders.
- The degree to which participants, observers and experts in the substantive fields involved consider the outcomes fruitful and legitimate.
- The degree to which government representatives attach importance to the dialogue process and the policy recommendations produced.
- The degree to which the dialogues have influenced the formulation and implementation of sustainable development goals and strategies in the topic areas they address.
- The degree to which dialogues have generated concrete follow-up efforts.

CHALLENGES, OPPORTUNITIES AND FUTURE PUZZLES

In this section, we explore some of the additional challenges that MSD convenors face. Specifically, these are: (1) getting the right individuals to attend; (2) limited resources; (3) selecting the right facilitator; and (4) integrating MSDs into existing institutions. Finally, we raise some additional questions that others in the research community may want to address.

Management Challenge #1: Attracting Ideal Participants

Choosing what MSD type to convene is an important decision, but that decision means little unless the MSD organizers get the right people to attend. How can MSD organizers increase their chances of attracting the right individuals to participate? Should they invite participants themselves, should they attempt to link with a key institution or other entity that will enhance the legitimacy of the invitation, and thus the draw of the MSD, or should they form a steering committee comprised of key stakeholders who can use their informal networks to convince potential participants to come?[35]

Where stakeholders are given significant say about who should attend the MSD from their constituency, MSD designers and convenors must also consider the capacity of these constituencies to choose the best candidates. Unfortunately, many stakeholder communities are not well-organized or practiced at managing internal differences. Thus, it may be hard for official representatives to reflect the full range of views within their organization or agency—it takes great skill and preparation to represent a highly fractured group[36]. Often, drawing boundaries around who is "key" is a very political act. It may require extensive negotiation to ensure a legitimate outcome (in the eyes of the world-at-large), yet many organizations pay scant attention to this problem when they select their leaders. MSD convenors may

have to decide whether it is better to have the official spokesperson from a group or, instead, to invite the person likely to be most effective in portraying the internal debates within that same group.

Also to be considered is the fact that there are usually different "levels" at which stakeholders can be involved. Exactly how each party communicates with the full group, what role each is given, and what impact they have on the outcome of a dialogue may vary depending on the level of participation that each is granted. Some, for example, may be invited to submit their views in writing or to make only a single presentation to the full group. The rest of the participants would take this information and these views into account in their deliberations.

Consider the CSD MSDs as an example. The CSD Secretariat picks focal organizations —obvious leaders among the major groups—to identify and ascertain the interests within each category of stakeholders. These groups, which are given the task to self-organize, vary in their internal cohesion as well as their skill levels. The fact that the Major Groups[37] are all huge and diverse constituencies poses an inherent problem of representativeness, especially when there are obvious internal divisions. As perhaps the most organized of the Major Groups, the NGO group used a steering committee to govern selection of its representatives, but this arrangement fell apart in the Spring of 2001[38]. The NGO steering committee, which was an aggregation of organizations and issue caucuses, used its networks to advertise the selection process and solicit input. Where there were too many organizations interested or there were problems of balance (across such factors as North/South or gender), the steering committee sought a consensus about which of the interested organizations should participate as speakers and

which should act only as observers—providing input to the NGO internal prepatory meetings and document production process[39]. The degree to which stakeholder communities are well organized may also be related to their satisfaction with the results of a dialogue. For example, Dubash et al (2001) found that stakeholder communities that were less well organized were also less satisfied in their experience with the World Commission on Dams.

Management Challenge #2: Limited Resources

Trust building requires that stakeholders spend significant periods of time together. Yet, lack of funds and time constraints often make one-shot, short dialogues the norm. MSD designers and convenors face real resource limitations. Multistakeholder dialogues can be expensive, especially at the international level. Background papers and other relevant documents need to be prepared, meetings scheduled and organized, inter-meeting communications among participants, organizers, and constituencies must be managed. When some organizations or participants lack adequate resources, MSDs may also be called upon to cover travel expenses. Where the independence of the participants or the process is essential, a lack of funds—especially those given without apparent or real strings attached—may significantly hamper the ability of the process to both deliver credible results and to maintain its political legitimacy.

