The Program on Negotiation
at Harvard Law School

Annual Report
Academic Year 2012-2013
Working Index

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Part One: Report of Activities

A. Summary of Academic Year 2012-2013

1. Executive Summary

   The Program on Negotiation (PON) had an eventful year, with new inter-disciplinary collaborations, a growth in programs and activities, increased outreach, and a move back to Pound Hall.

   Widely recognized as a global leader in the field of negotiation and negotiation research, PON is an inter-disciplinary research center based at Harvard Law School. Founded in 1983, PON is a consortium of faculty and students from Harvard University, MIT, and Tufts University, with important involvement of faculty from other Boston-area schools. PON draws from numerous fields of study, including law, business, government, economics, the arts, psychology, public policy, and anthropology.

   PON faculty members are among the world’s leading scholars and teachers of negotiation. Through their affiliation with PON, they work collaboratively on a wide spectrum of cross-disciplinary projects, including research and writing, developing new teaching materials, mentoring young scholars, and sponsoring workshops, conferences, and other outreach activities.

   HLS professor Robert H. Mnookin has been Faculty Chair of PON since 1994. Serving with him on the PON Executive Committee are: HBS professor Max Bazerman, HLS professor Gabriella Blum, HLS professor Robert Bordone, MIT professor Jared Curhan, Brandeis professor Alain Lempereur, Tufts University professor Jeswald Salacuse, HBS professor James Sebenius, HLS/HBS professor Guhan Subramanian, and MIT professor Lawrence Susskind. Susan Hackley is PON’s managing director and an *ex officio* member of the Executive Committee.

   PON’s activities of the past year are described in detail throughout this report. These include important academic conferences, research seminars, new books and courses, and a wide variety of special events.

   PON co-sponsored a major conference on “Confronting Evil: Interdisciplinary Perspectives” with the Mahindra Humanities Center at Harvard University and the Volkswagen Foundation. The conference brought together leading scholars to discuss the practical and conceptual dimensions of evil and explore the limits of negotiation when dealing with the “devil.” In her remarks at commencement, Harvard President Drew Faust highlighted the conference as an example of how Harvard is actively engaged in addressing real world concerns.

   The Water Diplomacy Workshop was a five-day joint learning experience co-sponsored by the MIT-Harvard Public Disputes Program with MIT and Tufts. It offered negotiation skills training to water professionals from around the world.
Through its Middle East Negotiation Initiative, PON continued to work on issues relating to the Israel–Palestine conflict. PON co-hosted an innovative seminar series with the Harvard Graduate School of Design that explored the role of design, architecture, and urban planning in Israeli-Palestinian negotiations.

“Negotiations by Other Means: Track II, Unilateral Action, Robust Third Party Role and Islands of Coordination in the Middle East,” featured a panel discussion with Ambassador Dore Gold, President of the Jerusalem Center for Public Affairs, Ambassador Alan Baker, Jerusalem Center for Public Affairs, and Ghaith al-Omari, Executive Director of the American Task Force on Palestine.

Two new HLS courses were developed and taught by Professor Mnookin: “Intractable Conflicts: What Role for Negotiation?” and “Negotiating Jewish Identity in America”. Professor Sebenius taught a new course at HBS called “Great Negotiators,” which was developed through PON’s decade-long program of honoring and learning from Great Negotiators.

Two new courses were added to PON’s executive educational offerings: “The Odd Couple: Emotion and Reason in Negotiation” and “The Practical Art of Improvising Agreement”, and a new Harvard Negotiation Institute course, Mediating Disputes, was developed by Professor Mnookin with HLS lecturer David Hoffman. Approximately 1500 people took one of the courses offered by PON this past year.

Pedagogy@PON (P@PON) focuses on helping instructors improve how they teach and learn about negotiation. P@PON publishes a free online newsletter that highlights new research and teaching materials to a global community of more than 10,000 negotiation and dispute resolution educators.

The Harvard International Negotiation Program (INP) at PON hosted a visit from Dr. Gjorge Ivanov, President of the Republic of Macedonia, the first visit to Harvard by a president of Macedonia.

PON co-sponsored a research seminar series on gender, identity, and negotiation with the Women and Public Policy Program at the Harvard Kennedy School. PON continued to co-sponsor a seminar series on “Negotiation, Conflict, and the News Media” with the Nieman Foundation for Journalism, Joan Shorenstein Center on the Press, Politics, and Public Policy, and the Weatherhead Center.

A redesign of the PON website completed in spring 2013 helped improve usability and visibility. PON’s website now has about 70,000 visits per month, and PON regularly posts new information on the website, Facebook, Twitter, and LinkedIn.

Professor Mnookin was honored by the International Academy of Mediators with their Lifetime Achievement Award during the organization’s fall 2012 conference in Cambridge, Massachusetts.
Roger Fisher, a co-founder of the Program on Negotiation, its first faculty chair, and co-author of the best-selling book, *Getting to Yes*, died in August 2012 and was remembered and honored by his colleagues and former students in a number of ways.


2. Research, Scholarship and Project Activities

a. Areas of Inquiry – Research Program’s Mission Statement

PON supports a broad scope of research that both builds on negotiation theory and advances new negotiation concepts. PON scholars represent numerous disciplines, including law, psychology, economics, business and management, public policy, sociology, and international relations. They are recognized leaders in their fields and contribute their scholarship and expertise in a variety of ways, including through books and articles, mainstream media, online media, and in their teaching.

PON oversees a number of faculty-led research projects and initiatives. These include: Harvard Negotiation Research Project (HNRP); Harvard Negotiation Project (HNP); Middle East Negotiation Initiative (MENI); MIT-Harvard Public Disputes Program; Dispute Resolution Program; Program on Negotiations in the Workplace; the PON Research Seminar, and the Great Negotiator Study Initiative. A brief description of each project is below, including recent developments.

b. Projects / Research & Scholarship

i. Harvard Negotiation Research Project

During this past year, the focus of HNRP’s activities were: (1) exploring the limits of negotiation and the challenge of making wise decisions about whether to negotiate or resist in the face of demonization; (2) ethnic and identity based on conflicts; and (3) child custody conflicts.

*Limits of Negotiation:*

- Conference: *Confronting Evil: Interdisciplinary Perspectives.* On April 20, 2013, together with the Mahindra Humanities Center, PON and the HNRP sponsored an international conference entitled “*Confronting Evil: Interdisciplinary Perspectives.*” The conference (described in more detail on page 22) brought together leading scholars to discuss the conceptual and practical dimensions of evil. Topics addressed included the concept and rhetoric of evil, the psychology of evil, witnessing evil in world affairs, and responding to evil. Professor Mnookin’s panel entitled “*Responding to Evil:*
Should We Bargain with the Devil?” featured panelists Gabriella Blum, Charles Cogan, Philip Heymann, and Luis Moreno-Ocampo.

- **HSM Forum:** On September 25, 2012, in Sao Paulo Brazil, Professor Mnookin gave a keynote address before 700 hundred professionals on “Bargaining with the Devil” – i.e., how to make wise decisions in conflicts with adversaries one views as evil and untrustworthy.

**Ethnic and Identity Based Conflicts:**

- **Intractable Conflicts.** During the spring 2013 semester, Professor Mnookin taught a new seminar called “Intractable Conflicts: What Role for Negotiation?” His seminar examined several intractable conflicts, such as those in Northern Ireland, South Africa, Israel and Palestine, the United States and Cuba.

- **Israeli-Palestinian Conflict.** The Israeli-Palestinian conflict remained a major focus for a variety of HNRP activities, many of which are described in the MENI section below.
  
  o *Lessons from Gaza Evacuation.* Mnookin, Ehud Eiran and Shula Gilad completed a research paper on the lessons of the Israeli “unilateral” evacuation of Gaza. (This work is described in greater detail at page 13.

  o Professor Mnookin, along with colleagues Shai Feldman, James Sebenius, and Khalil Shikaki – in work supported in part by the Norwegian government, facilitated “track 2” discussions between Israelis, Palestinians and Americans relating to the conflict. On the basis of this work, they wrote a confidential report that was shared with government officials in the American and Israeli governments and the Palestinian Authority.

- **Jewish Identity in America.** During the fall 2012 semester, Professor Mnookin taught a new reading group called “Negotiating Jewish Identity in America.” The reading group was open to all first year law students at Harvard Law School, and with the guidance of Professor Mnookin, the group explored what it is to be Jewish in contemporary America. Through a set of readings, they addressed: (1) Within America, how has the treatment and circumstances of Jews changed over time? (2) In what ways, because of the First Amendment, has the experience of Jews in America always been different than in Europe and other parts of the world? (3) What are the varieties of ways Jewish identity is constructed in contemporary America? (4) What are the choices faced by young people today in terms of religious identity?
Child Custody Conflicts:

- Mnookin’s seminal article, “Child Custody Adjudication: Judicial Functions in the Face of Indeterminacy,” published in 1976, was the subject of a symposium organized by Professors Katherine Bartlett (Duke Law School) and Elizabeth Scott (Columbia Law School) and sponsored by Law and Contemporary Problems. The symposium, held at Duke on April 26, 2013, brought together leading legal scholars and social scientists who study child custody issues to assess developments in this area in light of Mnookin’s seminal article. The resulting volume will be published in 2014.

- The papers in the symposium focused on several dimensions of contemporary custody law and practice. Some interesting questions centered on the puzzling entrenchment of the best interest standard; despite criticism by scholars, beginning with Mnookin, very few states have adopted a more determinate custody standard. Professor Mnookin commented on the symposium papers and wrote an article for the symposium called “Child Custody Revisited”, in which he addressed the impact and implications of present day issues on his earlier findings.

Professor Mnookin was honored by the International Academy of Mediators with their Lifetime Achievement Award during the organization’s fall 2012 conference in Cambridge, Massachusetts. Additionally, he delivered a keynote presentation to the group on October 18, 2012 called “Caucus Considerations: Questionable or Indispensable?”

ii. Harvard Negotiation Project

The mission of the Harvard Negotiation Project (HNP) is to improve the theory and practice of conflict resolution and negotiation by working on real world conflict intervention, theory building, education and training, and writing and disseminating new ideas. Professor James Sebenius, who serves as vice-chair for Practice-Focused Research at PON, is Director of the Harvard Negotiation Project, while the PON Executive Committee (of which he is a member) continues to oversee HNP and its affiliated research initiatives.

HNP continues to work on a variety of activities with a Middle Eastern focus, including the academic activities of the Abraham Path, as well as a joint study group with Harvard's Belfer Center on Iranian Nuclear Negotiations, co-chaired by Professor Graham Allison. HNP also works in conjunction with PON on many aspects of the Middle East Negotiation Initiative (MENI). Professor Sebenius remains deeply involved in MENI’s work, and PON has renewed the appointment of Senior Fellow, Shula Gilad, to guide this initiative.

Professor Sebenius also leads the Great Negotiator Study Initiative. He oversees the process of seeking faculty input on potential Great Negotiator awardees and works with a faculty subcommittee to vet potential candidates based on established criteria. Further, he
has developed a course at HBS that examines PON’s decade-old Great Negotiator Program and takes a systematic look at the honorees as a group, highlighting cross-cutting insights.

