



# TRAINING MANUAL

## Conflict Resolution, Mediation and Dialogue in the Field of Natural Resources



The Network  
for Religious  
& Traditional  
Peacemakers



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## INTRODUCTION

This training manual was prepared as part of the training activities to be conducted in the context of the implementation of the project “Towards Inclusive and Peaceful Society in Mozambique” with the English acronym TIPS. TIPS is a European Union funded project implemented between January 2021 and December 2023, which aims to contribute to conflict prevention, crisis preparedness and response and peace building through inclusive governance and management of natural resources in Mozambique. The project is implemented by a consortium of partners, including “The Network for Religious and Traditional Peacemakers (NRTP) / Finn Church Aid (FCA)”, Institute for Multiparty Democracy (IMD) and Institute for Social and Economic Studies (IESE) and in collaboration with project associates, the Council of Religions in Mozambique (COREM) and Faith Associate. The project covers the provinces of Inhambane, Sofala, Tete, Niassa and Cabo Delgado.

This training manual is intended as a tool to help the target group of the project to equip themselves with techniques related to conflict resolution, mediation and dialogue in the context of Natural Resource exploitation. It should be used in parallel with the material produced by the Institute for Economic and Social Studies (IESE) based on the conflict-sensitive participatory research of the Towards Inclusive and Peaceful Society in Mozambique Project (TIPS).

Since each training course will last for 3 days, the manual contains specific material for each of the training days, in the following sequence:

- **Day one:** Natural resources and conflicts
- **Day two:** Conflict Analysis
- **Day three:** Ways of intervention in conflict situations

## DAY ONE

Learning goals:

- To know the level of mastery that participants have of the training subjects through the administration of the pre-test.
- To enable participants to have an understanding of the natural resources existing in the country, public institutions with responsibilities in their management, the legislation that regulates their exploitation and also the expected benefits for communities in the areas where these resources are extracted.
- To enable participants to understand the concept of conflict and that conflicts are not necessarily bad.
- To know the relationship between natural resources and conflict.
- To know the causes of the main conflicts over natural resources.

## SCHEDULE OF DAY ONE ACTIVITIES

**8.30 – 9.00** Arrival and registration of participants (FCA Team)

**9.00 – 10.00** Introduction of the training objectives and the methodology of the work (Facilitator)

**10.00 – 10.15** Conducting the pre-test (Participants)

**10.15 – 11.00** Break (All)

**11.00 – 13.00** Natural resources:

- Concept and existence in the provinces where the TIPS project is implemented.
- Key state actors in mining, oil and gas.
- Relevant natural resource legislation.

**13.00 – 13.30** Break (All)

**13.30 – 15.30** Natural Resources and Conflicts (Facilitator)

- Concept and Functions of Conflicts.
- Causes of Conflicts

**15.30 – 16.30** Exercise on causes of conflict (Participants)

## PRE-TEST

**Instruction:** answer questions 1, 5 and 7 with some details. Read the statements 2, 3, 4 and 8 and mark X according to whether they are true or false.

1. What do you understand by a conflict?

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2. Natural resource conflicts are bad and should be avoided. **True ( ) False ( )**

3. Se as emprlf the companies that exploit natural resources provided jobs, financed businesses of community members, built schools and hospitals, we would not have conflicts associated with the extractive industry. **True ( ) False ( )**

4. The first concern of anyone who wants help to peacefully resolve a conflict over natural resources should be to identify the guilty and the not guilty. **True ( ) False ( )**

5. What do you understand by negotiation?

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6. In the negotiation with the companies the communities must define clear goals (jobs for all the youth in the community) and defend them vigorously until the last consequences. **True ( ) False ( )**

7. What do you understand by mediation?

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8. Communities should appoint civil society leaders to mediate their conflicts with companies that exploit natural resources. **True ( ) False ( )**



## NATURAL RESOURCES

**[Introduction]** Mozambique has made remarkable progress in the discovery of natural resources, and the challenge is to ensure their efficient management in order to achieve equitable economic and social progress. The impact of the gains to be obtained by different players, especially individuals, families and communities where these resources are deposited, will only be measurable if the challenges and opportunities for the intervention of civil society organisations are known.

The changes to be achieved in the living conditions of the local communities and families depend to a large extent on the relationship between the communities and the investors and on the behaviour of the representatives of the State in relation to the communities as well as to the investors at the time of design, approval and implementation of the large investment projects concerning the exploration and management of land and natural resources. As is known, the Mozambican State has established a framework of policies and legislation leading to the achievement of inclusive and shared development based on the exploitation of land and other natural resources. However, experience in the application of this policy and legislative framework shows that much remains to be done. But more than that, much can be achieved if Government, CSOs, investors and local communities themselves work in an articulate manner, side by side as true development partners.

Indeed, it has been frequently reported in places where large economic projects are being implemented by multinational companies such as, for example, Chikweti, Niassa and Lúrio Green Resources, Sasol, Vale, Kenmare Resources, Rio Tinto, Anadarko, ENI, Ncondezi Coal Company, Beacon Hill Resources, etc., that the rights of communities to participate in the economic opportunities offered by the projects have not been observed. The concept of compensation to communities has been subverted or masked in the idea of corporate social responsibility or employment opportunities, and the very concept of community has been unduly exploited to avoid compliance with the duty to compensate specific families and individuals affected by the projects.