Similarly, potential participants, especially those with significant influence or decision making power, have severe limits on their time. Including the preparation before meetings and follow-up activities afterwards, MSDs can require intensive effort. Because of this, participants often find it difficult to do their "homework." Similarly, they may not spend sufficient time examining the deeper interests of their

constituency; instead relying on "ready-made" statements of positions as the basis for their participation. Where a participant needs to speak for or about multiple and conflicting interests, the need for internal consultations expands and the MSD suffers when these consultations are not conducted.

Management Challenge #3: Improving Facilitation

When multiple parties representing multiple perspectives consider multiple issues, complexity can become overwhelming (Zartman, 1994). Which issues get addressed when and by whom is key to the outcomes produced (Sebenius, 1996). Facilitators and chairs can make a crucial difference in the structure and performance of dialogues, negotiations, and consensus building efforts; whether their influence is positive or negative depends, of course, on the quality of the intervention[40] (Susskind, 1994; Sebenius, 1984; Ferenz, 2002). Evaluations of domestic MSDs also highlight the importance of effective facilitation.[41] Yet, to date there is still a negative response within most international circles to the idea of using professional process managers to assist official designated chairs.

Management Challenge #4: Integrating MSDs into Existing Institutions

While some MSDs are spun off by existing decision-making structures—for example the World Commission on Dams and the Talloires Policy Dialogues—others take place within the confines of institutional arrangements and activities. When formally attached to official decision making processes, MSDs can raise all kinds of concerns. Even when the exact links between MSDs and formal policy making are not stated, these "attached" MSDs, because of their close proximity to decision making, are often be constrained by the more formal rules of the official bodies involved. This undermines the whole

point of using MSDs to get beyond the constraints of most official decision making bodies. One example is the CSD Multistakeholder Dialogues. Embedded within the structure of the Commission on Sustainable Development, these dialogues are constrained by the rules of the UN and related concerns about national sovereignty. Because of this, the role of these MSDs is tenuous and somewhat murky.

A Research Agenda

There are still many questions that need to be answered about MSDs. First, are they helping to build institutional or organizational capacity across a wide range of official and unofficial stakeholders, or are the same few actors attending all the dialogues? Some non-government actors are well-organized and mobilized, others are not. When communities decide who should attend to speak for or about them, do they give less "qualified" voices a chance to participate, or do they tend to choose those who are well-experienced, thereby limiting the capacity building?

Second, what are the best ways to handle the inevitable cultural differences that arise during MSDs? Because they often draw participants from across the spectrum of society in different parts of the world, many cultures are represented at most MSDs. Such cultural mixing creates logistical as well as deeper obstacles to effective communication. The most obvious is language. MSDs require a dialogue among participants who often speak different languages. Simultaneous translation is expensive, and, in some respects, creates obstacles to joint problem solving. In addition, MSDs typically involve the production and distribution of written material, which also must be translated. This generates not only financial requirements, but it also means that different stakeholders may come away with slightly different reports

on what happened and why. Furthermore, MSDs are based on the premise that face-to-face dialogue and deliberation is the best method of communication for encouraging joint problem-solving. While we have had success in such dialogues, and have learned some ways to improve communications among multiple cultures, face-to-face dialogue is difficult for some groups. What can be done to build their capacity to participate?

Third, what role do power and capacity differences play in MSDs, and how do they affect their design? MSD convenors often presume that dialogue can be neutral; that is, that no party is privileged by face-to-face communication. However, as some students of deliberation point out, rational argument and dialogue do, in fact, privilege certain segments of society and exclude others (Young, 1990; Sanders, 1997; Kelso, 1978; Cohen and Rogers, 1995). In response to these perceived inequalities, Young and Sanders advocate that some authority should regulate deliberation so that disempowered groups have other methods of asserting their values and interest (such as storytelling and "greeting"). Others, point out that MSDs should not substitute informal conversation (even if consensus is reached) for formal, decision making by accountable institutions because it is only these bodies that can provide a "level playing field," ensuring all parties a fair hearing. (Kelso, 1978; Cohen and Rogers, 1995).

