

The Human Face of Conflict Resolution

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Baroness Helena Kennedy

Welcome, all of you, to this special meeting tonight, which as you see is called ‘The Human Face of Conflict Resolution’. I have two very special guests with me. My name is Helena Kennedy, I’m a human rights lawyer and a member of the House of Lords. I’m the principal of Mansfield College, Oxford. My pleasure tonight is in chairing this conversation, first of all with my two special guests and then with all of you. So I want you all to think of the sort of things you would like to contribute as we go along.

To my left is Giandomenico Picco. Giandomenico, otherwise known as Gianni, is a very distinguished diplomat, a UN negotiator. He’s been involved in peace negotiations in Afghanistan, Iran, Iraq, Lebanon. He is well known for the success that he brings to very difficult negotiations. To my right is Gabrielle Rifkind, an old friend. A psychotherapist of real distinction and director of the Middle East Programme at the Oxford Research Group.

These two people with very different backgrounds came together to write a book called *The Fog of Peace: The Human Face of Conflict Resolution*. So tonight I’m going to start off by asking Gabby to just tell us a little bit about the fog of peace. Why the title?

Gabrielle Rifkind

I was going to say most in the audience will be old enough to remember the documentary *The Fog of War*, but I’m not sure that’s true. One of the lovely things tonight is the average age of Chatham House has gone down significantly. But this was an iconic documentary, *The Fog of War*, about Robert McNamara. If you remember, he was the architect of the Vietnam War, in which 3 million Vietnamese were killed and 57,000 Americans. In his wise old age, he was to look back and he said: the problem was, we didn’t understand empathy. We didn’t understand the mind of the enemy. We were fighting different wars. We were fighting the Cold War, they were fighting the war of independence.

To both Gianni and myself – in fact, I think we watched the documentary together – it seems like nothing has changed. If you look at recent wars, in terms of Iraq and Afghanistan, what you see is we – and we all do it, we all look at things through our own partial lenses. The Western lens is not understanding the mind of the other. We would say this was one of the reasons why we’re getting in such a mess, and unless you understand people’s histories, their cultures, their stories, and why they think as they do – often thinking in a way that is quite unsavoury or unpalatable to us – but what we say is understanding their minds makes it more possible actually to understand conflict.

What we also say is that Western thinking splits the world into good and bad, or good and evil, and we want to see who are the good people and who are the bad people. But actually when conflict starts it becomes very blurred and it becomes less clear. Of course, we can talk about Syria later, how we are always looking – because we feel we need to get behind one side, but actually the other bit of the ‘fog of peace’ is it’s very foggy. One conflict, when it degenerates into civil war or where people are getting killed, you see the worst aspects of human behaviour on all sides.

Baroness Helena Kennedy

Before I turn to you both to talk about how you met and how you came together in your work, and then in the creation of this book, I just want us to run through what would be said now about how, if you like, militancy and terrorism – how things have changed. It's not new, the idea of resistance in a military way. We can go back to the end of the 19th century, the whole business of anarchism and the way in which states had to deal with that. There was militancy of Marxists wanting a different kind of state. There were nationalisms, there were the struggles which were about wanting to have independence and nationhood. So we had those in Africa, we had it with Begin in Israel. That experience is not new to us. But what we hear described to us is that this is a fourth wave of terrorism and that it is different. That it's taking a different form and therefore you have someone like Dick Cheney saying: we don't negotiate with evil, we defeat it.

So you've obviously taken a rather different view, Gianni. I wanted you to just talk a little bit about that before we then talk about your meeting. You've been negotiating for how long?

Giandomenico Picco

Real negotiation? Probably since the mid-1970s.

Baroness Helena Kennedy

You were involved then where?

Giandomenico Picco

I negotiated with Pakistan, Afghanistan, Iran, Iraq, Saudi Arabia, Lebanon, Israel, Turkey and Cyprus. I failed with Cyprus, because they are too strong for me.

Baroness Helena Kennedy

Cyprus was too strong. That was a nut that was too hard to crack.

Giandomenico Picco

They went around me. So I failed.

Baroness Helena Kennedy

So you failed there, okay. Some of the audience might not be too sure there's been that great success in some of those other places that you've mentioned. There's no criticism intended, let me make it clear, but we live in a very troubled world. Before we talk about the issue of how you negotiate and whether you should negotiate, what is the answer to that question that's asked of any negotiator: basically, that you don't negotiate with people who've got blood on their hands. At this very moment, that's what's being said in relation to ISIS. It certainly was one of the things that was said about the Taliban, we mustn't have truck with them or treat with the Taliban. What is the answer to that? Is there anybody that you don't negotiate with?