In some communities the negative economic and social consequences are already beginning to be felt, with effects on food security, land tenure security, production systems, access to vital natural resources (water, firewood, fishing, medicinal plants, hunting, etc.) standing out. This framework is also present in public initiatives such as those linked to the exploitation and management of conservation areas (national parks and reserves), ports and dams.

**[Defining Natural Resources]** There are several ways of defining natural resources, one of them indicating that they are assets existing in a natural or raw state, useful to a given population and that can be economically exploited by a country. We can call natural resources all the elements made available by nature that can be used by human activities. The other definition says that mineral resources are any solid, liquid or gaseous substance formed in the earth's crust by, or linked to, geological phenomena.

Mozambique is rich in natural resources such as land, forests, wildlife and conservation areas, whose management is the responsibility of the Ministry of Land and Environment (MTA) and also the mineral resources which include oil, gas and mines which are managed by the Ministry of Mineral Resources and Energy (MIREME). For illustrative purposes, the table below indicates some of the natural resources available in the provinces where the TIPS project is implemented (see *figure 1 on page 5 for reference*).

### **[Main State Players in the Field of Mining, Oil and Gas]**

#### **A) Central Level:**

The Council of Ministers is the ultimate regulatory authority and is empowered to approve the granting of benefits arising from this sector. MIREME represents the Government of Mozambique in the management of the extractive industry, including the issuance of oil, gas and mining licenses. The National Directorate of Geology and the National Directorate of Hydrocarbons and Fuels (DNHC), among other functions are responsible for preparing and proposing policies, strategies, programmes, plans, standards, guidelines and regulations for the development of activities in their sector.

Also at the central level concerning oil and gas, the National Petroleum Institute (INP) is the technical and regulatory part of MIREME. The Mozambique National Hydrocarbons Company (ENH) participates in concession contracts with foreign and national private entities active in the extraction of oil and gas. Companhia Moçambicana de Hidrocarbonetos (CMH) also participates, along with the National Directorate for New and Renewable Energies (DNER) among others. On the specific level of the mining sector, the Mozambican Mining Exploration Company (EMEM) stands out at central level. It is responsible for the processing of processes for the purposes of mining licensing for new areas of mining extraction. Also of note are the National Mining Institute and the Geological Mining Institute.

The MTA also intervenes at central level through the National Directorate for Environmental Impact Assessment (DNAIA), which is responsible for proposing adequate legislation for direct application and environmental management, environmental licensing, management and coordination of the EIA process, monitoring of environmental impacts and environmental assessment; the National Directorate for Territorial Planning and Organisation (DINAPOT), which is responsible for, among others, participating in the resettlement of communities as a result of development projects.

#### **B) Provincial Level:**

The Provincial Directorates of Mineral Resources and Energy, which observe the principle of double subordination in relation to the Ministry of Mineral Resources and Energy and to the Provincial Government, stand out. They are responsible for directing and coordinating the area of mineral resources and energy, carrying out and controlling the unitary application of the geological research policy and the exploitation of mineral and energy resources. Also at the provincial level are the Provincial Directorates for the Coordination of Environmental Affairs (DPCAA) which, amongst others, carry out territorial planning, supervise the management activities of natural resources and promote the correct use of natural resources.

#### **C) District Level:**

The competent authorities responsible for managing mineral and petroleum resources are the District Secretariat, the District Services for Economic Activities, the Administrative Posts and their respective Localities.

In addition to state players, the land legislation foresees the intervention of other players, non-state players, in particular CSOs, as well as the Natural Resource Management Committees (CGRNs) in the administration of land and other natural resources, in particular, in the enabling of community funds covered by the legislation presented above.

**[Relevant Legislation on Natural Resources]** Mozambique has already been adopting a policy of compensation for the exploitation of natural resources through Law 10/99 of 7 July, which allocates 20% of the revenue from the exploitation of forest resources to the communities. This law establishes the basic principles and standards for the protection, conservation and sustainable use of forest and wildlife resources. Decree 12/2002 approving the Regulation of the Forestry Law stipulates that 20% of the revenue from the exploitation of forest and wildlife resources must be allocated to local communities.

In turn, through the Mining Law (Law 20/2014 of 18 August 2014) and the Petroleum Law (Law 21/2014 of 18 August 2014) it is established that part of the value of the revenues collected by companies in the mining and petroleum sectors must be allocated to investments in the communities where the projects are located. More specifically, the mining law (Law no. 20/2014, 18 August 2014) indicates that 2.75% of the revenues generated by the petroleum activity is channelled in the State Budget for the development of the communities of the areas where the respective petroleum undertakings are located.