HNP continues to sponsor the Harvard China Negotiation Initiative, collaborating with a number of faculty members who have found public and private negotiations with China-related aspects to be of special interest.

The Negotiation Roundtable continues to meet to analyze new case studies and articles. One meeting this past year brought in Bruce Allyn to present some research ideas centered on his work negotiating with the Russians. As a result of that meeting and faculty interest in his research, in the upcoming academic year Mr. Allyn will be a Senior Fellow co-sponsored by HNP and PON.

Two existing initiatives that continue under HNP are the Harvard International Negotiation Program, directed by HLS Lecturer on Law and HMS assistant professor Daniel Shapiro, and the Global Negotiation Initiative, co-founded and led by William Ury, Distinguished Senior Fellow.

1. The Harvard International Negotiation Program

During the 2012-2013 academic year, the Harvard International Negotiation Program (INP) continued its innovative work on the emotional and identity-based roots of conflict.

Negotiation Events: Bridging Research and Practice

Among the highlights of this past year, INP faculty and students organized and co-hosted a visit from Dr. Gjorge Ivanov, President of the Republic of Macedonia. The Program on Negotiation and the Kokkalis Program on Southeastern and East-Central Europe were co-sponsors of this program. President Ivanov presented a morning lecture at Harvard Law School and a public keynote address on the topic of “Macedonia – Integration without Assimilation through Respecting Diversity.” President Ivanov spoke about the values of tolerance, inclusiveness, and respect for diversity. He emphasized that there are no fully homogenous states in our globalized world and discussed theoretical and practical approaches to building an inclusive model of statehood.

Dr. Zoran Jolevski, the Macedonian Ambassador to the United States, joined Dr. Shapiro’s negotiation class at Harvard College for an in-depth conversation examining the emotional and identity-based underpinnings of the Greek-Macedonian Name Dispute. Ambassador Jolevski also discussed with students insights into the practice of diplomatic negotiations.
Scholarship

A key priority for INP is scholarship. Dr. Shapiro conducted substantial research for his forthcoming book on the role of identity in conflict resolution, to be published by Viking/Penguin. He also worked closely with Kelsey Werner, an INP intern from HMS/McLean, who provided research on psychoanalytic, social psychological, and neuroscientific advances in the study of identity. Another INP book project is currently being pursued by INP Affiliate Steve Nisenbaum and Madeleine Weiss, of HMS, who are conducting an evolutionary-biological inquiry into the nature of the human mind, reasoning, and its limitations. Additionally, INP has pursued research projects on social psychological and sociological approaches to resolving intergroup conflict, and has benefited from the research assistantship of Harvard College students Sarah Rosenkrantz and Marissa Brock.

Professor Nisenbaum and colleagues published an innovative article examining ethical and legal issues in veteran healthcare. (See the Praeger Handbook of Veterans’ Health.) Shapiro published a book chapter called “Problem Solving: Not Just about the Problem,” which appeared in Psychological Components of Sustainable Peace (2013), co-edited by Columbia Professors Morton Deutsch and Peter Coleman. On the “public scholarship” side, Shapiro published an op-ed on the fiscal crisis entitled “Negotiating the Fiscal Crisis.”

Another major INP research track has been to explore the efficacy of the Core Concerns Framework, developed by Roger Fisher and Daniel Shapiro, in improving organizational effectiveness. The model has been evaluated at the interpersonal level, but not formally at the organizational level. Therefore, INP field-tested the framework in conjunction with HMS-affiliated McLean Hospital. Professor Shapiro wrote a facilitator’s training guide, which INP faculty, including Bruce Shackleton of Harvard Medical School, tailored to the unique context of McLean Hospital. Evaluation of the program highlighted the opportunities and challenges of integrating an emotion-based negotiation program into an organizational context.

Teaching

Professor Shapiro spearheaded an academic working group to address identity-based dimensions of the Israeli-Palestinian conflict. That working group transformed into a major initiative of the World Economic Forum – the “Break the Impasse Initiative”— a non-partisan project of business, academic, and civil society leaders working to educate government leadership about the benefits and urgency of returning to formal negotiations – as well as the substantial risks to continued impasse. This initiative was endorsed by Palestinian President Abbas, Israeli President Peres, the King of Jordan, the U.S. Secretary of State, and others.
INP faculty affiliate Steve Nisenbaum presented a variety of lectures on the psychology of negotiation, including “A New Language for Conflict Resolution” for the International Society for Psychological Study of Social Issues; this lecture outlined 63 tools for mediators, as well as language to engage disputants in the process of positive change. Professor Nisenbaum also co-chaired, with eminent Boston mediator John Fiske, the Members Committee of the Massachusetts Council of Family Mediators. Bruce Shackleton, of HMS, furthered the theoretical and practical goals of INP through academic presentations and involvement in other INP-related activities.

In the spring, Professor Shapiro joined as a panelist at a Pedagogy @PON dinner focused on potential contributions of neuroscience to negotiation. He also taught a highly-evaluated undergraduate course at Harvard College (“Negotiation: From the Interpersonal to the International”), guest lectured across the campus, and taught seminars at HMS/McLean.

2. The Global Negotiation Initiative

The Global Negotiation Initiative (GNI), co-founded by Dr. William Ury and Dr. Joshua Weiss, continues to be involved in a number of endeavors at the practical and theoretical levels. At a practical level, GNI remains the shepherd of the academic research dimension of Abraham’s Path Initiative, which seeks to inspire and support the opening of a permanent cultural route of pilgrimage and tourism retracing the footsteps of Abraham in the Middle East.

GNI has been working in conjunction with the Abraham’s Path Initiative for over a year on the first comprehensive guidebook to the Abraham’s Path. The guidebook will include narratives of Abraham from the different faith perspectives (including places of common ground and how perspectives differ), profiles of people and historical/cultural places related to Abraham’s journey, and other important logistical information. The first version of the guidebook will appear online in 2013.

GNI has provided opportunities to students to work on the Path and is also working on a number of student exchange activities to enable students from Harvard University, Leeds Metropolitan University (UK), and ESPM in Brazil to experience the Path. Students have also made Abraham’s Path the focus of their research, including the creation of an experiential learning curriculum to be utilized along the Path.

GNI continues to advise the e-Parliament Initiative, which links members of parliaments and congresses from around the world via the internet and other technology. This online community enables democratically elected legislators to exchange ideas and propose strategies on global issues. The e-Parliament’s energy efficiency campaign, calling for a one-watt global goal for energy usage by appliances in standby mode, has already generated legislative initiatives in Brazil, Norway, and the European Union.
Dr. Weiss recently conducted a series of negotiation and Third Side trainings for two organizations, Shades and the Yala Network, in the Middle East. This work continues online through various mediums.

Dr. Ury teaches the “The Power of a Positive No” and “Dealing with Difficult People” Executive Education Seminars at PON.

Dr. Ury presented at academic conferences this past year, including:

- Pontificia Universidad Católica de Chile - Santiago, Chile
- Rockwood Leadership Institute - Tabernash, CO

Finally, Dr. Weiss published a series of audiobooks called the Negotiator In You series. The series focuses on negotiation at work, at home, and in the broader world. The series is also available as an e-book and will be published as a paperback book this year by HRD Press. The series has been translated and published in China and Brazil and will be coming out in Japan and Korea in late 2013.

iii. The Middle East Negotiation Initiative (MENI)

The Middle East Negotiation Initiative (MENI) co-sponsors various activities relating to the Middle East and supports faculty research efforts relating to the region. Professor Mnookin oversees this work with significant involvement by Professor James Sebenius, Senior Fellow Shula Gilad, and others.

Research

In 2012-2013, Professor Robert Mnookin, Udi Eiran and Shula Gilad completed a study entitled “Is Unilateralism Always Bad? Negotiation Lessons from Israel’s “Unilateral” Gaza Withdrawal,” which revisits the Israeli unilateral disengagement from Gaza in 2005. The study explores negotiation lessons derived from the unilateral disengagement, and challenges the conventional assumption held by dispute resolution experts that a negotiated settlement is always preferred to unilateral action. The research found that despite this predisposition, parties in conflicts sometimes opt to act unilaterally, even in situations where their actions meet the interests of both parties. Using the Gaza case, the authors illustrate that, at times, a mutually beneficial unilateral action is preferable to negotiation aimed at achieving a mutually beneficial agreement.

As seen by analyzing the Gaza case, acting unilaterally afforded Israeli Prime Minister Ariel Sharon the option to remain vague about his motives, strategy and long-term plans, thus neutralizing the internal opposition on both sides. He went so far as to create a coalition that supported his unilateral move for different reasons, each group according to its preferred interpretation. As such, Sharon’s decision to forego negotiations and, instead, implement his plan unilaterally was eminently rational. The paper concludes by considering the aftermath of Israel’s withdrawal in order to identify
missed opportunities and suggest ways in which persons acting unilaterally can maximize the likelihood of long-term success. In particular, the authors underscore the need to coordinate the unilateral actions with the other parties involved, and be extremely mindful of the effects unilateral actions have on the other party.

**Workshops**

PON’s Senior Fellow Shula Gilad and her colleague Rachel Tal from the Amal Network received a MEPI (Middle East Partnership Initiative) grant from the US State Department to conduct a negotiation training program entitled “Joint Negotiation Training for Jewish and Arab High School Students in Israel.” This training brought together students from Arab and Jewish schools in Israel to teach them how to communicate and negotiate more effectively. More than 300 students and 30 teachers participated in this program, which included a two-day workshop hosted by each school respectively. The workshop was followed by training sessions in their schools, meeting with negotiation practitioners, and membership in a closed Facebook group, YNN (Young Negotiators Network). This group was created especially for the participants as a way enable continued communications and learning. Over the past three years, approximately 800 students from six Arab and six Jewish schools, as well as 30 teachers have participated in these two-day workshops, supported by the Public Diplomacy Program of the US Embassy in Tel Aviv.

On July 13, 2012, 17 young Arab leaders from 14 countries spent a day at PON as part of the Middle East Partnership Initiative Young Arab Leaders, learning to negotiate effectively through simulations and hearing real life negotiation stories from former President of Ecuador, Dr. Jamil Mahuad, who negotiated a treaty with Peru after many decades of wars and bloodshed. Susan Hackley welcomed the participants to the workshop organized by Shula Gilad. This particular group of participants, hosted by the Roger Williams University in Rhode Island, came to the US with colleagues (numbering 100) to visit public, private and NGO institutions and meet people who inspire them to take on leadership roles in their respective communities. In previous years, the participants said that the workshop was one of the highlights of their six-week training program.

Shula Gilad and Joshua Weiss held two full-day workshops in Jerusalem for young Israeli and Palestinian leaders chosen by Yala-Young Leaders as having exceptional potential to affect the Middle East. This was the participants’ first opportunity to meet each other and study together. In fact, for many of the Palestinians it was the first time to visit Jerusalem in the last 12 years, since the beginning of the Intifada. Each group continues to communicate and study together over the Internet, thus affirming the importance of learning negotiation together.