These are testable propositions. There are dozens of MSDs organized each year. For scholars who want to make a contribution to the developing theory and practice of multistakeholder dialogue, focusing on cultural and capacity barriers (and how they might be overcome), the prospects and methods for encouraging organizational, not just individual, learning, and the best methods of ensuring that all

stakeholders are able to express their views and participate effectively in face-to-face dialogue would be extremely helpful.

ENDNOTES

[1] Civil society participation has increased in diplomatic efforts, especially those revolving around protracted and seemingly intractable conflicts. Many of these efforts revolve around communications between unofficials in each group and are known as Track Two diplomacy (Rouhana and Kelman 1994; Burton and Dukes, 1990). There is a growing recognition in diplomatic circles, however, that even though improved communication between unofficials is valuable, coordination and dialogue between the first (official) and second (unofficial) tracks is also important (Lederach, 1997). These efforts have been dubbed Track-One-and-a-Half diplomacy because they involve dialogue between actors normally restricted to Tracks One and Two. (Susskind and Ferenz, 2001)

[2] See for example, the evaluation of 20 MSPs by Hemmati et al. (2001)

[3] The evaluation of MSPs by Hemmati et al. (2001) contains several MSDs. See also the evaluation of the UNCSD MSDs (Ferenz, 2002) and the evaluation of the World Commission on Dams (Dubash et al, 2001). Many other examples of MSDs can be found by perusing current UN and other multilateral organization websites.

[4] Hemmati et al. (2001) and Ferenz (2002).

[5] adapted from Hanchey (1998:16)

[6] Note that this framing of MSD objectives in a hierarchy is placed here to initiate discussion rather than to suggest a final ordering. Some might argue, for example, that in situations of high conflict, transforming relationships may be a higher-order outcome than is suggested in our hierarchy.

[7] For example, see Forester (1999), Susskind and Field (1996) and Rothman (1997). For Track Two diplomatic perspectives, see Rouhana and Kelman (1994) , Burton and Dukes (1990), and Lederach (1997).

[8] Gurevitch (1989) posits that dialogues not only improve understanding, they also reveal areas where complete understanding will likely not be achieved. Discovering areas of "not understanding" within a good dialogue while improving relationships, parties in a dialogue can move beyond questioning each other's values to productive considerations of joint solutions that they agree on, even if they do so for different reasons (Sunstein, 1995; 1999).

[9] See, for example, Ehrmann and Stinson (1999).

[10] These choices may not be exclusive, but this separation of roles does reflect real resource and time constraints placed on official and unofficial decision makers. Such persons often are expected to engage in more activities and decisions than they can personally handle (see for example, Kingdon, 1995 and Cohen et al., 1972)..

[11] Once the organizers know whom they want to invite, and in what capacity, they also need to consider how they will attract these participants. They may do so through their own reputation, or by using the reputation of some parties already committed to supporting the dialogue—for example, members of a steering committee or a supporting institution or organization. We address this question later in the paper.

[12] "[W]e are talking about individuals or groups that want or ought to be involved in decision making, but at different levels of intensity. Some stakeholders may be involved in a core negotiating team, others

may have their interests represented on that team, and still others may choose to observe the process from the sidelines." (Susskind, 1999:13).

[13] For a list of the Major Groups identified in Agenda 21, plus some links to specific organizations within them, see http://www.un.org/esa/sustdev/mlinks.htm.

[14] The specific list of organizations can be found at WCD's website: http://www.dams.org/about/forum_list.htm

[15] The same applies for Track Two diplomatic efforts. While they may involve representatives of different interests within the conflicting groups, they are essentially bilateral. Where multilateralism is invoked, it is to elicit possible divisions within groups to loosen up rigid positions (Kelman, 1998).