According to Circular No. 01/MPD-MF/2013, the 2.75% must be allocated to priority projects aimed at promoting socio-economic development of communities to be identified by them under coordination of the respective locality advisory councils. Eligible projects are those aimed at building socio-economic infrastructures in the sectors of Education,

Health, Agriculture, Forestry, Services, Roads and Bridges of local interest and Water Supply and Sanitation Systems. The implementation of the projects must be done in strict coordination with the Provincial and District sectors (Provincial Directorate and District Service) up to the limit approved by the State Budget for 2013.

The Petroleum Law (Law 21/2014) highlights the Government's competence to inventory the revenues resulting from petroleum operations and publish them periodically. Also, in article 48, it stipulates that a percentage of the revenues generated by the petroleum activity is channelled in the State Budget for the development of the communities of the areas where the respective petroleum enterprises are located.

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**[Natural Resources and Conflicts]** Exploitable natural resources, mineral, forest, marine, are often located in areas where there are already other economic and social activities, where populations live, where economic activities alternative to the exploitation of natural resources can be developed. These alternatives may conflict with the exploitation of natural resources, especially when this exploitation generates (or risks generating) negative externalities such as water, soil and air pollution, deforestation, reduction of biodiversity, etc. (Castel-Branco 2009).

For instance, the delta of Zambezi River is a field of competition and conflict between potential and agrarian, marine, forestry and mineral activities, and between these and different models of tourism. In some cases, the solution of this conflict requires a choice between one activity or another.

Other conflicts linked to mineral resource exploitation have to do, for example, with unfulfilled community expectations<sup>1</sup>, such as job opportunities, social infrastructure (schools, hospitals, etc.) and fair compensation in the event of resettlement. Indeed, the arrival of an investor in a given area raises positive expectations on the part of community members. However, failure to meet these expectations results in the justifiable emergence of conflicts.

But what is a conflict?

**Interaction method:** *Brainstorming in groups, each group will discuss and agree on their definition of conflict, write it on a flip chart and present it to the others. Afterwards, everyone will debate until they come to some kind of approximation.*

A conflict<sup>1</sup> is a situation in which two or more people (or groups) disagree because of a certain issue. This would be the case of a disagreement between the Namanhumbir mining community and the mining company (Montepuez Ruby Mining) over access to rubies.

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<sup>1</sup> It needs to be clear that, conflict is something different from violence. Violence represents actions, words, attitudes, structures or systems that cause physical, psychological or environmental harm and also limits people from realising their interests and enjoying their rights (Fisher et al, 2005:4). Violence is the most advanced stage of a conflict.

Is conflict good or bad?

**Interaction method:** *Post-it notes on words associated with conflict. Participants will be asked to share words that resemble conflict. The idea is to see how they look at conflict. The purpose is to help them look beyond the negative aspects of conflict.*

Is it bad that the Namanhumbir artisanal miners have a falling out with Montepuez Ruby Mining? Is it bad that the Vulcanjane community in Inhassoro has a falling out with Sasol?

In fact, conflict is not necessarily bad, nor good. Conflict is part of human existence and its manifestation in our daily lives is clear in different spheres of our communities: from religious conflicts, work conflicts, at family level, conflicts arising from lack of resources, among others. It is impossible to live in a world without conflict.

What can be good (peaceful resolution) or bad (violent resolution) is the way in which the parties handle their disagreements. It is bad, for example, the stage the Namanhumbir conflict has reached: deprivation of liberty of citizens, use of force to torture diggers, etc.

Conflict is not to be feared, but rather to be predisposed to resort to peaceful ways of dealing with it when it arises. In fact, conflict contributes, among other things, to:

- Changing standards and procedures as well as adopting new rules that accommodate the interests of all stakeholders in the organisation;
- Improvement of group cohesion from the mechanism of group solidarity for self-defence and withdrawal of dissenting members;
- Establishing and maintaining group identity and independence by clarifying the elements that characterise them and those that are not part of it; example from the training resource guide, Pag. 5: “On the basis of our materials we observed that the experience of coping with the extractive industries had strengthened affinities and solidarity between the affected communities and thus created kind of “imagined community” between the relatively distant communities on both sides of the Zambezi River”.

- Increased knowledge and recognition of the power of the other;
- Conflict functions as a revitaliser of traditions and identity values;
- Conflict by leading to a system of balance of power leads to similarity of structures and behaviour;
- Conflict improves the identification of similarities and differences between members of a group or community.

In view of the above, it follows that conflicts, including those over natural resources, are social phenomena, which have to do with human existence and will never cease to exist or be avoided. People should be encouraged to express their ideas, including dissenting ones, as this helps decision-makers (political, business and community) to make informed decisions. The risk of limiting or suppressing dissent (conflict) is that it leads people to frustration and consequent resort to violence.

**[Causes of Conflicts Over Natural Resources]** The conflicts related to access and exploitation of natural resources have several motivations and for methodological reasons, they are grouped into 5, namely: Data or information, values or beliefs, relationship, interests and finally structural issues.