**Shades Negotiation Program**

During the last two years, PON Senior Fellow Shula Gilad has been guiding a grassroots initiative in the Shades Negotiation Program pilot program: to provide negotiation and leadership training jointly to young Israeli and Palestinian leaders and
afford them the opportunity to meet and understand each other and the very complex
nuances of their conflict. Shades was founded by Lior Frankiensztajn, who continues to
develop it as its executive director, and Walid Issa; its pilot program began in April 2013
with 10 Israelis and 10 Palestinians, taught by Harvard scholars and affiliates, as well as
international and local negotiators and community leaders. Trainings are held biweekly,
first in parallel (Ramallah and Herzliya), followed by joint sessions in Jerusalem and Beit
Jala.

Shades’ vision is to create a network of young (22-33) leaders, who are non-partisan
and a-political but very committed to changing and improving their societies. The
curriculum for Shades is drawn from the Program on Negotiation (PON) at Harvard Law
School; a number of PON faculty affiliates, like Alain Lempereur, Daniel Shapiro, Eileen
Babbitt, Susan Hackley, Josh Weiss and Shula Gilad have either taught or are planning to
teach in the future.

On June 5, 2013, a group of Israelis and Palestinians from Shades walked the
Abraham’s Path in Israel on a guided tour organized by Shula Gilad, visiting Jewish and
Arab villages on route and learning about the Abrahamic tradition of the societies, their
current challenges and successes.

Shades benefits from support of IPNP’s (Israeli Palestinian Negotiation Partners)
network members. Approximately 12 years after the establishment of the IPNP network
at the request of local negotiators and the guidance of the late Roger Fisher, a number of
experienced and well positioned IPNP members have agreed to be mentors to the Shades
program and to individual participants. IPNP members (numbering approximately 100)
received their negotiation training from PON faculty affiliates in Cambridge in intensive
week-long joint Israeli-Palestinian workshops and additional programs in the Middle
East.

MENI sponsored various seminars and brown-bag lunches on current topics relevant
to the Middle East. This year, a series of four seminars was organized by Shula Gilad and
Karen Lee Bar-Sinai, co-sponsored by the Middle East Negotiation Initiative at the
Program on Negotiation and the Loeb Fellowship of the Harvard Graduate School of
Design. The Seminar series, entitled “Designing a YES: the Role of Spatial Planning in
Political Negotiations,” was developed to explore the role of design and urban planning
in negotiation. Additional information on each of these seminars can be found on page
25.

MENI also presented “Negotiations by Other Means: Track II, Unilateral Action,
Robust Third Party Role and Islands of Coordination in the New Middle East,” a
panel discussion focused on alternate avenues for achieving negotiated agreements
between Israelis and Palestinians. The panelists were Ambassador Dore Gold, President
of the Jerusalem Center for Public Affairs; Ambassador Alan Baker, Jerusalem Center for
Public Affairs; and Ghaith al-Omari, Executive Director at the American Task Force on
Palestine. The discussion was chaired by Professor Robert H. Mnookin, Samuel Williston
Professor of Law at Harvard Law School, and Chair of the Program on Negotiation.
(March 4, 2013)
Lastly, MENI and the Middle East Initiative at Harvard Kennedy School co-presented a screening of Just Vision’s documentary short “My Neighbourhood.” The program was part of the PON Film Series, a forum for discussing negotiation theory and practice through the analysis of conflicts depicted in documentary or feature films. For more information on this event, see page 27.

iv. MIT-Harvard Public Disputes Program

The MIT-Harvard Public Disputes Program continued research efforts in the four main areas in which they have made important contributions to theory building and the definition of best practice over the past two decades: (1) international environmental treaty-making, (2) the application of mediation techniques and strategies to a range of public disputes, (3) strategies for addressing values-based and identity-based disputes in the public arena; and (4) the resolution of sovereignty and land claims of indigenous peoples. Dr. David Fairman and Mr. Patrick Field continue to serve as Associate Directors of PDP. Professor William Moomaw at Tufts University and Professor Lawrence Susskind at MIT are co-directors of PDP.

Highlights from the 2012-2013 year include:

1. **Water Diplomacy** – PDP co-organized a Water Diplomacy Workshop for 28 water professionals from 20 countries. The week-long program was held in June 2013, and was hosted on the Harvard Law School campus by PON for two days. Jointly co-sponsored by MIT and Tufts University, this train-the-trainer program teaches the Water Diplomacy Framework presented in *Water Diplomacy: A Negotiated Approach to Managing Complex Water Networks* (Resources for the Future, 2012) written by Shafiqul Islam and Lawrence Susskind. The Workshop was supported by the National Science Foundation, the World Bank and the Skoll Foundation.

   The MIT-Harvard Public Disputes Program also organized an NSF-funded Research Coordination Network on Water Conflict and Security. This brings the heads of 15 international research centers, each of whom is working on better ways of managing water conflict, to MIT each year. PDP developed the Aquapedia, an on-line system for collecting case materials that explore the various ways in which water conflicts are being handled around the world. PDP has also developed several new role play simulations that have been added to the PON Clearinghouse, including the four separate simulations that make up the Indopotamia Game.

2. **Creating Value in Real Estate Negotiation** – A new two day course, Creating Value in Real Estate Negotiation, was offered jointly between PDP and the MIT Center for Real Estate. An open enrollment class aimed at real estate professionals from around the world, the most recent class had 30 registrants. PDP was able to use iPads for videotaping and debriefing of PON negotiation exercises. This course will be offered each year in May.

3. **Mediating Hydrodevelopment Conflicts in Chile** -- In conjunction with the Consensus Building Institute and MIT’s Program on Science and Technology Innovation
(MISTI), PDP organized a "Devising Seminar" to bring together government, industry and civil society leaders involved in the increasingly acrimonious and dangerous conflict over the development of hydropower in Patagonia. The focus was on new ways of ensuring that indigenous peoples (Mapuche), national environmental interests and government agencies at the national and local level have a forum in which to brainstorm better ways of dealing with strong disagreements about energy policy and project development. With colleagues at the Austral University de Chile (in Valdivia), PDP is in the process of creating a new permanent forum in which Devising Seminars on a range of public policy issues might be organized. All the published materials are available on the web site of the MIT Science Impact Collaborative (scienceimpact.mit.edu).

David Fairman, Associate PDP Director, and Larry Susskind continue PDP’s work with the World Bank Institute and other units of the Bank building and evaluating grievance resolution mechanisms.

Patrick Field, Associate Director for PDP, hosted a PON Film Series event on the theme of mediating public disputes on fracking. Brief clips of two documentaries, Gas Rush Stories and FrackNation, were screened, each with differing perspectives on the various risks and benefits associated with fracking and its impact on local communities. After each film clip was shown, Mr. Field facilitated a conversation with the audience, exploring the film’s perspective on the issues, and highlighting the challenges and opportunities for mediating public disputes on energy development projects.

Patrick Field and Lawrence Susskind received a grant from NOAA to work with four New England coastal communities and the National Estuarine Research Reserve System to test the effectiveness of "massive" playing of tailored role play simulations as a tool for promoting collective efforts to manage climate change risk. More details are available on the scienceimpact.mit.edu web site. All four games developed for this two year experiment will be added to the PON Clearinghouse with detailed teaching notes.

v. Dispute Resolution Program

The Dispute Resolution Program (DRP) is co-directed by its founder HLS professor emeritus Frank Sander, and Professor Michael Wheeler. It promotes research and theory-building on the growing arraying of alternative dispute resolution processes, with emphasis on how those procedures are best used in conjunction with judicial and regulatory systems.

Professor Sander co-authored the recently published text, Designing Systems and Processes for Handling Disputes (Wolters Kluwer, 2013). The other authors include his colleagues Nancy Rogers, Robert Bordone, and Craig McEwan. An early reviewer has commended their work as being three books in one: a textbook for the classroom, a reference book on the evolution of systems design, and a roadmap for further innovation in this important realm. The sixth edition of Professor Sander’s casebook, Dispute Resolution: Negotiation, Mediation, & Other Processes, was published in 2012.
Professor Sander remains active in the ABA Dispute Resolution Section and serves as Chair Emeritus of the editorial board of *Dispute Resolution Magazine*. He also continues to collaborate with Professor Mariana Hernandez Crespo of St. Thomas Law School in efforts to introduce “the multi-door courthouse” (MDC) to various South American countries. (Professor Sander is the originator of the MDC concept – the idea that mediation, arbitration, and other dispute resolution services should be provided alongside litigation.)


Professor Wheeler continues to serve as editor-in-chief of the *Negotiation Journal* and co-lead (with Professor Lawrence Susskind) the Program on Negotiation’s Pedagogy Initiative.

**vi. Program on Negotiations in the Workplace**

Faculty and affiliates of the Program on Negotiations in the Workplace Project have been active in research and intervention work as it concerns gender in the workplace.

Co-Directors Simmons Professor (emerita) Deborah Kolb and HBS professors Kathleen McGinn and Lakshmi Ramarajan have completed their paper, “An Outside-Inside Internalization of Shifting Gender Logics In Professional Work.” The paper explores how the women’s initiative at a professional services firm reshaped its mission and strategies as it internalized the challenges of the changing social institution of gender over nearly two decades. In the process the initiative was refashioned from a program focused solely on women to a broader and more inclusive mandate.

Professors Kolb and McGinn continue their four year project with the African Women in Agricultural Research and Development (AWARD), a project funded by the Bill and Melinda Gates Foundation. The project is intended to develop the capacity of African trainers to deliver a four day negotiation workshop that emphasizes negotiations in the workplace. In 2012 they delivered a four day negotiation program for women scientists in Africa, Europe, and Asia. In September, 2013, they will run the first phase of a Train the Trainer Workshop in Kenya. The trainers will co-teach with Kolb and McGinn the Negotiation Workshop for Women in September.

In another project with Jessica Porter and a leadership group in Chicago, Leading Women Executives, Kolb is working on developing a diagnostic framework to analyze systemic gender issues in organizations. The framework is in the process of being turned into a white paper that organizations can use to help identify ‘small wins’ that enable women leaders to flourish at the same time as they enhance the performance of organizations.
Kathleen McGinn and Katherine Milkman (Wharton), published their study, “Looking up and looking out: Career mobility effects of demographic similarity among professionals,” in *Organization Science* (forthcoming). McGinn and Milkman studied turnover and promotion in a large law firm over six years. They found that workgroup demography in terms of race and gender are significant predictors of voluntary exit and promotion.

Kathleen McGinn, Katherine Milkman and Markus Noth (University of Hamburg, Germany) published "Walking the Talk in Multiparty Bargaining: An Experimental Investigation" (*Journal of Economic Psychology*, in press). In two studies of multiparty negotiations, they show the powerful effects of using pre-negotiation talk to frame the logic of a negotiation as either a competitive or a cooperative interaction (*Journal of Economic Psychology*, in press).

Pinar Fletcher (HBS), Kathleen McGinn and Iris Bohnet (HKS) are exploring the mechanisms through which workgroups affect effort and turnover. In a series of experiments, they found that task and gender interact to drive performance, while the effect of competitive versus cooperative incentives appear weak - in contrast to conclusions from past research. They are currently designing follow-up studies to explore the effects of task and gender on participants' choice of incentives and partner.