Giandomenico Picco

First of all, there is not a rule. I think it is case by case. Life is case by case, every day is a different day in the life of all of us. I think when it comes to negotiations with people who use violence, as much as we have to follow our moral guidance we also have to be realistic about – I mean, people who use violence were also our enemies in history, the last one being the Soviet Union. I think we negotiated with the Soviet Union even if the gulags were still going on. So let's put this in reality.

Baroness Helena Kennedy

We negotiated certainly even the first time around. Lloyd George negotiated with the IRA back in 1920 certainly, we know from our own British experience of the negotiations behind the scenes with the IRA. We negotiated indeed with Menachem Begin. He was one minute a terrorist blowing up the King David Hotel and then he was –

Giandomenico Picco

But you see, what you are doing is – it's kind of a deviation of all our minds, it's understandable – we tend to make this comparison, whereas life is different every day and much more so is history. Every day is a different day, is a different event, is a different situation, is different. The people with whom we kind of challenged and fought for a long time, and we are not exactly kind angels – the behaviour of the Soviet Union, with the camps and the gulags and all the rest. We don't call them terrorists because they were too strong to call them terrorists, but in fact we have to be realistic about this. Every case is different. Not only that, we tend to forget, because we are afraid of what happens tomorrow because we don't know – every day gives us a different reality.

So by saying we don't negotiate with those who use violence or hostage-taking is in a way a simplistic phrase that does not reflect the fact that every day is a new day, is a different situation. There are ways you can negotiate without negotiating. The generalities never helped. I negotiated with many of these people and having not too shabby results, I can tell you there is not one negotiation which is similar to the other. My immediate reply to the question, I'll tell you, would be simple: I did negotiate with terrorists, but I did not negotiate by giving them anything or by using anything. I said: do you want to negotiate with me?

Fine, so take me. So they took me prisoner, fine. That was a different story. The [indiscernible] wasn't there on the other side.

So there are different ways. The generalities don't help, if you sit down today, to do with tomorrow. You don't want to use violence – why should you use, if somebody else does it.

Baroness Helena Kennedy

So what you're saying is that you can't have a blanket rule, because every situation is different, but at the same time you mustn't have a closed door to the possibility of sitting down and talking.

Giandomenico Picco

Yes.

Baroness Helena Kennedy

Gabby, you come at this with a rather different sort of experience, in that Gianni was a diplomat and came out of the tradition of diplomacy and working around nations coming together –

Giandomenico Picco

No, no, don't call me a diplomat. I don't want to be insulted.

Baroness Helena Kennedy

Okay, a negotiator. Some people would prefer to be considered a diplomat. But you didn't come from that background, you came from a very different background. Your background is psychotherapeutic and very much dealing with the individual. I want to understand what took you on a journey towards this sort of background work of talking to the other.

Gabrielle Rifkind

Gianni and myself originally met in Tehran. Whilst we clearly came from very different backgrounds, and you would think he'd talk the language of geopolitics and I would talk in the language of the group or the individual mind, but actually I think what we both felt very strongly is conflict is often just seen through the lens of realpolitik, which is about power, it's about resources and it's about land. It's a fight over that, but it isn't only about that. It is also about people. It's about humiliation, it's about marginalization, it's

about exclusion. It's about paranoid states of mind. It's about things like victim psychology. Often negotiations take place assuming that actually people are in a rational state of mind. If you have been involved in endless conflict and members of your family have been killed, you're often in a very high state of emotion and quite deep trauma. One of the things that we say is that you have to recognize what states of mind people are in. You can't expect them to actually make the kind of rational calculations that an end of conflict would actually necessitate. You have to start where people are.

One of the reasons Northern Ireland was so effective was that it set up a process which, for several years, people sat together in the same room. They probably didn't do the politics until the end. In fact, to begin with there certainly was no trust and they wouldn't sit afterwards – I think they took the group to South Africa and they wouldn't travel in the same buses and they wouldn't eat in the same restaurants. You could assume there was a state of mistrust and suspicion because this is what conflict does. Conflict makes all parties extremely fearful. They're often living in an existential state of fear. Unless you address that, unless people can be in the right states of mind, it's very hard to do business.