[16] See http://www.riia.org/meetings/rule.html

[17] Information on this MSD is drawn from Hemmati et al. (2001) as well as relevant OECD documents, including the meeting summaries which can be found at http://www1.oecd.org/subject/biotech/sum_rep.htm

[18] Specifically, Stephen Moore (The Wall Street Journal Europe), Marie-Odile Monchicourt (France Info), and Guy Faulkner (Agra-Europe).

[19] See Ferenz (2002) and (Hemmati et al., 2001).

[20] By the time of the World Summit on Sustainable Development, there will have been six MSDs on different topics. See http://www.un.org/esa/sustdev/msdialog.htm.

[21] The description of this MSD is based on Martinez and Susskind (2000) and Susskind, Chayes, and Martinez (1997) as well as personal communications with Jan Martinez, one of the organizers and

facilitators of this process. More information about how this MSD was facilitated can be found in the articles.

[22] The German Marshall Fund, The Kendall Foundation, The Pew Charitable Trust, The Rockefeller Brothers Fund, and The Charles Stewart Mott Fund.

[23] "COP" means Conference of the Parties under the United Nations Framework Convention on Climate Change, adopted in Rio de Janeiro in 1992.

[24] See Martinez and Susskind (2001) and CBI (1997). The Schlangenbad Workshop was underwritten by the Dutch Ministry of Housing, Spatial Planning and the Environment and the Charles Stewart Mott Foundation. More information about how this MSD was facilitated can be found in the articles.

[25] See Martinez and Susskind (2001). The Workshop was underwritten by the Dutch Ministry of Housing, Spatial Planning and the Environment and the Rockefeller Brothers Fund. More information about how this MSD was facilitated can be found in the article.

[26] "Non-Annex I" refers to those developing countries which have not undertaken specific carbon emission reduction targets under Annex I of the 1992 Framework Convention on Climate Change.

[27] See Martinez and Susskind (2001).

[28] See, for example, Dubash et al. (2001).

[29] The Consensus Building Institute (CBI) has over two decades of successful practice as facilitators of North-South Dialogue at a regional and global scale. For recent descriptions of CBI's work, see Susskind and Ferenz (2001), Martinez and Susskind (2000), and Ferenz (2002). Three of CBI's experiences are

also described earlier in this paper as examples of Type III and Type IV dialogues. For a comprehensive treatment of facilitation, see Susskind et al. (1999).

[30] We believe that thinking about culture should transcend examinations of national and ethnic differences. For example, Avruch (1998) argues that it is not only important to consider the more obvious national and ethnic differences, but also those found between different professions, values, sexual and political beliefs and so on.

[31] Many policy efforts may include multiple dialogues held at the same time convened by different organizations. In other cases, dialogues may follow one another in a sequence. For example, the World Commission on Dams was preceded by the Gland Workshop, In his argument downplaying the importance of cultural differences, Zartman (1993) argues that a common, professional diplomatic culture often transcends other cultural differences in international diplomacy.

[32] For example, see Schön and Rein (1994).

[33] Although we acknowledge that the perceptions of non-stakeholders can also matter as they influence the opinions of stakeholders.

[34] **Access:** Is the process open to all stakeholders? If so, in what stages did they participate? Can members of the lay public who are not represented by an organized interest group participate? If so, in what stages did they participate? **Initiative**: Who sets the initial directions for the process? Who determines the agenda and groundrules, who provides the list of potential moderators, if any, and who leads the discussion? **Debate**: Who participates in the actual discussion about the issues? Does everyone have an equal chance to put forth views and ask questions? Do decision makes listen to each

person's voice? **Decision**: Who ultimately decides on the agenda, rules, moderators, and what the process substantive will be? (Webler, 1995)

[35] For example, the World Commission on Dams (Type III) used a steering committee to invite participants. The steering committee itself was formed as the result of an earlier MSD, the Gland Workshop (Type II).