Mukti Khaire (HBS) and Kathleen McGinn are studying how gender, work, family and community interact and evolve over time. Using three decades of Indian census data and 50 interviews of self-employed women in the state of Gujarat, India, they are measuring the economic impact of self-employment and the social and psychological mechanisms underlying this impact.

Nava Ashraf (HBS), Corinne Low (Columbia University) and Kathleen McGinn are carrying out a field experiment in Zambia, designed to study the effects of providing negotiation skills training in addition to information about sexually transmitted diseases and the benefits of staying in school, relative to the effects of providing information alone. Pilot study results suggest positive health benefits for teenage girls receiving training in negotiation skills along with information. PON has provided partial funding for this project.

vii. PON Research Seminar

Overseen by Professor Jared Curhan (MIT), the PON Research Seminar invites leading scholars from around the country to speak about their research on negotiation and related fields to PON-affiliated faculty members and doctoral students from the Greater Boston area. This year the PON Research Seminar co-sponsored a research seminar on gender, identity and negotiation with the Women and Public Policy Program at Harvard Kennedy School. The co-sponsored seminars were:

- “Race, Gender and the Dynamics of Social Hierarchy Reversal” - Robert Livingston, Assistant Professor of Management and Organizations, Northwestern University (Thursday, October 11, 2012)
• “Social Perception at the Crossroads: Why Sex (Still) Impacts the Perception and Evaluation of Other Status-Linked Identities” - Kerri Johnson, Assistant Professor, Social Psychology, University of California, Los Angeles (UCLA) (Thursday, November 1, 2012)

• “Can Female Leaders Mitigate Negative Effects of Diversity?: The Case of National Leaders” - Katherine Phillips, Professor of Management, Columbia Business School (Thursday, February 14, 2013)

• “Condoning Stereotyping: How Awareness of Stereotyping Prevalence Impacts Stereotype Expression in Negotiations and Beyond” - Melissa Thomas-Hunt, Associate Professor of Business Administration, University of Virginia Darden School of Business (Thursday, April 4, 2013)

viii. PON Website

The PON website (http://www.pon.harvard.edu) shares news about its faculty and research projects, publicizes PON activities, and supports communication with PON’s community of scholars and practitioners. As an information hub for PON’s diverse activities, it is an invaluable resource for individuals interested in the fields of negotiation, conflict management, and mediation. For more information on the website, as well as PON’s social media and email communications, please see page 40.

c. Clinical Work

The Program on Negotiation coordinates with the Harvard Negotiation and Mediation Clinical Program, sharing resources and information on events, opportunities for student involvement, etc. This is especially true now that both departments are once again located on the 5th floor of Pound Hall, along with the Harvard Mediation Program. Professor Robert Bordone, Director of HNMCP, is a member of the PON Executive Committee.

d. Publications & Other Activities

i. Publications

1. Negotiation Journal

Negotiation Journal is a quarterly, peer-reviewed publication that takes a multidisciplinary approach to negotiation and conflict resolution. The journal publishes cutting-edge empirical research, as well as theoretical essays, case analyses, book reviews, and advice for practitioners, with a strong commitment to publishing articles of interest to negotiation teachers.

Article topics in 2012-2013 included articles on climate change negotiations, the management of employee conflicts, gendered differences in the propensity to initiate negotiation, the facilitation of better divorce agreements, teaching negotiation via
remote role plays, how negotiators can help their counterparts meet their behind-the-table challenges, and what negotiators can learn from military strategists.

In April, the journal published two special sections. One section celebrated the breadth and depth of Roger Fisher’s legacy as a theorist, teacher, practitioner and individual. The other looked at “Practice in the Academy,” examining the opportunities enjoyed and challenges faced by those academics who also seek to do significant work as negotiation and conflict resolution practitioners.

In 2012-2013, online accessing of the journal’s content continued to increase, while subscriptions and licenses were renewed at an above average rate.

2. Negotiation

PON produces a monthly newsletter, Negotiation. With HLS Professor Guhan Subramanian as faculty editor, the newsletter offers current negotiation strategies and methods to improve management, decision-making, and communication skills from PON negotiation experts and scholars in a quick-reading, practical format. The newsletter is available in print and online editions.

3. Harvard Negotiation Law Review

The Harvard Negotiation Law Review (HNLR) is one of the country's leading journals of alternative dispute resolution scholarship. HNLR publishes a variety of articles related to negotiation, mediation, arbitration, and other dispute resolution topics. The journal also hosts symposia and other events addressing current and noteworthy issues in ADR. PON co-sponsored the 2013 HNLR Symposium entitled “Ideas and Impact: Roger Fisher’s Legacy.” For more information on the symposium, see page 41.

4. Teaching Negotiation

Pedagogy @ PON (formerly known as NP@PON (Negotiation Pedagogy at the Program on Negotiation)) publishes a free, monthly e-newsletter, Teaching Negotiation, which highlights current research, new teaching materials and upcoming events, as well as offering a discussion forum for negotiation instructors. The frequency of publication was increased from bi-annual to monthly in 2013. It is circulated to a list of more than 10,000 negotiation and dispute resolution educators.

5. Books published by PON-affiliated faculty in 2012-2013

- The eighth edition of Max Bazerman’s book Judgment in Managerial Decision Making was published in 2012 by John Wiley & Sons, Inc.
• *Civic Fusion: Mediating Polarized Public Disputes*, by Susan Podziba, was published in 2013 by the American Bar Association.

• *The Three Laws of International Investment*, by Jeswald Salacuse, was published in 2013 by Oxford Press.

• The sixth edition of Frank Sander’s casebook, *Dispute Resolution: Negotiation, Mediation, & Other Processes*, was published in 2012.

ii. Conferences

1. **Exploring the Frontiers of Conflict Resolution**: The International Academy of Mediators held a conference on "Exploring the Frontiers of Conflict Resolution: From the Banks of the Charles to the Distant Shores of Cyberspace" in October 2012 in Cambridge. Among the featured speakers were PON faculty members Robert Mnookin, Guhan Subramanian, Alain Lempereur, Robert Bordone, and Sheila Heen. Professor Mnookin was given the IAM’s Lifetime Achievement Award.

2. **Confronting Evil: Interdisciplinary Perspectives** - On Saturday, April 20, 2013, the Program on Negotiation co-hosted a conference entitled “Confronting Evil: Interdisciplinary Perspectives,” held on the Harvard University campus. Two years in the making, the Confronting Evil conference was a major collaboration by PON and the Mahindra Center at Harvard University, under the leadership of HLS Professor Robert H. Mnookin and Homi Bhabha, the Anne F. Rothenberg Professor of the Humanities in the Department of English and Director of the Humanities Center at Harvard University. The conference was also co-sponsored by the Volkswagen Foundation.

   Originally scheduled to commence on Friday, April 19th, the two-day conference had to be condensed to a single day due to the lock-down of the Boston area during the search for the Marathon bombing suspects. The timely nature of the content provided added gravity to the day’s conversations. In her 2013 commencement speech, Harvard President Drew Faust highlighted the conference as an example of how Harvard is actively engaged in addressing real world concerns.

   The conference consisted of four panels, each addressing varying perspectives on the topic of Confronting Evil. A question and answer period at the conclusion of each panel allowed for active involvement of attendees and a rich discussion of the topics raised. Over one hundred people attended, and the event was also streamed live on the web. Videos of all four panels are available online.

   The panels and presenters were as follows:

   **Panel 1: The Concept and Rhetoric of Evil**
Panelists: Peter-André Alt, Freie Universität Berlin; Avishai Margalit, The Hebrew University of Jerusalem; Susan Neiman, Einstein Forum; Elaine Pagels, Princeton University; Chair: Homi Bhabha, Harvard University

Panel 2: The Psychology of Evil: Cognitive, Behavioral, and Social Implications
Panelists: Max Bazerman, Harvard Business School; Joshua Greene, Harvard University; Lee Ross, Stanford University; Chair: Mahzarin Banaji, Harvard University

Panel 3: Witnessing Evil in World Affairs: From Everyday Evils to Extraordinary Crimes
Panelists: Gazmend Kapllani, Radcliffe Institute for Advanced Study; Linn Normand, University of Oxford; Richard Shweder, University of Chicago; Chair: Jacqueline Bhabha, Harvard University

Panel 4: Responding to Evil: Should We Bargain with the Devil?
Panelists: Gabriella Blum, Harvard Law School; Charles Cogan, Harvard Kennedy School; Philip Heymann, Harvard Law School; Luis Moreno-Ocampo, New York University; Chair: Robert Mnookin, Harvard Law School

iii. Workshops

1. For the seventh consecutive year, Susan Hackley, Managing Director of PON, led a negotiation skills workshop entitled “The Art of Negotiation” as part of the annual Women2Women (W2W) Conference. Organized by Empower Peace, Women2Women is a week-long leadership training program for young women, age 15 - 19, from the Middle East, North Africa and the United States.

2. The Program on Negotiation co-sponsored a series of negotiation training workshops in Israel, organized by PON Senior Fellow Shula Gilad and her colleague Rachel Tal from the Amal Network. These workshops brought together students from Arab and Jewish schools in Israel to teach them how to communicate and negotiate more effectively.

3. In June 2013, Managing Director Susan Hackley taught a workshop on "Negotiation and the Art of Communication" to army personnel at Fort Devens, Massachusetts.

4. The Harvard-MIT Public Disputes Project, in partnership with Tufts University, offered a Water Diplomacy Workshop in June 2013. This week-long train-the-trainer program offered negotiation skills to water professionals from around the world. Additional details on this program can be found on page 16.
iv. Events

1. The Herbert C. Kelman Seminar Series on Negotiation, Conflict and the News Media

The Herbert C. Kelman Seminar Series on Negotiation, Conflict and the News Media is held throughout the academic year. The series is co-sponsored by the Program on Negotiation, the Nieman Foundation for Journalism, the Weatherhead Center for International Affairs, the Joan Shorenstein Center on the Press, Politics, and Public Policy, and Boston area members of the Alliance for Peacebuilding.