So one of the things we wanted to communicate is you actually have to set up safe processes – sustained, often quite long-term ones. If you look – we could talk to you quite carefully about Palestine-Israel and the way the negotiations are set up. It's often as if you can quickly wing it, this is what the deal looks like. Actually, unless people are – the last round of talks was a kind of classic example. Some of my Palestinian colleagues were saying: actually, pay attention to this, Kerry's serious. But in truth, nobody else believed that. When you talked to senior Palestinians, and some of them were serious at the time, 98 per cent of the population wanted an end to conflict but did not believe in it. They had kind of lost hope as a result of endless conflict. So our point is there is so much other work that has to be done to get to the end of conflict.

Baroness Helena Kennedy

Before we move on, I want you to answer this question. What took you to Tehran in the first place, into a circumstance where you might meet Gianni? Why does a woman who is a psychotherapist, who works with the individual but also doing group therapy – what takes you off on that trajectory?

Gabrielle Rifkind

It's a good question. I think I've always felt very drawn to politics but actually the kind of traditional politics didn't work for me. I don't think I'd have been very good at the kind of committees. But it just seemed like – it's true of all politics, you need to put it together with people and human motivation and why people behave in particular ways.

Baroness Helena Kennedy

You yourself are a woman from a Jewish background and presumably have connection with Israel in some form, through family or relatives or whatever. Was that any part of it?

Gabrielle Rifkind

It was. It's actually in the book. Originally in 2000, and this was the height of the second intifada, I was invited out to Israel to go and train 40 group analysts so they could work more with trauma. The training took two and a half years. We went, I think, on 25 occasions. But I think because of the background I'd come from, because every day I sit with couples or groups, I have a very deep belief that whilst in any conflict there is uneven power and one side has more power than the other, that actually it's a very complex story. I remember at the time there was so much pressure, particularly in the Palestine-Israel conflict, to take sides. The idea that you have to immerse yourself and really understand the stories, the traumas, the histories of both sides, just because of my background, felt like the thing that I could live with.

Baroness Helena Kennedy

Then you talk about this meeting that you had in Tehran. Tell us a little bit about it. Do you remember meeting this woman?

Giandomenico Picco

Surely not. No, I thought it was – the only point I would make on that is that my approach, what I have learned by now – of course, as you know, I'm 132 years old, so I have a long life. What I really learned is every day is a different story. Of course it was very appropriate for a good Jewish girl to meet with a good Catholic boy in Tehran. Where else? This is normal now, every day, right?

I think what matters, perhaps what I derive from my long life, is that the temptation to invent a *modus operandi* for negotiations (or whatever) is a mechanism to reassure ourselves that we know what happens tomorrow – when we don't, we never do. One of the things that I learned very early in my practical experience was so important to me for practicality that I convinced Gabrielle that there is one word which will absolutely never appear in our common book, and that is the word 'impartiality'. Impartiality never existed, does not exist. It is just a word of no significance. There is no impartiality and the reason is very simple: if you sit there and I sit here and I put this glass exactly in the geometrical middle, you will always see the glass closer to me and I will see it closer to you. That is the reason why impartiality is a boloney story which has a philosophical and also geographical origin – I can explain to you where it came from. It's after World War II, for reasons which are very practical in the construction of the UN system but most of all the bipolar system. But the fact is –

Baroness Helena Kennedy

It's a fiction.

Giandomenico Picco

Completely. So anybody who comes and tells you that you have to be impartial to do negotiations, you know for sure he never did any negotiations. There is no need, nobody wants you to be impartial.

Baroness Helena Kennedy

So impartiality is a fiction. Don't you therefore, if there isn't impartiality, don't you then find yourself drawn to one side more than the other?

Giandomenico Picco

Absolutely not. You are drawn to your side, and I'll tell you why. The first time – I was taken myself hostage by Hezbollah many times in the operation I did. I did not actually negotiate in the great palaces of Versailles or whatever, I actually did it in the street, which is always very good and convenient because you don't have to pay rent. The point was that when these things happen, you realize – and I'm talking about the reality, not the theory. You realize that there are two great narratives which are very helpful in negotiating with anybody – in fact, in talking to anybody or knowing anybody. The two narratives are the national narrative and the personal narrative. Now, you will not make the mistake of speaking to me, just because I have an Italian-sounding name, with an Italian narrative. You would be in trouble because my place of birth is the eastern Alps. Some of my ancestors were even Mongols. (If you are afraid now, you can leave.)