[36] See for example, Susskind and Mnookin (1999)

[37] As defined by Agenda 21: Labor, Youth, Women, Business and Industry, Farmers, Scientists, Indigenous Groups, and Local Authorities. See http://www.un.org/esa/sustdev/mlinks.htm for a list of the Major Groups and some links to specific organizations in each group.

[38] See forthcoming CBI study for the CSD, footnote #4 above.

[39] Ibid.

[40] For example, Sebenius (1984) demonstrates the key role that the chair of the Law of the Sea Conference played in helping parties come to consensus.

[41] For example, Yosie and Herbst (1998) study of citizen involvement processes, including MSDs, in Canada found that process managers, including facilitators, often do not know or make effective use of the growing body of knowledge and best practices.

REFERENCES

Avruch, Kevin (1998). *Culture & Conflict Resolution*. Washington, D.C.: United States Institute of Peace Press.

Bakhtin, Mikhail (1929). *Problems of Dostoevsky's Poetics*. Edited and translated by C. Emerson (1984), Minneapolis: University of Minnesota Press.

Bohm, David (1984). *Wholeness and Implicated Order*. London: ARK Paperbacks.

Burton, John W. and Frank Dukes (1990). *Conflict: practices in management, settlement, and resolution*. New York: St. Martin's Press.

Carlson, Chris (1999). "Convening." In Lawrence Susskind, Sarah McKearnan and Jennifer Thomas-Larmer, editors, *The Consensus Building Handbook: A Comprehensive Guide to Reaching Agreement*. Thousand Oaks, CA: Sage Publications.

Cohen, Joshua and Joel Rogers (1995). "Secondary Associations and Democratic Governance." In Joshua Cohen and Joel Rogers, editors, *Associations and Democracy*. New York: Verso.

Cohen, Michael, James March, and Johan Olsen (1972). "A Garbage Can Model of Organizational Choice." *Administrative Science Quarterly* 17: 1-25.

Consensus Building Institute (1997). *A Report of the Schlangenbad Workshop on Climate Change, 17–19 October 1997*. Cambridge, MA: Consensus Building Institute.

Dorcey, Anthony (1997). *Institutional Design and Operational Modalities for the Proposed Large Dams Commission*. Draft Document prepared for the Interim Working Group.

Dorcey, Anthony, Achim Steiner, Michael Acreman, and Brett Orlando, editors, (1997). *Large Dams: Learning from the past, Looking at the future*. Gland: IUCN Publications and Washington, DC: World Bank.

Dubash, Navroz K., Mairi Dupar, Smitu Kothari, and Tundu Lissu (2001). *A Watershed in Global Governance? An Independent Assessment of the World Commission on Dams*. Washington, D.C.: World Resources Institute.

Ehrmann, John R. and Barbara L. Stinson (1999). "Joint Fact-Finding and the Use of Technical Experts." In Lawrence Susskind, Sarah McKearnan and Jennifer Thomas-Larmer, editors, *The Consensus Building Handbook : A Comprehensive Guide to Reaching Agreement*. Thousand Oaks, CA: Sage Publications.

Ferenz, Michele (2002). Multi-stakeholder dialogues: Learning from the UNCSD Experience. Background Paper No. 4 for the Third Prepatory Session, March 25 – April 5, 2002. Commission on Sustainable Development, Department of Economic and Social Affairs, United Nations.

Fiorino, Daniel (1990). "Citizen Participation and Environmental Risk: A Survey of Institutional Mechanisms." *Science, Technology, and Human Values* 15, 2: 226-243.

Forester, John (1999). "Dealing with Deep Value Differences." In Lawrence E. Susskind, Sarah McKearnan and Jennifer Thomas-Larmer, editors, *The Consensus Building Handbook: A Comprehensive Guide to Reaching Agreement*. Thousand Oaks, CA: Sage Publications.