**A) Data or information motivated conflicts:**

These conflicts arise when people access different or insufficient information or disagree about certain data. When people do not have access to information on a particular issue, they tend to speculate or use unreliable information. Communities have a legal right to access information that enables them to make good decisions. Investors and the government have a duty to inform citizens in detail about the agreements signed and the benefits that the country and especially the host communities may receive as a result of the exploitation of natural resources. The lack of such information leads to speculation and consequently conflicts.

*“There is also the conflict of fees arbitrarily charged by the inspectors to the inhabitants of the Park and the lack of compensated resettlement of the communities.”* Training Resource Guide Pg. 6

*In a remote locality in Sofala there was an especially bad management of the 20% fund from the exploitation of forest resources. A chairperson of the Natural Resources Management Committee (CGRN) and one of the chiefs used the money for their own purposes. They even bought bicycles, motorbikes and grinders for their families and the community knew nothing about the management of these funds and their rights to benefit the exploitation and make the decision on the use of that fund.* Training Resource Guide Pg. 15

**B) Conflicts motivated by values and beliefs:**

These conflicts result from perceived or actual incompatibility of values. These conflicts can arise as a result of imposing one's values or beliefs on others.

Companies exploiting resources, as well as their staff, can cement a good relationship with the community when they strive to know and respect the beliefs and values of the community. For example, the resettlement process needs to take into account the culture of the local people and not impose practices that are alien to the community.

*"Disputes in Gorongosa NP are about the restrictions on livelihood use of Park resources, and in the buffer zone where an estimated 150.000-200.000 people live, resettlements without compensation to affected communities, and repressive and culturally insensitive".* Training Resource Guide Pg. 12.

*"The community also complains that the Park inspectors put traps in their fields to catch them in the act, they open their pots to check what they are cooking, if it is the meat of an animal, they throw everything away. They also see women bathing in the river. This has caused great revulsion within the communities of Muanza".* Training Resource Guide Pg. 14

**C) Relationship conflicts:**

Communities and natural resource concessionaires enter into this type of conflict as a consequence of the corrosion of trust or low expectations between the parties as a result of failure to fulfil previous promises. The commitments made by the companies, whether from the perspective of building social or economic enterprises, or even providing training and employment opportunities for local youth, must be fulfilled under penalty of seeing the level of community relations and trust decline and opening up spaces for the emergence of conflicts. A este respeito, the executive director of the Institute for Multiparty Democracy (IMD), Hermenegildo Mundlhovo, indicates that *"or example, we have a set of expectations of young people in relation to the benefit of these sectors that are not seen and this also facilitates the level of conflict propagation"* DW 2021.

*"Illegal logging is one of the causes of conflicts with public authorities (in Gorongosa). Many illegal timber exploiters enter the district without a license. Their entry is often influenced by the community authorities who look after the resources in this district and this practice generates conflicts with the community who are also prohibited from cutting logs. When communities are found cutting logs they are taken to the police, but the exploiters rarely suffer any sanctions. For example, a few years ago, in the buffer zone, in a locality in the north of the town, locals, who cut trees to build classrooms, were imprisoned".* Training Resource Guide Pg.14

**D) Conflicts of interest:**

Conflicts of interest are associated with competition over access to scarce resources such as arable land, access to good fishing grounds etc. People or communities have a justified interest to benefit from the exploitation of their resources and it is important that concessionaires are concerned about leaving part of their profits to the locals. It is important that access to the profits provided by natural resources does not mean sacrifice or submission to extreme



poverty of communities, as a result, for example, of the usurpation of their land. But interests may also involve procedural and even psychological issues.

*“The district of Moatize although it has other natural resources, is commonly known for the exploitation of coal with large reserves there. The exploitation of this resource takes place in places that were close to or even used by the population to live, develop pottery activities, agriculture, small businesses, etc. as in Chipanga neighbourhood which is close to the town of Moatize and the mines of Vale (now Jindal) and Rio Tinto (now ICVL). In some cases this scenario has required resettlement and compensation for communities in these areas. With both resettlement and compensation for the thousands of potters removed from Chipanga, conflicts have been and continue to be generated between the communities affected and the companies involved in the exploitation of this resource... Some affected communities, but not resettled, demand resettlement and compensation because of dust, polluted water and cracks in the houses caused by the detonation of explosives used in the mines. The locals also complain of long roads to markets and services because of the fencing in the village which is closing off more and more roads... Disputes over values are at an impasse because the company is offering 25.000 meticaís while the community is demanding 800.000.”* Training Resource Pg. 7

#### E) Structural conflicts:

This type of conflict has to do with the set of norms, practices and political, economic and cultural systems that place the community in a situation of vulnerability and oppression. In fact, this is violence to which communities are subjected, characterised by the deprivation of the enjoyment of rights to health, education, drinking water and food that the fair sharing of the benefits of the exploitation of natural resources could provide. Structural conflicts can result from the State’s omission to protect the rights of communities and allow economically well-off people to appropriate their resources, as in the case of arable land.