The 2012-2013 Kelman Seminar speakers were:

- **The Clash of Values in the Wake of the Arab Uprisings** – Presenters: Souad Mekhennet, 2013 Nieman Fellow and reporter for the *New York Times, Der Spiegel* and ZDF (German television); and Denis Sullivan, Professor of Political Science and Director of the Middle East Center for Peace, Culture, and Development, Northeastern University. (April 29, 2013)

- **What Can Neuroscience Tell Us about Conflict and its Resolution?** – Presenters: Dr. Emile Bruneau, research scientist in the Brain and Cognitive Sciences department at MIT; and Tim Phillips, Founder and Chairman of the Board on Justice in Times of Transition. (April 1, 2013)

- **Women and Negotiation: Their Place at the Table in the US and Abroad** – Presenters: Katrin Bennhold, staff writer for the *International Herald Tribune*; and Paula Gutlove, Professor of Negotiation and Conflict Management Practice, Simmons College School of Management. (March 11, 2013)

- **Unilateral Initiatives in the Israeli/Palestinian Conflict** – Presenters: Yaakov Katz, correspondent for *The Jerusalem Post* and *Jane’s Defence Weekly*; and Robert Mnookin, Samuel Williston Professor of Law at Harvard Law School, and Chair of the Program on Negotiation. (December 3, 2012)

- **Covering Conflict: War, Storytelling and the Impact of Witnessing Violence** – Presenters: Finbarr O’Reilly, *Reuters* photographer and Nieman Fellow; and Bessel A. van der Kolk, Medical Director of the Boston Trauma Center. (November 5, 2012)

- **Europe at a Crossroads: The Story of Greece and What It Reveals About Structural Problems in the Eurozone** – Presenters: George Papandreou, former Prime Minister of Greece; and Richard Parker, Lecturer at the Harvard Kennedy School and Senior Fellow of the Shorenstein Center on the Press, Politics and Public Policy. (October 17, 2012)
2. PON Brown Bag Series

Throughout the academic year, PON invites experts and practitioners in the field of negotiation, mediation and conflict resolution to speak at the PON Brown Bag luncheon series. These presentations typically include a 30 minute talk by the presenter, followed by a Q&A period. These free events are open to HLS students, faculty, staff and the wider community.

In 2012-2013, the PON Brown Bag lunch series included the following:

- A series of four seminars co-sponsored by the Middle East Negotiation Initiative at the Program on Negotiation and the Loeb Fellowship of the Harvard Graduate School of Design, which discussed the role of urban planning in negotiation. These were:
  - **Israeli Settlement Withdrawal: Negotiation Lessons From The Past, And Planning for the Future** – Presenters: Karen Lee Bar-Sinai, architect and co-founder of SAYA/Design for Change, and Loeb Fellow; and Robert H. Mnookin, Samuel Williston Professor of Law at Harvard Law School, and Chair of the Program on Negotiation. (February 22, 2013)
  - **The Role of Designers in Negotiating Israeli-Palestinian Borders** – Presenters: Yehuda Greenfield-Gilat, architect and co-founder of SAYA/Design for Change; Dan Rothem, Senior Research Consultant at the S. Daniel Abraham Center for Middle East Peace; Nizar Farsakh, former Negotiations Adviser to the PLO; and Professor James Sebenius, Gordon Donaldson Professor of Business Administration at Harvard Business School, and Director, Harvard Negotiation Project. (January 9, 2013)
  - **The Role of Architects in Negotiations: Designing a “Yes” in Jerusalem** – Presenters: Karen Lee Bar-Sinai, architect and co-founder of SAYA/Design for Change, and Loeb Fellow; and Diane Davis, Professor of Urbanism and Development, Harvard Graduate School of Design. (November 20, 2012)
  - **The Role of Urban Planners in Negotiations: Case Study of Israeli-Palestinian Negotiations** – Presenter: Karen Lee Bar-Sinai, architect and co-founder of SAYA/Design for Change, and Loeb Fellow; and chaired by Professor James Sebenius, Gordon Donaldson Professor of Business Administration at Harvard Business School, and Director, Harvard Negotiation Project. (September 28, 2012)
  - ** Complexity Personified: International Standards Negotiations from a Microsoft Manager’s Perspective** – Presenter: Jason Matusow, General Manager
of International Standards at Microsoft. Matusow explored how negotiation skills could be utilized in the complex global setting of international standards creation. A discussion followed with MIT Professor Lawrence Susskind, a member of PON’s Executive Committee, and Samuel “Mooly” Dinnar, Director of Negotiation at MWI. Joshua Weiss, co-director of the Global Negotiation Initiative at the Harvard Negotiation Project, moderated the panel. (April 3, 2013)

- **The Promise of Mediation in Russia** – Presenter: Professor Tsisana Shalikashvili, Moscow University of Psychology and Education and Founder of the Center for Mediation and Law. Topics of discussion included Russian federal law on mediation and its implications in Russia and neighboring countries. (April 2, 2013)

- **Negotiating with Organized Crime: Approaches, Evidence & Implications** – Presenter: Dr. Achim Wennmann, Researcher, Centre on Conflict, Development and Peacebuilding (CCDP) of the Graduate Institute for International and Development Studies, Geneva. Dr. Wennmann discussed the challenges of dealing with actors involved in organized crime, within peacemaking and peace-building contexts. (March 5, 2013)

- **A Common Ground Approach to Societal Conflict Resolution** – Presenters: John Marks, President and Founder of Search for Common Ground; and Susan Collin Marks, Senior Vice President of Search for Common Ground. (October 15, 2012)

3. **PON Film Series**

The PON Film Series provides a forum for discussing negotiation theory and practice through the analysis of conflicts depicted in documentary or feature films. The Film Series also honors filmmakers whose films increase understanding of negotiation and conflict transformation.

- **Mediating Public Disputes on Fracking** – This film series event focused on the topic of hydraulic fracturing, or “fracking” to produce energy. Excerpts from two documentaries, *Gas Rush Stories* and *FrackNation* were viewed, presenting opposing perspectives on the risks and rewards of fracking as a means to produce affordable energy in the U.S. Patrick Field, Associate Director of the MIT-Harvard Public Disputes Program, led a discussion following each video segment, and reflected on the challenges of mediating public disputes on energy. (April 25, 2013)

- **“Roger Fisher and the Advocates”** – In 1969, Harvard Law School professor Roger Fisher created an innovative television program in which two advocates debated a public issue in a courtroom-style setting, with the goal of increasing public engagement on the critical issues of the day. In the episode screened by PON, Fisher debated with advocate William Kunstler on civil disobedience as a tactic to end the war in Vietnam. Commentary about Fisher’s work on the show
was provided by Lisle Baker, Professor of Law at Suffolk University Law School and one of the original four advocates on the program, and Bruce Patton, Distinguished Fellow and co-founder of the Harvard Negotiation Project. (February 28, 2013)

- **“My Neighbourhood”** – Produced by JustVision, this documentary relates the story of Mohammed Al Kurd, a Palestinian teenager whose family is evicted from their home in East Jerusalem. Shortly after the evictions start, Mohammed’s family and other residents begin peacefully protesting against the displacement. In a surprising turn, they are quickly joined by scores of Israeli supporters. The screening was followed by a panel discussion featuring Julia Bacha, director/producer of the film; Daniel Seidemann, founder/director of Territorial Jerusalem; and Thomas Abowd, Anthropology Department, Tufts University. Professor Robert H. Mnookin, Chair of the Program on Negotiation, moderated the panel. The Middle East Initiative of Harvard Kennedy School and PON’s Middle East Negotiation Initiative (MENI) were co-sponsors of the event. (February 20, 2013)

- **“The Island President”** – The film captures the first year in office of President Mohamed Nasheed of the Maldives, as he addresses the threat to the survival of his nation posed by global climate change and the resulting rise in sea levels. A post-screening discussion was led by Hardy Merriman, Senior Advisor at the International Center on Nonviolent Conflict. The Environmental Law Program at Harvard School co-sponsored the film screening. (November 26, 2012)

4. Special Events

- **“Negotiations by Other Means: Track II, Unilateral Action, Robust Third Party Role and Islands of Coordination in the New Middle East”** – Presented by PON’s Middle East Negotiation Initiative, this panel discussion featured Ambassador Dore Gold, President of the Jerusalem Center for Public Affairs; Ambassador Alan Baker, Jerusalem Center for Public Affairs; and Ghaith al-Omari, Executive Director of the American Task Force on Palestine. The discussion was moderated by Professor Robert H. Mnookin, Chair of the Program on Negotiation. (March 4, 2013)

- **“Thirteen Days in the Age of Nuclear Threat: Negotiation Lessons for Peaceful Coexistence”** – In recognition of the 50th anniversary of the Cuban Missile Crisis, PON sponsored a talk by Bruce Allyn, author of *The Edge of Armageddon: Lessons from the Brink*, and Alain Lempereur, professor at Brandeis University and a member of the Executive Committee of PON. Exploring the complexity of the negotiations leading to the resolution of the crisis, this event highlighted the important lessons that can be drawn for conflict resolution today. (Thursday, October 25, 2012)
• **Fall Open House** – The PON held an open house for students and faculty interested in negotiation and conflict resolution. In addition to Harvard Law School and other Harvard affiliates, students attended from MIT, Fletcher School, Brandeis University, UMass, Boston University and other Boston area schools. PON affiliated faculty introduced themselves and spoke briefly about their research interests. Representatives from Harvard Mediation Program, HNLR and Harvard Negotiators also introduced themselves and shared information on how students can get involved in these organizations. (October 3, 2012)

• **“Macedonia: Integration without Assimilation through Respecting of Diversity”** – The President of the Republic of Macedonia, Gjorge Ivanov, spoke in Wasserstein Hall at the behest of the Program on Negotiation, the Harvard International Negotiation Program, and the Kokkalis Program on Southeastern and East-Central Europe at the Harvard Kennedy School. President Ivanov also visited Widener library on the Harvard College campus and donated Macedonian texts. For more information on this event, please see page 10. (September 24, 2012)

e. Fellows, Visiting Researchers, Research Assistants & Interns

  i. **2012-2013 Visiting Scholars & Researchers**

     **Ruaridh Arrow, Visiting Scholar,** is the director of the award-winning film "How to Start a Revolution," which follows the impact of Gene Sharp's writings on nonviolent resistance movements around the world. As a visiting scholar at PON, he has been writing a book about Gene Sharp, nonviolent resistance, and counter-revolutionary warfare. Arrow studied War Studies at Kings College London and politics and law at Glasgow University. He has produced films for BBC News, *The Financial Times*, and *National Geographic* and reported for the BBC World Service from Tahrir Square, Cairo during the Egyptian Revolution.

     **Susann Fiedler, Visiting Scholar,** is a Research Fellow at the Max Planck Institute for Collective Goods in Bonn, Germany. Her research interests lay in the field of behavioral economics and decision making. Professor Max Bazerman has shown interest in her research, and she is working with colleagues at the Edmond J. Safra Center for Ethics at the Harvard Kennedy School. Fielder’s work examines the influence of social value orientation on information search and integration dilemma situations and she is also interested in the methodological challenges present in psychological research and the problem of publication bias in various research fields.

     **Shula Gilad, Senior Fellow,** develops programming and workshops for the Middle East Negotiation Initiative at PON. Shula is also a consultant to various Middle East programs and organizations. Shula earned a Ph.D. in Public Policy from Brandeis University’s Heller School of Social Policy and Management, where she wrote a
dissertation on Israel’s domestic and regional water policy in the 1990s. During her PhD studies, she directed the Wexner Israel Fellowship Program at Harvard Kennedy School.

**Leo Lizcano, Research Fellow**, is a graduate of the Harvard Kennedy School. Leonardo’s interests focus on negotiation pedagogy and using online resources and video to teach negotiation. Lizcano worked with HKS Professor Brian Mandell on designing an online multiparty role simulation. He joined Professor Lawrence Susskind of MIT and Professor Mandell in designing a series of short pedagogy videos explaining key concepts in the field of negotiation.