Gurevitch, Zali (1989). "The Power of Not Understanding: The Meeting of Conflicting Identities." *Journal of Applied Behavioral Science* 25: 161-173.

Hanchey, James (1998). "The Objectives of Public Participation." In James L. Creighton, Jerome D. Priscoli, C.Mark Dunning, editors, *Public Involvement Techniques: A Reader of Ten Years of Experience at the Institute for Water Resources*. IWR Research Report–R1, Institute for Water Resources, US Army Corps of Engineers.

Hemmati, Minu, Felix Dodds, Jasmin Enayati, and Jan McHarry (2002). *Multi-Stakeholder Processes for Governance and Sustainability - Beyond Deadlock and Conflict*. London, UK: Earthscan.

Innes, Judith (1999). “Evaluating Consensus Building.” In Lawrence E. Susskind, Sarah McKearnan and Jennifer Thomas-Larmer, editors, *The Consensus Building Handbook: A Comprehensive Guide to Reaching Agreement*. Thousand Oaks, CA: Sage Publications.

Kelman, Herbert (1998). “Interactive Problem Solving: An Approach to Conflict Resolution and Its Application in the Middle East.” *Political Science and Politics*, 31, 2: 190-198.

Kelso, William (1978). "Three Types of Pluralism." *American Democratic Theory: Pluralism and Its Critics*. Westport, CT: Greenwood**:** 12-29.

Kingdon, John W. (1995). *Agendas, Alternatives, and Public Policies*. Boston: Little Brown.

Lax, David A. and James K. Sebenius. (1991). “Thinking Coalitionally: Party Arithmetic, Process Opportunism, and Strategic Sequencing.” In H. Peyton Young, editor, *Negotiation Analysis*. Ann Arbor: The University of Michigan Press.

Lederach, John Paul (1997). *Building peace : sustainable reconciliation in divided societies*. Washington, D.C.: United States Institute of Peace Press.

Lynn, F. and J. Kartez (1995). “The Redemption of Citizen Advisory Committees: A Perspective from Critical Theory.” In Ortwin Renn, Thomas Webler and Peter Wiedemann, editors, *Fairness and*

Competence in Citizen Participation: Evaluating Models for Environmental Discourse. Boston: Kluwer Academic Publishers.

Martinez, Janet and Lawrence E. Susskind (2000). "Parallel Informal Negotiation: An Alternative to Second Track Diplomacy." *International Negotiation* 5: 569–586.

Organisation for Economic Co-Operation and Development (1999). *Report of a Consultation Meeting of Intergovernmental Organisations on Safety in Biotechnology*. Consultation Meeting of Intergovernmental Organisations on Safety in Biotechnology, Château De La Muette, Paris, November 25-26, 1999.

Organisation for Economic Co-Operation and Development (2000a). *Chairman's Report*. GM Food Safety: Facts, Uncertainties, and Assessment. The OECD Edinburgh Conference on the Scientific and Health Aspects of Genetically Modified Foods, February 28 - March 1, 2000.

Organisation for Economic Co-Operation and Development (2000b). *Rapporteurs' Summary*. GM Food Safety: Facts, Uncertainties, and Assessment. The OECD Edinburgh Conference on the Scientific and Health Aspects of Genetically Modified Foods, February 28 - March 1, 2000.

Ozawa, Connie (1991). *Recasting Science: Consensual Procedures in Public Policy Making*. Boulder, CO: Westview Press.

Raiffa, Howard (1982). The Art and Science of Negotiation: How to Resolve Conflicts and Get the Best out of Bargaining. Cambridge, MA: Harvard University Press.

Rothman, Jay (1997). *Resolving Identity-Based Conflict in Nations, Organizations, and Communities*. San Francisco, CA: Jossey-Bass.

Rouhana, Nadim and Herbert Kelman. (1994) "Promoting joint thinking in international conflicts: An Israeli-Palestinian continuing workshop," *Journal of Social Issues* 50(1): 157–178.