*“Another conflict is generated by the lack of a means of subsistence, since agriculture and mining were the basis for the survival of this community, activities that are no longer developed in the place where they were resettled due to the lack of fertile soil and gold reserves. In a way, civil society organisations are trying to appease these conflicts, but they feel that Jindal is well “sponsored” and even tends to win in the courts, unlike Vale. Some activists in the province claim that the Jindal company does not even comply with court decisions in case it loses the case.”* Training Resource Guide Pg. 7

**Interaction method:** To ensure a good assimilation of the topic on causes of conflict, the participants will do an exercise consisting of identifying the causes of the conflict narrated in the following paragraph.

**Resettlement of fishermen?** One of the main conflicts that has shown itself in some resolution between the administration of the Mâgoé National Park and the local community, is the area of fishing, in which it was noted that the fishermen before the existence of the park had no limitation of areas to fish and this made them able to fish in any place they found favourable for this activity. However, with the creation of the park, specific areas were indicated for fishermen to develop their activities, with a radius of approximately 100 metres from the residential area and the estuary (an appropriate area for fish reproduction). The fishing community also complains of entrance fees arbitrarily charged from inhabitants. When the fishermen complained and presented the difficulties of catching fish with ease in the indicated places and difficulties of movement, as a form of resolution, the Park together with the community and some community leaders met, and reached an agreement to resettle to an area with better conditions, with emphasis on the construction of schools, sanitation units, potable water, and the creation of associations for the development of fishing. However, the resettlement has not yet been carried out or scheduled, which risks the sustainability and credibility of this resolution. It is also not clear who will be responsible for the resettlement costs and compensation for the community’s losses. Training Resource Guide Pg. 6

## DAY TWO

Learning goals:

- To enable participants to learn about the relevance of conflict analysis and its tools.
- Conflict Tree
- The ABC Conflict Triangle
- The Onion Model

### SCHEDULE OF DAY TWO ACTIVITIES

**8.30 – 9.00** Arrival and registration of participants (FCA Team)

**9.00 – 10.00** Assessment of the previous day. Recovery of the topics of day one (All)

**10.00 – 10.15** Introduction to conflict analysis (Facilitator)

**10.15 – 11.00** Break (All)

**11.00 – 11.50** Conflict Tree: (Facilitator)

**11.45 – 12.30** Exercise on Conflict Tree (All)

**12.30 – 13.00** The ABC Conflict Triangle (Facilitator)

**13.00 – 13.30** Exercises on the ABC Triangle (All)

**13.30 – 14.30** Break (Participants)

**14.30 – 15.15** The Onion Model (Facilitator)

**15.15 – 16.00** Exercises on the Onion Model (Participants)

### CONFLICT ANALYSIS

Conflict analysis is a practical process of examining and understanding conflict reality from various perspectives. This understanding serves as a basis upon which intervention strategies will be planned and developed. Some of the instruments of conflict analysis include the conflict tree, the ACC triangle (attitude, behaviour and context) and the Onion model.

**Interaction method:** Group work – To better understand the use of each of these instruments, the participants will proceed, in groups, to analyse the conflict narrated in the table below.

**Collaboration between civil society and the State in Nipepe** – In the context of collaboration between the state and civil society in Niassa province a good example is the collaborative project between the Rural Mutual Aid Organisation (ORAM) and government in Nipepe district on the management of mineral resources, particularly graphite, which has already had the merit of correcting some irregularities in the project of the Chinese company, DH Mining. As irregularidades nas actividades da empresa eram reveladas num projecto colaborativo entre a, Irregularities in the company's activities were revealed in a collaborative project between ORAM, the government and state media (TVM, RM, Jornal Noticias). For example, thanks to the project, it became public knowledge that the company had already begun the construction of the facilities and the carrying out of the first resettlements before having the environmental license and before organising the community consultations required by law. As a result, the government decided to suspend the company's activities in 2019. The conflict was resolved in part by allowing the community to redefine the resettlement location and prepare the fields independently. However, much mistrust remains between the community and the district government. One of the reasons is that the district government believes that the community, which did not follow government guidelines on the resettlement location could only be because it was manipulated by agitating CSOs. Training Resource Guide Pg. 17

**[Conflict Tree]** The conflict tree is a graphic tool for representing the real conflict, its causes and effects. In the tree, the trunk represents the real conflict, the roots represent the causes and the branches represent the effects of the conflict under analysis. The conflict tree helps to stimulate an objective identification of the real conflict opposing the parties, the causes and their effects, it also helps the parties to make decisions of prioritization in the approach of issues related to the conflict in question.

**Interaction method:** Brainstorming in plenary or small group work – Participants will be asked to identify the many roots of a given conflict and then explore all the effects that arise from the roots. The aim is to help them visualise the root causes of conflicts as well as reflect on the effects. In relation to effects, Leisure will seek to alert participants to the importance of avoiding effects, as they are like leaves that fall from the tree and feed the roots of conflict. In the end, this exercise on effects will aim to demonstrate the cyclical nature of the causes and consequences of conflict.