**Anne Torres, Visiting Scholar** is a lecturer in Marketing at the J.E. Cairnes School of Business and Economics and the Vice Dean of Internationalisation for the College of Business, Public Policy and Law at the National University of Ireland Galway. Her research interests lie in the convergence of strategy, entrepreneurship and marketing practices. In this context, she is studying the confluence between e-marketing and marketing communications, as well as between organisational strategy and innovative marketing practice, drawing on her interest in negotiating theory and practice.

**ii. 2012-2013 PON Graduate Research Fellows**

The Program on Negotiation hosted three graduate research fellows for the 2012-2013 academic year:

**Alexander E. Kentikelenis**
PhD Candidate, Department of Sociology, University of Cambridge

Alexander is a PhD student in sociology at the University of Cambridge and a member of King’s College. His research is in the fields of political economy and public health. Using mixed research methods, his work focuses on the effects of financial crises and International Monetary Fund programs on social policies. During his time at PON, Alexander studied negotiations over loan conditions in agreements between the IMF and borrowing countries. He has published in the Lancet and the European Journal of Public Health, and his work has been featured in various media outlets, including the New York Times, Reuters and the BBC. Alexander also holds an MPhil in Development Studies from Cambridge.

**Corinne Low**
PhD Candidate, Economics at Columbia University

Corinne is a Ph.D. candidate in Economics at Columbia University. Her research in Zambia, Kenya, and the United States focuses on the determinants of intra-household allocations, including matching, bargaining, and negotiation. Her current work uses a randomized-controlled trial to explore the role negotiation training can play in increasing Zambian girls’ access to schooling and household resources. The project also aims to understand the underlying mechanisms of negotiation, and thus its potential applications. If negotiation creates the illusion of joint gains while really serving to redistribute toward the trained negotiator, the social benefits of negotiation are likely to be minimal. On the
other hand, if negotiation actually allows agents to overcome inefficiencies, then there are broad social gains to expanding negotiation training beyond its current reaches. Corinne is a 2008 National Science Foundation Graduate Research Fellow, and has a B.S. in Economics from Duke University. Prior to joining Columbia, she worked as a management consultant for McKinsey and Company, serving Fortune 500 companies and government clients.

**Alexandra van Geen**  
Ph.D. Candidate, Public Policy, Harvard University

Alexandra is a Ph.D. candidate in Public Policy at Harvard University. She is an experimental economist and her research focuses on behavioral economics, reducing (gender) inequality and risk attitudes. Specifically she is interested in designing interventions that improve judgment and decision-making.

As a PON Graduate research fellow she conducted a randomized experiment at a large firm to test an intervention aimed to help overcome gender biases and discrimination in promotion negotiations. This new mechanism, an information nudge, changes the context used to evaluate candidates. She has tested a similar mechanism in the lab where it has proven very successful.

Alexandra holds an MPhil in economics from the CentEr institute at Tilburg University in the Netherlands, and a BA from University College Utrecht at Utrecht University. She has worked for the Dutch Parliament and served as a consultant.

### iii. PON Summer Research Fellowship Program

The PON Summer Fellowships are grants to students who are undertaking internships or unpaid summer research projects in negotiation and dispute resolution. The Fellowship Program’s emphasis is on advancing the links between scholarship and practice in negotiation and dispute resolution by supporting students interested in exploring career paths, either professional or academic, in this field. The following fellows began their internships during fiscal year 2012-2013 and will have completed their respective internships in September 2013.

**The 2012-2013 PON Summer Fellows are:**

**Lara Berlin**, Harvard Law School and the Fletcher School of Law and Diplomacy at Tufts University  
**Internship:** Inter Mediate, London, England

Lara Berlin is a joint degree student pursuing a JD from Harvard Law School and a Master of Arts in Law and Diplomacy from The Fletcher School at Tufts University. Her professional and academic focus is in the intersection of international conflict resolution and international human rights. She has conducted research for various human rights and post-conflict victim assistance projects, including projects in Kenya, Bosnia, Afghanistan, Pakistan, Syria, Somalia, Yemen, Libya, Peru, and Mexico. She received
her B.A. in Anthropology from Yale University. In the summer of 2013 she will be working with Inter Mediate, a London-based non-profit organization that facilitates dialogue between warring parties, particularly governments and armed groups.

**Steve Dry**, Harvard Divinity School  
**Internship**: Kids4Peace, Jerusalem

Steve Dry is a Master of Divinity candidate at Harvard Divinity School and a candidate for ordination in the United Methodist Church (UMC). Steve is focused on the role of religious leaders in intervening in conflict and catalyzing transformation, reconciliation, and social justice. In the summer of 2013, Dry will be working for Kids4Peace, a non-profit organization that brings together Israeli and Palestinian youth from Jewish, Muslim, and Christian backgrounds to engage in interreligious conflict negotiation. Dry graduated from Emory University with highest honors in chemistry and religion. After Emory, he studied at the University of St. Andrews in Scotland as a recipient of the Robert T. Jones Scholarship.

**Kathryn Hyten**, Fletcher School of Law and Diplomacy at Tufts University  
**Internship**: Search for Common Ground, Beirut, Lebanon

Kathryn Hyten is a student at the Fletcher School of Law and Diplomacy, where she focuses on International Negotiation and Conflict Resolution alongside issues of religion, conflict, and diplomacy. Prior to enrolling at Fletcher, she graduated from Pepperdine University. During the summer of 2013 she will work for Search for Common Ground, an international organization that works in its Lebanon office to encourage dispute resolution and conflict transformation among sectarian communities. This experience will provide her with an opportunity to interact with conflict resolution practitioners in the area and research the role of sectarianism and religious beliefs in both the sectarian tension in Lebanon and international efforts to help resolve it.

**Roxanne Krystalli**, Fletcher School of Law and Diplomacy at Tufts University  
**Internship**: La Fundación Para La Reconciliación, Colombia

Roxanne Krystalli is a graduate student at the Fletcher School of Law and Diplomacy, where she focuses on Gender and Armed Conflict, as well as International Negotiation and Conflict Resolution. Her research interests include strategies for measuring and interpreting wartime sexual violence, the gender dimensions of transitional justice, with a focus on memorialization, narrative, documentation and collective memory, and a comparative study of enforced disappearances. She serves as an advisor on gender and conflict to various UN agencies and international organizations, including UN Women, the UN Bureau of Crisis Response and Prevention, UNICEF, and the IOM. This summer she will continue her research in Colombia. Roxanne graduated from Harvard College.

**Sasha Pippenger**, Harvard Law School  
**Internship**: United Nations Office of the Special Adviser to the Secretary-General on Yemen, Sana’a, Yemen
Sasha Pippenger is a student at Harvard Law School, where she focuses on international law and political negotiations in foreign crises. In the summer of 2013 she will be based in Yemen with the United Nations in the United Nations Office of the Special Adviser to the Secretary-General on Yemen, which is providing technical assistance to Yemen's National Dialogue process. Her work will be related to Yemen's political transition and constitution-making. Prior to law school, she was based in Islamabad, Pakistan as an Advocacy Officer with the International Rescue Committee. She is from Vancouver, Canada and holds a B.A. in Peace and Conflict Studies from UC Berkeley.

iv. Student Teaching and Research Assistants

HLS students worked as teaching assistants for the Harvard Negotiation Institute as well as for the Winter and Spring Negotiation Workshops. Serving as teaching assistants provides students with the opportunity to extend the instructional program, enhance their learning of negotiation by working closely with faculty, and train to be problem-solvers in a dynamic context. In addition, HLS students assisted in developing and testing new teaching exercises, sometimes to fulfill course requirements, such as the final paper for the Winter or Spring Negotiation Workshop, and other times on a volunteer basis.

v. 2012-2013 PON Interns & Student Assistants

PON was pleased to welcome student assistants and interns during the 2012-2013 academic year. Working with PON staff, students are able to gain experience in the field and see the scope of PON’s work. PON was fortunate to be able to attract a number of students with an interest in the field of conflict resolution and negotiation.

In August 2012, Ali Sassoon, a rising sophomore at the Elliott School for International Relations at George Washington University, was an intern for the month. While at PON she transcribed videos of PON executive education sessions and helped organize an online photo database. In September PON hired Tarit Mitra, a Harvard Extension School student, as Student Assistant. Tarit stayed in this role for the academic year. As a Management major with a strong interest in negotiation, Tarit was able to help out at Executive Education sessions, the Confronting Evil conference, Brown Bag lunches and other PON events. He further served as a course coordinator for the Harvard Negotiation Institute’s Mediation course. In June 2013 PON welcomed Alison Ricciato, a rising Boston College junior, as an intern. Alison worked on site at the Harvard Negotiation Institute and PON’s June executive education program. She also worked on transcribing participant evaluations so that their feedback could be documented.

3. Teaching (Contributions to HLS Teaching Program)

a. Courses at Harvard Law School

Through the workshops, seminars and other courses offered by PON faculty, Harvard Law School remains a leader among university dispute resolution educational programs. These courses and seminars include:
- Negotiation Workshop
  - Professor Robert Mnookin et al., Winter 2013; Professor Robert Bordone et al., Spring 2013
- “Intractable” Conflicts: What Role for Negotiation?
  - Professor Robert Mnookin, Spring 2013
- Advanced Negotiation: Multiparty Negotiation, Group Decision Making, and Teams
  - Professor Robert Bordone, Fall 2012
- Negotiation and Mediation Clinical Workshop
  - Professor Robert Bordone, Fall 2012 and Spring 2013
- “Negotiating Jewish Identity in America.”
  - Professor Robert Mnookin, Fall 2012
- Mediation
  - Lecturer on Law David Hoffman, Spring 2013
- Negotiation Advanced: Deals
  - Professor Guhan Subramanian, Spring 2013

In addition, PON’s consortium schools offer a variety of courses in negotiation and dispute resolution that are open to law school students through cross-registration. Professor James Sebenius taught a new course entitled “Great Negotiators” at Harvard Business School in Spring 2013. Many of the materials used in the class were developed by PON, and Professor Sebenius will in the coming year teach about the Great Negotiators in PON’s Executive Education program. Detailed information about negotiation courses is on each school’s website as well as in the Dispute Resolution Directory, available on PON’s website.

b. Teaching Materials and Curriculum Development: The PON Clearinghouse

The Program on Negotiation publishes a range of teaching materials related to negotiation, alternative dispute resolution and conflict management. These take the form of role-play simulations, case studies, instructional videos, and books. Many of these materials are used in the HLS Winter and Spring Negotiation Workshops, the PON Seminars, PON executive training courses, and the Harvard Negotiation Institute workshops. PON distributes these teaching materials through the PON Clearinghouse.

PON Clearinghouse products and services are available to the general public. Because the Clearinghouse attracts customers from all over the world, many of its teaching exercises are available in non-English languages.