The point is the reality is different. When people tell you about negotiation, ask them: give me an example. How many negotiations have you resolved? What was the result? So if at some point the situation was that somebody used violence, you have to take him up and say: okay, do you want to use violence? Okay, take me hostage. I was taken hostage myself. They blindfolded me, they locked me up, they took me out, and we negotiated. But that is always, first of all, done one on one. I hope you don't believe the negotiations are done in a delegation of 10 people or 20, it's not a delegation of 10 or 20. That's for the birds or for TV, but it's not the real negotiation.

The fact is, the reality of negotiation – by the way, the third point is it changes historically. There was one way of negotiating during the Cold War, when you had fundamentally – anybody can tell you who did negotiations at the time – two or three variables. A kid's game. Negotiating with the Soviets – Gromyko would say: you're too tall to be an Italian. I said: Mr Minister, every time you met me, 'you're too tall to be Italian'. For god's sake, stop it! I would say: you're too tall to be Soviet, I was telling him.

The point is, when you negotiate, you've got to realize that every case is different because every day of life is different. Now, nobody told you that to negotiate you have to allow yourself to be taken hostage with no promise of return, but that's happened. Why? Because that was not the only negotiation. I was not so stupid to say: okay, you take me, fine, whatever happens, happens. No. I do not believe in God. I believe in my previous negotiation with the president of Iran. So I had negotiation with Iran, then a negotiation with Hezbollah, and that was the way it went, a piece at a time. Forget the theory, the theory is just – it goes down to the question of what is tomorrow. We don't know what is tomorrow, it's a new day. I would not tell you these things if I had not lived them.

When you say it's a negotiation, you imagine two sides negotiating, right? Let me tell you a story, very simple, in two words. How did the Iran-Iraq war end? It ended without the participation in the negotiations of neither Iraq nor Iran. Does it surprise you? Sorry to surprise you, that's the truth. The war was ended by Saudi Arabia and one person in the UN (or one and a half, if you consider me half). That's it. Iraqis and Iranians were not present in the room. The Iraqis had left even the town where the negotiation took place, they had gone away.

So we have to be realistic. Let's leave about the simplicity of negotiation, of what are the rules – there are no rules because every negotiation is different. When the second-in-command of Hezbollah took me the first time – you know, blindfolding is not very convenient. Machine guns on your neck when you negotiate is not very helpful. But nevertheless, what he said to me – he said something which may surprise me. He said to me: do you think I'm stupid? Do you think I'm going to tell you now that taking hostages, British and American hostages, is actually a good thing to do? I know it's bad. I know it's wrong. This is the Hezbollah leaders. So they know that what they did is wrong. But he said to me: I have no other weapons. You see? It is not simplicity.

So the personal narrative and the national narrative of your counterpart is absolutely the most important thing. If you want to know the national narrative or you want to know the personal narrative, you have to do your homework – homework which is not done in the great palaces of negotiation. Those are for the pictures.

An example – now I'm going to get into trouble. Do you remember the last negotiation last year between the 5+1 and the Iranians in Geneva? It came out at the beginning of November, we had a basic agreement to continue. Well, my dear friends, the agreement was neither done in Geneva nor in Europe, nor by the 5+1. It was done by the 1+1 and then, because we have means of communication like the computer, the text was sent, the 5+1 received it and – pictures! Agreement! 5+1. Done not even in Europe, and that is the truth.

So you see, one has to be a bit more practical about negotiation. Negotiation is not a theory, how you do it. Every negotiation is different.

Baroness Helena Kennedy

All right. Gianni, every negotiation is different. You've been at the hard end. You've gone through all that stuff that we know, because we've heard it – certainly other negotiators describe that business of the hood or the mask and taken off to some place that you don't know. But spending time with people who have long memories and who have their own history which they will tell from their perspective, and a kind of immersion in an understanding of what those people are about and what it is that has been part of their story.

Giandomenico Picco

Sure, absolutely.

Baroness Helena Kennedy

I want you to – you have a little bit of the book that you particularly feel indicates what this is about.

Gabrielle Rifkind

It sort of explains it. I just want to sort of –

Baroness Helena Kennedy

Do Twitter or anything, this is not a closed session. It's not Chatham House Rule.