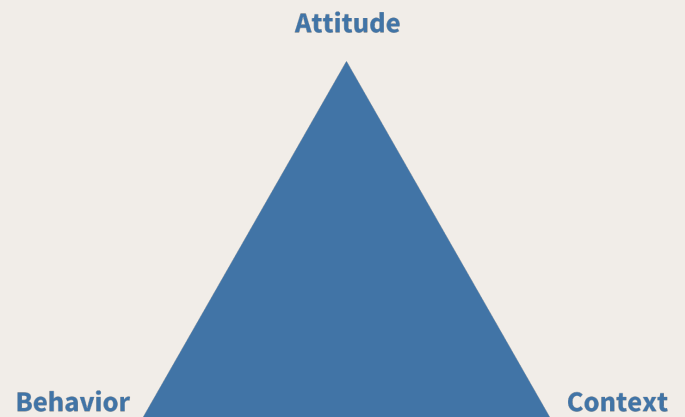
### Effects of conflict



### Causes of conflict

**[ABC Triangle (attitude, behaviour and context)]** This instrument is based on the idea of a central conflict component: the Attitude, the Behaviour of the parties and the Context in which the situation takes place. The basic assumption is that these three elements influence one another.

For example: a context of intolerance or limitation of public demonstrations by populations may lead to an attitude of indignation and frustration and consequently to behaviour characterised by civil disobedience and violence against state representatives.



**[The Onion Model]** Este instrumento é baseado na analogia de um bolo de Berlim com as suas três camadas. A camada externa representa as posições que as partes em conflito tomam abertamente e publicamente. Mais para o interior, em segundo lugar, encontramos os interesses que as partes pretendem realizar com as posições que tomam. E mais ao fundo, e em último lugar, achamos o âmago ou a medula que representa as necessidades que devem ser satisfeitas e que justificam os interesses e as posições

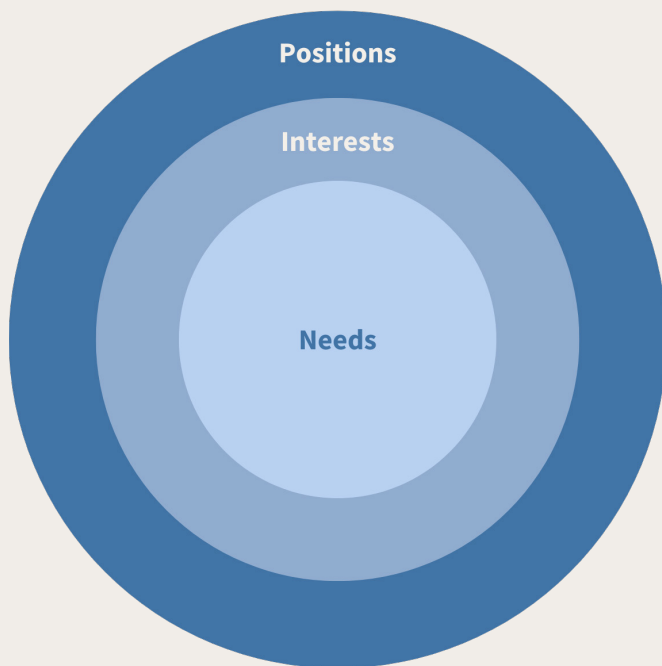
This tool is based on the analogy of an Onion with its three layers. The outer layer represents the positions that the parties to the conflict take openly and publicly. Further inwards, secondly, we find the interests that the parties intend to realise with the positions they take. And deeper down, and in the last place, we find the core or the marrow, which represents the needs that must be satisfied and which justify the interests and positions.

Positions - what we say we want

Interests - what we really want

Needs - what we should have

This tool helps us to demonstrate graphically the possibility we have in a conflict situation of: starting from the positions taken by the parties as a result of the conflict, mistrust and instability, we move towards the identification of the interests and also the needs of the parties in conflict. This is justified by the fact that, very often, what is visible are the positions that the parties take, but the interests and needs remain hidden. And by doing this exercise of analysis we can easily identify elements that may become the basis for future interventions.



Explain that conflicts can never be resolved constructively at the level of positions, which are almost always opposed; conflicts are usually resolved by negotiation between interests and basic needs cannot be negotiated.

## DAY THREE

Learning goals:

- To enable participants to learn about ways of intervening in conflict situations.
- To enable participants to learn about negotiation techniques in conflicts concerning natural resources.
- To equip participants with skills in the use of mediation in conflicts concerning natural resources.
- To enable participants to practice active listening.

## SCHEDULE OF DAY THREE ACTIVITIES

**8.30 – 9.00** Arrival and registration of participants (FCA Team)

**9.00 – 10.00** Assessment of the previous day. Recovery of the topics of day one (All)

**10.00 – 10.15** Introduction to ways of intervening in conflict situations (Facilitator)

**10.15 – 11.00** Break (All)

**11.00 – 12.00** Negotiation (Facilitator)

**12.00 – 13.15** Exercise on the negotiation tree (Participants)

**13.15 – 14.15** Break (All)

**14.15 – 15.30** Meditation (Facilitator)

**15.30 – 16.30** Exercise on meditation (Participants)

**16.30 – 17.15** Active Listening (Facilitator)

**17.15 – 18.00** Active Listening (Participants)

**18.00 – 19.30** Carrying out the post test (Participants)



## WAYS OF INTERVENING IN CONFLICT SITUATIONS

Day three will be entirely dedicated to reflection and exercise on ways of intervening in conflict situations. As mentioned in the Training Resource Guide of this project “*the only peaceful way of managing natural resources is for the exploitation of resources to be reflected in the development first of all of the places where they are exploited, generating employment, economic and social infrastructure, accessible public services for all members of the community, making them identify with and feel part of the projects. This objective naturally requires a lot of awareness and empowerment of the communities so that they feel able to participate and influence decisions about their lives and their areas, so that the communities know what they are negotiating about, what their rights are under the laws on land use, subsoil and environmental conservation*”.