The Clearinghouse continually develops new resources for teaching and learning about negotiation and dispute resolution. The 2012-2013 year saw the release of more than a half dozen new role-play simulations and more than a dozen non-English language role-play simulations. The Clearinghouse also makes a number of its cases available through the HLS Case Studies portal.

c. P@PON: Negotiation Pedagogy at the Program on Negotiation
Pedagogy @ the Program on Negotiation is dedicated to improving the way people teach and learn about negotiation. Incorporating and expanding upon the historical mission of the PON Clearinghouse, Pedagogy @ PON serves as PON’s intellectual focal point for negotiation education. Pedagogy @ PON is headed by two faculty co-directors – Professor Lawrence Susskind of MIT and Professor Michael Wheeler of Harvard Business School. In 2013, NP@PON was rebranded as Pedagogy @ PON.

Pedagogy @ PON is involved in a range of activities including research, curriculum development, training, and networking among those interested in negotiation pedagogy. The formal mission of Pedagogy @ PON is to:

- Contribute to the growing field of negotiation pedagogy through research and publications;
- Support both experienced and next-generation negotiation educators through workshops, idea exchanges, and other educator-focused events;
- Foster connections between communities of negotiation educators and education scholars;
- Develop and distribute teaching materials that are useful in skills-based negotiation instruction;
- Explore and test the application of new technologies to improve teaching and learning about negotiation; and
- Help PON reach new audiences of negotiation practitioners and students through workshops, seminars, and other educational activities.

This past year, Pedagogy @ PON hosted two faculty dinners. The first focused on neuroscience and teaching negotiation and the second on changes in teaching strategies and tools. Highlights are available in the Pedagogy @ PON eNewsletter, Teaching Negotiation, which is published each month and distributed to over 10,000 negotiation educators worldwide.

d. The Harvard Negotiation Institute at the Program on Negotiation (HNI)

The Harvard Negotiation Institute at the Program on Negotiation offers week-long workshops in negotiation and mediation with members of the Harvard Faculty. Workshops are held in June and September or October of each year and meet Monday through Friday, from approximately 9 a.m. to 5 p.m., on the Harvard Law School campus. The Harvard Negotiation Institute mediation course is held off campus.

The workshops are open to lawyers and others seeking comprehensive learning in negotiation and mediation. Participants from over 50 countries attended this year’s workshops, demonstrating the global reach of PON in the areas of law, business and government, as well as the non-profit sector. PON and HLS share equally in the profits from the HNI courses.

The workshops also offer students who have excelled in HLS negotiation courses an opportunity to serve as teaching assistants. This past June, 15 students served as teaching assistants, providing them with valuable experience in teaching negotiation.
The workshops offer continuing legal education (CLE) credits for lawyers seeking to meet CLE requirements. The courses have been approved for CLE credits by every state to which we have applied.

The 2012-2013 courses were:

- **Mediating Disputes**
  - October 2012 - Professor Robert Mnookin, Lecturer on Law David Hoffman, and Gary Friedman
  - June 2013 - Professor Robert Mnookin, Lecturer on Law David Hoffman, Harvard Medical School Professor Kimberlyn Leary, and Samuel Dinnar

- **Negotiation Workshop: Improving Your Negotiating Effectiveness** - Bruce Patton, Co-Founder and Distinguished Fellow, Harvard Negotiation Project

- **Two-Day Intensive Negotiations for Lawyers and Executives** - Professor Robert Bordone

- **Deal Set-Up, Design, and Implementation** - Professor Guhan Subramanian and David Lax

- **Negotiation Workshop: Strategies, Tools, and Skills for Success** - Professor Robert Bordone

- **Dealing with Difficult Conversations** - Bruce Patton, Co-Founder and Distinguished Fellow, Harvard Negotiation Project, Sheila Heen, Lecturer on Law; Affiliate, Harvard Negotiation Project, and Douglas Stone, Lecturer on Law; Affiliate, Harvard Negotiation Project

e. PON Seminars

Open to participants from all disciplines and professional fields, including HLS students and Harvard staff, the PON Seminars provide negotiation and mediation courses to the community. These semester-length courses are designed to increase public awareness and understanding of effective dispute resolution principles. Additional information about this year’s courses can be found on page 40.

4. Student Participation

Central to PON’s mission is engaging with students and recognizing their contributions to the field of negotiation. In addition to taking negotiation courses, students are always welcome at PON; many propose speakers and events, assist faculty, and become involved in the PON Student Interest Group. Other areas of student involvement include serving on the board of the Harvard Negotiation Law Review, or as Student Teaching Assistants and Student Research Assistants. Students are also recognized for their research through the PON Graduate Student Grants and the PON Next Generation Grant. Students are eligible for the two negotiation
prizes awarded through PON: the Roger Fisher and Frank E.A.Sander Prize and the Howard Raiffa Doctoral Student Paper Award Prize.

**a. PON Student Interest Group (SIG)**

The SIG connects over 1000 students from Harvard University, MIT, Simmons College, Tufts, Brandeis, UMass Boston and other Boston-area schools. Through the SIG, students connected with each other and with faculty, resulting in many networking and learning opportunities. These opportunities occurred at PON-sponsored Brown Bag Lunch panels and Film Series events, and co-sponsored events with MENI, the Women and Public Policy Program at Harvard Kennedy School, the Loeb Fellowship of the Harvard Graduate School of Design, and the Weatherhead Center for International Affairs at Harvard University. Subscribers to the SIG email list received updates on events, internships and job announcements. The SIG coordinator also published an updated version of the Dispute Resolution Directory, a catalog of negotiation and conflict resolution courses in the Greater Boston area.

**b. PON Summer Fellowship Program**

The PON Summer Fellowships are grants to students who are undertaking internships or unpaid summer research projects in negotiation and dispute resolution. The Fellowship Program’s emphasis is on advancing the links between scholarship and practice in negotiation and dispute resolution by supporting students interested in exploring career paths, either professional or academic, in this field. Information about the 2013 Fellows can be found on page 30.

**c. Student Teaching & Research Assistants**

HLS students worked as teaching assistants for the Harvard Negotiation Institute, as well as for the Winter and Spring Negotiation Workshops. Serving as teaching assistants provides students with the opportunity to extend the instructional program, enhance their learning of negotiation by working closely with faculty, and train to be problem-solvers in a dynamic context.

**d. PON Open House** – PON offers an annual open house for students to learn about opportunities working with faculty and student organizations connected to ADR. Students are also able to network with individuals from other campuses around the Cambridge area, bringing more unity to PON’s inter-university consortium.

**e. Harvard Negotiation Law Review**

The *Harvard Negotiation Law Review* (HNLR) is one of the country's leading journals of alternative dispute resolution scholarship. HNLR publishes on a variety of articles related to negotiation, mediation, arbitration, and other dispute resolution topics. The journal also hosts an annual symposium and other events addressing current and noteworthy issues in ADR. PON Executive Committee member, Robert Bordone, serves as a faculty advisor to HNLR.
f. Next Generation Grants Program

This grant program supports research in negotiation and conflict resolution by non-tenured faculty and doctoral students who will shape the field with their work. Awardees in 2012-2013 were:

- Charles Angelucci, Harvard University
- Pinar Fletcher, Harvard Business School
- Erum Sattar, Harvard Law School
- Dmitry Taubinsky, Harvard University
- Sarah Woodside, Boston College

g. Graduate Student Grants Program

For the sixth year, PON offered its Graduate Student Grants Program to encourage scholarship in the fields of negotiation and conflict resolution, with the aim of supporting cutting edge research at the graduate level. Awardees in 2012-2013 were:

- Tara Grillos, Harvard Kennedy School
- Tushar Kansal, Massachusetts Institute of Technology
- Amir Mahdavi, Heller School, Brandeis University

h. Roger Fisher and Frank E. A. Sander Prize

This prize was established by PON in 2007 in honor of professors emeriti Roger Fisher and Frank Sander. The $1000 prize is awarded to the best student paper on a topic related to negotiation, dispute systems design, mediation, or ADR. The 2013 Fisher/Sander Prize was awarded to Netta Barak-Corren, HLS ’13, for her paper entitled "Compliance with the Law Under Religion-Based Normative Conflicts: A Behavioral Analysis and Preliminary Prescriptions."

i. Howard Raiffa Doctoral Student Paper Award

This prize was established by PON in 2008 in honor of Professor Howard Raiffa, Frank Plumpton Ramsey Professor of Managerial Economics, Emeritus. The annual prize of $1000 is awarded to a doctoral student at Harvard, MIT, or Tufts, with the best research paper on a topic relating to negotiation, competitive decision-making, dispute resolution, mediation, or ADR. Netta Barak-Corren, HLS ’13, was the 2013 recipient for this award for her paper entitled “False Negotiations: The Art and Science of Not Reaching an Agreement.”

5. Faculty Participation

PON is a multi-disciplinary program led by faculty from each of PON’s consortium schools (Harvard, MIT, and Tufts) and representing a wide variety of research interests. For PON faculty, PON serves as a focal point for their research and work in negotiation and conflict resolution and their collaboration and engagement. They organize conferences and seminars,
give presentations on their research, work with students on both faculty and student scholarship, mentor students, teach and train diverse groups both at HLS and throughout the US and abroad, and, working with managing director Susan Hackley, oversee all of PON’s many enterprises, including the Clearinghouse publications center and the executive education workshops. PON faculty and associates also engage with diverse audiences through writing op-eds and articles, giving media interviews, and being available as a resource on negotiation aspects of current events. Throughout this report is evidence of the committed involvement of a number of faculty, most of whom have been involved for ten or more years.

6. Other Contributions to the HLS Community

The PON website serves as a resource for the HLS community. The blog is updated almost daily, free reports are often made available, and media from events, such as podcasts and video, is provided.

PON events are open to the broader HLS community and beyond. PON events are attended by students, faculty, staff, and the general public and provide the opportunity every year for thousands of people to learn about negotiation and conflict resolution.

PON maintains a library with a wide variety of materials relating to negotiation and conflict resolution. This browsing library is open to all students and serves as an excellent resource for anyone interested in the field of ADR.

7. Law Reform & Advocacy

The Program on Negotiation supports law reform through the advancement of alternative dispute resolution (ADR) processes. Concepts developed over the years by PON faculty present a vast array of ideas, strategies, and skills for problem solving in a way that maximizes gains for all parties while protecting each party’s interests. Law students learn how to be effective and self-aware advocates as they develop their skills in negotiation workshops, seminars, and classes. PON faculty members give presentations to groups around the world on negotiation. Faculty members also teach at the Harvard Negotiation Institute, including the Two-Day Intensive Negotiation Workshop for Lawyers & Working Professionals. CLE credit is given to HNI attendees as the course provides professional enrichment. Furthermore, publications from PON faculty in Negotiation Journal, Harvard Negotiation Law Review, and Negotiation newsletter continue to spread the concepts of alternative dispute resolution to a wide audience throughout the world, including numerous practicing lawyers, judges and academics.