Sanders, Lynn M. (1997). "Against Deliberation." *Political Theory* 25(3): 347-376.

Schön, Donald A. and Martin Rein (1994). *Frame Reflection: Toward the Resolution of Intractable Policy Controversies*. New York: Basic Books.

Sebenius, James K. (1984). *Negotiating the Law of the Sea*. Cambridge, MA: Harvard University Press.

Sebenius, James K. (1996). "Sequencing to Build Coalitions: with Whom Should I Talk First? In Richard Zeckhauser, Ralph L. Keeney, and James K. Sebenius, editors, *Wise Choices: Decisions, Games, and Negotiations*. Boston, MA: Harvard Business School Press

Sunstein, Cass (1995). "Incompletely Theorized Agreements." *Harvard Law Review* 108: 1733-1772.

Sunstein, Cass (1999). "Agreement without Theory." In Stephen Macedo, editor, *Deliberative Politics: Essays on Democracy and Difference*. New York: Oxford University Press.

Susskind, Lawrence E. (1994). *Environmental Diplomacy: Negotiating More Effective Global Agreements*. New York: Oxford University Press.

Susskind, Lawrence E. (1999). "A Short Guide to Consensus Building." In Lawrence E. Susskind, Sarah McKearnan and Jennifer Thomas-Larmer, editors, *The Consensus Building Handbook: A Comprehensive Guide to Reaching Agreement*. Thousand Oaks, CA: Sage Publications.

Susskind, Lawrence E., Abram Chayes and Janet Martinez (1996) "Parallel Informal Negotiation: A New Kind of International Dialogue," *Negotiation Journal* 12: 19-29.

Susskind, Lawrence and Jeffrey L. Cruikshank (1987). *Breaking the Impasse : Consensual Approaches to Resolving Public Disputes*. New York: Basic Books.

Susskind, Lawrence and Michele Ferenz (2001). *Good Offices in a War-Weary World: A Review of the Practice and Promise of Track One and a Half.* PON Working Papers, WP01-1. Cambridge, MA: Program on Negotiation at Harvard Law School.

Susskind, Lawrence E. and Pat Field (1996). *Dealing with an Angry Public: The Mutual Gains Approach to Resolving Disputes*. New York: Free Press.

Susskind, Lawrence E. and Robert Mnookin, editors, (1999). *Negotiating on behalf of others: advice to lawyers, business executives, sports agents, diplomats, politicians, and everybody else*. Thousand Oaks, CA: Sage Publications.

Webler, Thomas (1995). "'Right' Discourse in Citizen Participation: an Evaluative Yardstick." In Ortwin Renn, Thomas Webler, and Peter Wiedemann, editors, *Fairness and Competence in Citizen Participation: Evaluating Models for Environmental Discourse*. Cambridge: Kluwer Academic Publishers.

World Commission on Dams (2000). *Dams and Development—A New Framework for Decision-Making*. London, UK: Earthscan Publications Ltd.

World Commission on Dams (2001). *Final WCD Forum: Report, Responses, Discussions, and Outcomes*. Third WCD Forum Meeting, The Spier Village, Cape Town, South Africa. 25-27 February, 2001. Available at: www.dams.org/events.

Yosie, Terry F. and Timothy D. Herbst (1998). *Using Stakeholder Processes in Environmental Decisionmaking: An Evaluation of Lessons Learned, Key Issues, and Future Challenges*. Washington, DC: Ruder Finn Washington and ICF Incorporated.

Young, Iris Marion (1990). *Justice and the Politics of Difference*. Princeton, NJ: Princeton University Press.

Zartman, I. William (1993). "A Skeptic's View." In Guy O. Faure and Jeffrey Z. Rubin (eds.) *Culture and Negotiation: The Resolution of Water Disputes*. London: Sage Publications.