Considering that there are several peaceful ways to intervene in conflicts and taking into account the objective of the training, it was decided to address only mediation and negotiation as they are easy to use in disputes related to natural resources. To better link theory and practice, during the training the case study below will be used for practice.

**Interaction method:** *Exercise on negotiation techniques. Note on Day 3 exercise: for a better understanding of negotiation and mediation techniques, participants will be asked to practice using the conflict narrated in the following table.*

### Case 2: The water revolt by women in Mualadzi

*Tete province has coal mining industries which have been carrying out resettlements since 2009. All the companies involved have had conflicts with the resettled communities and the affected communities, who live in proximity to mines, being exposed to dust, polluted water and other problems. The protests have turned into violent riots, not always on the protesters' side, but also on the side of the riot police Rapid Intervention Unit (UIR), which disperses protesting crowds with the use of violence, sometimes brutal, adapted for the population. The community resettled by Rio Tinto (now International Coal Ventures Limited, ICVL) from Cassoca to Mualadzi in Moatize district had demonstrations*

*that ended in violence, particularly in 2013 against poorly negotiated resettlement to a remote neighbourhood with no opportunities. In this demonstration, locally called a 'strike', several protesters were arrested, particularly men, and one community member lost his sight due to tear gas from the UIR... Training Resource Guide Pg. 8*

**[Negotiation]** Negotiation is a competitive and cooperative exercise, characterised by mutual compromise with a view to reaching an agreement. The recourse to negotiation results from the understanding that total victory in a conflict is practically impossible due to: (i) recognition of the reality of strength between the parties in conflict; (ii) recognition that despite being in conflict there is always interdependence between the parties and that the search for total victory will only lead to self-destruction; (iii) desire to limit damages, (iv) ethical issues, etc.

The negotiation process can be of two distinct types: positional and interest-based. Positional negotiation is that which aims to reinforce each party's position, and generally the positions are opposite. In positional negotiation, the actors are involved in the process with a view to reaching an agreement that reinforces their positions and are not concerned with stimulating future relationships. On the other hand, interest-based negotiation is that which is developed by parties who have the desire to maintain a healthy relationship after the agreement. Here those involved are not so much interested in each other's gains, but rather in the collective benefit that contributes in strengthening their ties. In fact, this type of negotiation best responds to the concept of conflict transformation, which advocates that intervention in community conflict situations should aim at: (i) changing the structure that causes inequality and injustice, including economic redistribution; (ii) improving the long-term relationship and attitude between parties in conflict; (iii) developing processes and systems that promote empowerment, justice, peace, forgiveness and reconciliation.

Interest-based negotiation is more likely to contribute to peace and promote present and future community concord, so it will be developed for the purpose of this training manual. In this type of negotiation parties strive to: (i) separate people from problems; (i) focus on interests rather than positions; (ii) generate a variety of options before deciding on an alternative to adopt; (iii) insist that the outcome be based on objective criteria. This type of negotiation obeys the following steps:

**Step 1) Recognition of Divergences**

The recognition of the existence of a conflict between the parties and the will to overcome it is a prerequisite for entering into a serious negotiation process.

**Step 2) Development of Appropriate Conditions**

The creation of appropriate conditions for the negotiation process includes identifying a consensus facilitator for the parties, the date and place for the process.

**Step 3) Clarification of the Problem (conflict)**

This stage is reserved for understanding the conflict that has split the parties. Here, each party should present their understanding of the conflict. The problem to be presented here should be described in the form of the needs and interests that the parties have, as this will allow the formation of a platform where everyone is clear on the problem and can easily move towards a solution.

**Step 4) Identification and Assessment of Alternatives**

Once the problem has been presented in a clear and acceptable way by the parties, it is necessary to start identifying options and/or alternatives that will lead to the solution of the dispute. In this exercise, the interests and needs of the parties must always be taken into account, as this will allow the option that is considered best to lead to an effective agreement.

**Step 5) Agreement**

The agreement represents the outcome of the evaluation of the various options and or alternatives. The agreement represents the adoption of the alternative that best leads to the satisfaction of the parties' interests and needs. To be effective, the agreement needs to be voluntary and not imposed, it also needs to be the result of an honest and transparent negotiation and must have the full commitment of the parties to put it into practice.

**Step 6) Implementation**

The logical end of an agreement is its implementation and for its success it must include aspects that facilitate its effectiveness, among them the responsibility of the parties, time for implementation, ways of monitoring and eventually the resources and/or efforts necessary for its implementation.