Gabrielle Rifkind

When Helena, Gianni and myself just sat down for ten minutes at the beginning, Helena said: let's not structure it too much, let's see about the flow and what happens. But I think what you're really talking about is how the relationship builds between ourselves and then the audience. I think Gianni is talking about the same thing. He's saying there isn't a theory of negotiation, it's actually what evolves and you have to be open enough to be able to not have a rigid formula. It often is in part some of the relationships that are built or, for Gianni, what he talks about is sometimes the need to come at things laterally or in a different way or unexpected way. Otherwise we just go through the same old cycles.

Anyhow, let me read this little bit from the book:

'What connected us both was that we shared a similar language and we had a deep commitment to understanding the human mind, and particularly what motivates it, and to ask questions as to why people behave in particular ways. Gianni understood that behind every face, there is a human story – indeed, more than one. There was a life. There were hopes, aspirations, fears, anger, hatred and pain'. So I asked myself, what was it that allowed himself to be given up as a hostage to Hezbollah? He was to say to me (I think this was in our first meeting in Tehran), in spite of the unsavoury circumstances and the level of political and personal tension, one of the kidnappers grabbed Gianni's hand. He remembers his sweaty palm and he says: I could see the kidnappers were frightened. So I took his hand and I helped him feel safe. He understood that beneath the aggressive façade and the mask, there was a human being – misguided, if you like, wrong, unlikely to have made his own choices, but nevertheless a human being'.

Baroness Helena Kennedy

You've been involved, since that original meeting, in a number of negotiations and in a number of meetings with people whom many, certainly in the general public, would feel were beyond the pale. I know that you're regularly confronted with a challenge, which is: what do you think the purpose of that is, to be meeting with people involved in Hamas, involved in Hezbollah, involved in groups who basically are not conforming to our expectations of civilized conduct. What's your answer?

Gabrielle Rifkind

What's my answer? I think the thing that motivates us is, in the end, you're interested in an end to violence. How can that be possible? That means you have to talk to people with blood on their hands, but all sides have blood on their hands. That is the nature of conflict. One is state violence, one is non-state violence. If you want to actually – in the end, if your aim is – and this is where governments are different from conflict resolution and what we're trying to do. If you think about Syria, the Western countries said for a long time that Assad must go. At one stage our commitment was to the overthrow of Assad. To take sides in that way usually perpetuates the conflict. What the overriding aim needs to be is how do you stop the violence, because it's in conditions of violence that you see the terrible breakdown of human behaviour. You see the kind of behaviour that is extremely unsavoury, very disturbing. I'm sure there will be probably questions about ISIS later but ISIS has come out of a terrible political vacuum in the Middle East. It's not to justify how they're behaving – it's extremely alarming. But you do have to understand the conditions, how we got there and what they are saying.

Baroness Helena Kennedy

It would also involve: what is the invitation and the attraction of this to young people living here in the United Kingdom or other parts of Europe and the United States, to go and join in that particular activity? One of the things I feel about this is that you must meet quite a lot of cynicism, of people thinking: what is it they're up to? Is this about psychotherapy for terrorists? Who needs it, when we're all facing being blown up in the Underground or whatever? This is kind of nice, cosy, schmaltzy stuff from North London, but where is it going to get us, really? People must say that to you.

Gabrielle Rifkind

They don't say it to me – they might say it about me. It's not about me, it's about how do you create the right conditions. In the end, one hopes one's role is useful in terms of maybe what governments can't officially do, what can be done unofficially, off the record. It's always important to feed things back into government. So Hamas is an illegal organization, so people from the British government can't sit with Hamas. So it's a valuable thing to do to try and understand, is there any kind of movement? In fact, a further round of war hardens people's attitudes and makes things even more difficult. So one of the things I describe in the book is after Hamas won the elections, we actually got messages from Ismail Haniyeh at the time that they wanted to discuss goods crossing the border. They didn't want to get into a kind of deep dialogue about end of conflict with Israel, but they wanted to start on something very practical. One of the problems with this kind of thing is maybe one side feels more ready or sees it in their interest and the other side has had suicide bombings and what's been going on and is not in the mood. This goes on all the time, where neither side is actually aligned at the same moment in terms of what's going to happen.

But on the other hand, one of the things you learnt from Northern Ireland was that if you can set up a safe enough process, maybe political violence can be turned into communication. Not always, and one doesn't want to be naïve about it. Dialogue doesn't always work. But one has a responsibility to try and explore

and find out whether there are openings or possibilities, and I suppose that's some of the stuff we talk about.