Zartman, I. William (1994). "The Elephant and the Holograph: Toward a Theoretical Synthesis and a Paradigm." In I.W. Zartman, editor, *International Multilateral Negotiation : Approaches to the Management of Complexity*. San Francisco: Jossey-Bass.

Table 1: Objectives of MSDs

Objectives
Relationship building: improve relationships among conflicting parties—many holding fundamentally different values—and improving the public legitimacy of the process, its products, and its convenors. MSDs that are undertaken solely for public relations, however, often have difficulty maintaining their legitimacy under stakeholder scrutiny.
Information sharing: gathering existing, and creating new, information relevant to the issues being considered —including factual analyses as well as analysis on the spectrum of stakeholder values. Clarifying areas of disagreement and agreement.
Agenda setting: identifying key problems, framing future deliberations, planning future actions and deliberations. The participants plan together what problems need to be explored in future deliberations, and they may make a plan on how to address those issues using more collaborative dialogues that they plan, and perhaps implement, collectively.
Brainstorming and problem solving: jointly analyzing problems with the purpose of recommending possible options. The participants seek to identify viable policy options for the consideration of decision-makers, without seeking to agree on which options are best.
Consensus building: brainstorming and problem solving for the purpose of developing a joint recommendation or a "package" that meets the needs of all key stakeholders. The intention is that a consensus among the participants will exert a strong influence on "official" decision-making.

Table 2: Typology of MSDs

	PURPOSE OF THE DIALOGUE	
PARTICIPANT SELECTION	**GENERATING GOOD IDEAS**	**GENERATING PARTICIPANT COMMITMENT TO A PRODUCT**
Participants speak based primarily on knowledge and skill.	**TYPE I** RELATIONSHIP BUILDING/ INFORMATION SHARING	**TYPE III** BRAINSTORMING AND PROBLEM SOLVING
Participants speak based on their capacity to commit or significantly influence the commitment of a	**TYPE II** AGENDA SETTING	**TYPE IV** CONSENSUS BUILDING

Table 3: Participant Selection characteristics

Participants chosen primarily to speak based on skill and knowledge	Participants chosen primarily for ability to influence or commit stakeholders
Participants tend to be chosen for their knowledge of the policy arena, open-mindedness, and their personal reputation.	Participants tend to be selected because their presence generates or at least increases commitment by stakeholders to the outcomes of the process.
May exclude official policy-makers. However, may include second-tier officials who have more substantive knowledge of the issues but no ability to commit their organization.	At least some official policy-makers present, as well as legitimate spokespersons for stakeholder organizations or communities.

Table 4: Some Specific Examples of MSD Types

	PRODUCTS OF THE DIALOGUE	
PARTICIPANT SELECTION	**GENERATING GOOD IDEAS**	**GENERATING PARTICIPANT COMMITMENT TO A PRODUCT**
Participants chosen primarily to speak based on skill and knowledge	**TYPE I** **Information Sharing/Relationship Building.** • *Chatham House MSDs** • *OECD Consultation with Non-Governmental Organisations on Questions of Biotechnology and Other Aspects of Food Safety* • International Conference on Freshwater, Multistakeholder Dialogues • Mining, Minerals and Sustainable Development Dialogues.	**TYPE III** **Brainstorming and Problem Solving.** • *Talloires Policy Dialogues* • Working Group for the Preparation of a Draft Convention on Access to Environmental Information and Public Participation in Environmental Decision-Making • World Commission on Dams (WCD)
Participants chosen primarily for ability to influence or commit stakeholders	**TYPE II** **Agenda Setting** • *Commission on Sustainable Development MSDs*. • WSSD Prepcom Multistakeholder Dialogues • Gland Workshop (WCD) • 8th Informal Meeting of Environment Ministers, Bergen, Norway, Dialogue Sessions	**TYPE IV** **Consensus Building** • *Schlangenbad Pre-COP Informal Workshop on Climate Change* • *Buenos Aires Pre-COP Informal Workshop on Climate Change*

*Examples in *italics* are discussed in subsequent sections.