**[Mediation]** Mediation is a process of dialogue aimed at reaching an agreement on a given dispute, but which relies on the procedural services of a third party who helps the litigants overcome their differences through dialogue. The mediator is not part of the problem, but part of the solution. He intervenes to help the parties to talk constructively, he does not solve the conflict but only provides a reasonable climate for dialogue and the search for an agreement by the parties.

The mediator structures the process and creates a safe and trusting environment for the parties to discuss their differences and find solutions that mutually satisfy their interests. The mediation process is voluntary and it is important that the parties are open to dialogue and accept the mediator who must be impartial and neutral. Mediation involves the following steps:

**Step 1) Pre-Mediation**

In this phase the mediator contacts the disputing parties and encourages them to talk in order to overcome their differences and proposes to facilitate the dialogue. He identifies the date and time and proposes a neutral and convenient place to host the meeting.

### Step 2) Introduction

This phase is reserved for details such as the presentation of the place where the meeting will take place, the role of each party and the definition of the rules that will guide the process. This is a unique moment for the mediator to clarify his role in the process.

### Step 3) Description of the Conflict

This is a phase for understanding the conflict and, above all, each party's understanding of the dispute. Here, each of the parties explains in detail what they consider to be the reason for the dispute and this allows the mediator to understand all the underlying aspects of the conflict, which is a real exercise of conflict analysis.

### Step 4) Resolution

After an exhaustive description of the conflict opposing the parties, at this stage the aim is to identify the areas of common interest that may serve as a basis for a future agreement. At this stage, the parties focus on what they have in common and try to maximize what unites them for the sake of peace and, united, they will jointly strive to resolve the differences.

### Step 5) Agreement

Here a pact is made, which represents the parties' understanding of how the conflict will be resolved. It defines how it will be implemented, deadlines and responsibilities of each party.

**No Judging** – Actively discouraging judgements about who was right and who was wrong. One does not ask “Why did you do it?” One asks “What happened?” and “How do you feel?”

**Open Questions Are Used** – Suggestions from the parties are encouraged. Resist giving advice. If necessary, offer only options, not directives.

**A Win/Win Approach Is Used** – Working towards wins for both sides. Turn opponents into problem-solving partners.

**[Active listening as instruments of negotiation and mediation]** The processes of negotiation and conflict mediation are both exercises that have dialogue as their bases or supports. Dialogue is different from debate, according to the table on page 16.

Due to the interactive nature of these two processes, it is essential for those involved to have good communication and perceptual skills in order to minimise the likely noise in the information sent or received.

In negotiation and conflict mediation processes, the active listening technique is recommended to help incorporate and better interpret the information received. For effective active listening, two techniques are recommended: *paraphrasing and summarising*.

*Paraphrasing* is an exercise which consists of saying in your own words what you have heard from the sender. Paraphrasing allows the sender to correct the perceptual errors of the receiver and thus ensure that the information received corresponds to what was sent.

Principles of mediation:

**Objective** – Validates both sides, even if the mediator is particularly sympathetic to one point of view, or even if only one party is present.

**Supportive** – Warm language is used, showing that the mediator is interested in the concerns of all sides. Provide a trusting environment where people feel safe to open up.

<b>DEBATE</b>	<b>DIALOGUE</b>
The aim is to win	The aim is to discover a common space
Involves listening to find the opponent's weak points	It involves listening to understand
Involves criticizing other points of view	It involves openly considering all points of view
Assumes a certain answer to a question or problem	Assumes that many different ideas can contribute to a more complete solution
It comes from a position that someone defends	Expresses feelings, concerns, fears and uncertainties
Exposes failures in others' positions	Demonstrates strengths on all sides of an issue
Seeks to strengthen a predetermined position	Discover new possibilities and opportunities
It further polarizes antagonistic positions	Build bridges of understanding
It promotes competition	Promotes cooperation

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## POST-TEST

**Instruction:** answer questions 1, 6 and 8 with some details. Read the statements (2, 3, 4, 5, 7, and 9) and mark X according to whether they are true or false.

1. What do you understand by a conflict?

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2. Conflicts related to natural resources are bad and should be avoided. **True ( ) False ( )**

3. Se as emprlf the companies that exploit natural resources provided jobs, financed businesses of community members, built schools and hospitals, we would not have conflicts associated with the extractive industry. **True ( ) False ( )**

4. If the companies that exploit natural resources provided jobs or funded businesses for community members and also built schools and hospitals, we would not have conflicts related to the extractive industry. **True ( ) False ( )**

5. The first concern of anyone who wants help to peacefully resolve a conflict related to natural resources should be to identify the guilty and the not guilty. **True ( ) False ( )**

6. What is meant by negotiation?

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7. In the negotiation with the companies, the communities must define clear goals (jobs for all the youth in the community) and defend them vigorously until the last consequences. **True ( ) False ( )**

8. What do you understand by mediation?

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9. Communities should appoint civil society leaders to mediate their conflicts with companies that exploit natural resources. **True ( ) False ( )**