8. Connections to the Profession

a. Research

Research, articles and presentations by PON faculty and associates enable PON to bring its work to a broader audience. In addition to the quarterly Negotiation Journal and the monthly Negotiation newsletter, PON faculty research is disseminated through The Negotiations Research Network (NEG), part of the Social Science Research Network
(SSRN), an online venue providing access to scholarly articles and professional announcements of interest to the negotiation and dispute resolution community. Directed by PON Executive Committee member Max H. Bazerman, NEG is one of a number of specialized networks that SSRN has organized for the worldwide dissemination of research in all of the social sciences.

b. The Harvard Negotiation Institute at the Program on Negotiation

The Harvard Negotiation Institute at the Program on Negotiation offers week-long workshops in negotiation and mediation with members of the Harvard Faculty. Workshops are held in June and September or October of each year and meet Monday through Friday, from approximately 9 a.m. to 5 p.m., primarily on the Harvard Law School campus. For more information, see page 34.

c. Executive Education Programs

The Program on Negotiation is among the world's outstanding executive negotiation training institutions. Business leaders, government officials, corporate trainers, and corporate counsel are among the nearly 1,300 people who participated in negotiation training courses in 2012-2013. In October, PON once again partnered with China Education Group to deliver a negotiation course in China. Professor Guhan Subramanian taught a two day course to Chinese executives in Shanghai.

Courses taught in Cambridge included the three-day program, Negotiation and Leadership, and six one-day sessions which focus on specific topics. The one-day sessions included:

- Difficult Conversations with Bruce Patton and Douglas Stone
- Beyond Reason with Daniel L. Shapiro
- 3D Negotiation with James Sebenius and David Lax
- The Odd Couple: Reason and Emotion with Max Bazerman and Daniel L. Shapiro
- Negotiating International Deals with Jeswald Salacuse
- The Practical Art of Improvising Agreement with Michael Wheeler

d. Webinars

In 2012-2013 Program on Negotiation offered three webinars on topics related to negotiation, taught by PON affiliated faculty:

- “Making the Deal – The Negotiauction” – Guhan Subramanian (June 20, 2013)
- “The Emotionally Intelligent Negotiator” - Michael Wheeler (May 23, 2013)
e. Pedagogy @ PON

Pedagogy @ the Program on Negotiation is dedicated to improving the way people teach and learn about negotiation. Incorporating and expanding upon the historical mission of the PON Clearinghouse, Pedagogy @ PON serves as PON’s intellectual focal point for negotiation education.

Pedagogy @ PON is involved in a range of activities including research, curriculum development, training, and networking among those interested in negotiation pedagogy. More than 10,000 educators receive the P@PON e-newsletter.

f. PON Seminars

Open to participants from all disciplines and professional fields, the PON Seminars provide negotiation and mediation courses to the community. These semester-length courses are designed to increase public awareness and understanding of effective dispute resolution principles. The courses attract a wide variety of students including diverse members of the community, Harvard staff, and students from area colleges and universities that do not offer negotiation courses.

Two courses are taught each year: Negotiation and Dispute Resolution in the fall, and Mediation and Conflict Management in the spring. Both courses provide participants with a conceptual framework and practical advice for professional and personal development in dispute resolution and are taught by HLS graduates.

g. PON Web Site

The PON website (http://www.pon.harvard.edu) serves as an information hub for individuals interested in the fields of negotiation, conflict management, and mediation. The website describes the history and mission of the Program on Negotiation, shares news about its faculty and research projects, publicizes PON activities, and supports communication with PON’s community of scholars and practitioners. The website was successfully redesigned in the spring of 2013, to include a more extensive and user friendly section featuring PON’s faculty, research and student activities. This new design also improved visibility and registration flow for the PON Executive Education Seminars, the Harvard Negotiation Institute, the monthly newsletter, Negotiation, and the Clearinghouse.

Many attendees at the Harvard Negotiation Institute and PON’s Executive Education seminars learn about PON programs through the PON website, often through a Google search. Traffic to the PON website continues to grow and is now averaging around 70,000 visits per month. In addition, PON’s growing daily email list (now 45,000 subscribers) is another way people learn about PON. PON currently send three emails a week with articles on negotiation topics, as well as information on our courses, programs and publications. PON’s LinkedIn group is active, and offers a forum for discussion for lawyers and other professionals in the ADR field. PON’s Facebook, Twitter and YouTube accounts are also updated regularly with content related to negotiation, mediation and ADR.
Announcements and news about PON events are regularly posted on the website, as well as on social media sites. The local events email list has over 4,500 subscribers, who receive regular announcements about upcoming activities, including the Kelman Seminar, Great Negotiator program, the PON Film Series, and brown bag lunches.

PON closely monitors PCI Compliance and security on the website, following industry guidelines. In addition, PON works with Trustwave to identify any vulnerabilities on the website. Trustwave is an information security company used by Harvard to manage compliance issues and secure the network infrastructure. PON runs monthly scans of the pon.harvard.edu website to ensure that the site is in compliance and is secure. PON reports to the Cash Management Office each June regarding its compliance with PCI standards.

9. Collaborations with Other Departments & Schools

a. Consortium Structure

Founded and based at Harvard Law School, PON is a consortium of faculty, staff, graduate students, and affiliates at HLS, HBS, HKS and other institutions, including MIT, the Fletcher School at Tufts University, and other Boston-area schools. The consortium is managed by an Executive Committee representing Harvard Law School, Harvard Kennedy School and Harvard Business School, along with MIT, The Fletcher School, and Brandeis University. The PON Executive Committee is chaired by Professor Robert Mnookin, and the three Vice-Chairs of PON are James Sebenius (Practice-Focused Research), Guhan Subramanian (Research), and Lawrence Susskind (Pedagogy). Max Bazerman, Gabriella Blum, Robert Bordone, Jared Curhan, Jeswald Salacuse, and Alain Lempereur are also members of the PON Executive Committee.

b. Inter-Departmental & Inter-University Events

PON’s consortium structure provides a variety of opportunity for engagement and collaboration across departments and schools.


A co-sponsor of the symposium, PON developed and screened a 30 minute video montage featuring “Roger Fisher in Action,” with clips drawn from several different teaching videos. Professor Lisle Baker of Suffolk University shared an overview of Roger Fisher’s work on The Advocates television show, as a follow-up to a PON Film Series event held a few days previously (see page 26). In addition, PON helped organize a screening of “Arabs and Israelis” a WGBH program developed and narrated by Roger Fisher.
During the day-long event, many PON affiliated faculty participated in the panels and shared their experience of working with or learning from Roger Fisher. The panels included:

- **Panel 1: “The Little-Known Professor Fisher: Path to a Life in Alternative Dispute Resolution”**
  - Panelists: Amy J. Cohen, Andrea Schneider, Daniel Shapiro, William Ury;
  - Moderator: Michael Wheeler

- **Panel 2: “The Impact of Roger Fisher’s Work at Home”**
  - Panelists: Jared R. Curhan, David A. Hoffman, Grande Lum, Andrew S. Tulumello; Moderator: Michael Moffitt

- **Panel 3: “The Impact of Roger Fisher’s Work Abroad”**
  - Panelists: Diana Chigas, Alain Lempereur, Jamil Mahuad, Bruce Patton;
  - Moderator: Eileen F. Babbitt

- **Panel 4: “The Future of Dispute Resolution”**
  - Panelists: Sheila Heen, Carrie J. Menkel-Meadow, Robert H. Mnookin, Robert Ricigliano; Moderator: Robert C. Bordone

2. In addition to the HNLR symposium, 2012-2013 PON collaborated with other departments and other schools on the following events:

   a. **Confronting Evil: Interdisciplinary Perspectives** - In April 2013, PON co-sponsored a conference on “Confronting Evil” with the Mahindra Humanities Center at Harvard University, and the Volkswagen Foundation. The conference consisted of four panels, each addressing varying perspectives on the topic of Confronting Evil, and was chaired by HLS Professor Robert Mnookin, Chair of the Program on Negotiation, and Harvard University Professor Homi Bhabha, Director of the Mahindra Humanities Center. A question and answer period at the conclusion of each panel allowed for active involvement of attendees and a rich discussion of the topics raised. Over one hundred people attended, and the event was also streamed live on the web. A full description of the four panels, with speakers, can be found on pages 22-23. Videos of all four panels are available on the PON website.

   b. **The Herbert C. Kelman Seminar on International Conflict Analysis and Resolution** - PON continued to co-sponsor this seminar with the Nieman Foundation for Journalism, the Weatherhead Center for International Affairs, the Joan Shorenstein Center on the Press, Politics, and Public Policy, and Boston-based members of the Alliance for Peacebuilding. These seminars were offered monthly during the academic year. For more details, please see page 24.

   c. **Research seminar with the Women and Public Policy Program** – During the academic year 2012-2013, PON co-sponsored a four-part research seminar with the Women in Public Policy Program at the Harvard Kennedy School. For more details, please see page 19.

   d. **Seminar series with the Harvard Graduate School of Design** – Four seminars organized by PON Senior Fellow Shula Gilad and Karen Lee Bar-Sinai, a Loeb
Fellow, explored the role of design, architecture, and urban planning in Israeli-Palestinian negotiations.

c. HLS Case Studies Portal Initiative

Last year, the PON Clearinghouse joined the HLS Case Studies Portal initiative, working with them to include among their offerings PON’s Great Negotiator case studies. Team members from PON advised the Case Studies Portal team on design, distribution, and web functionality, lessons they had learned from nearly thirty years of running a teaching materials resource center.

10. Awards, Other Activities & Publications

- Professor Mnookin was honored by the International Academy of Mediators with their Lifetime Achievement Award during the organization’s fall 2012 conference in Cambridge, Massachusetts.

- Max Bazerman, with Neeru Paharia (Georgetown University) and Lucas Clayton Coffman (Ohio State University), published the book chapter “Intermediation and Diffusion of Responsibility in Negotiation: A Case of Bounded Ethicality” in *Oxford Handbook of Economic Conflict Resolution*, published by the Oxford University Press in 2012. Bazerman also published three articles:
  - “Signing at the Beginning Makes Ethics Salient and Decreases Dishonest Self-reports in Comparison to Signing at the End,” co-authored by Lisa L. Shu (Kellogg School of Management), Nina Mazar (Rotman School of Management), Francesca Gino (Harvard Business School), and Dan Ariely (Fuqua School of Business). Published in *Proceedings of the National Academy of Sciences of the United States of America* 109 in 2012.
  - "Behavioral Ethics: Toward a Deeper Understanding of Moral Judgment and Dishonesty,” co-authored by Francesca Gino, and published in *Annual Review of Law and Social Science* in 2012.


- Earlier this year, Michael Wheeler’s article “The Fog of Negotiation: What Negotiators Can Learn from the Military” was published in the *Negotiation Journal*. He also co-
B. Plans for Academic Year 2013-2014

1. Executive Summary

PON faculty and staff look forward to a very active year of new and continuing programs and events that deepen the connection between theory and practice in the fields of negotiation and conflict management.

Some highlights will include:

PON will honor Ambassador Tommy Koh as the 11th Great Negotiator in April 2014. The Great Negotiator events will explore Ambassador Koh’s contributions to the field of negotiation and provide an opportunity to learn from his achievements in challenging negotiations, such as multilateral diplomacy over the Law of the Sea, the Earth Summit, the ASEAN, and the Singapore-U.S. free trade deal. The Future of Diplomacy Project at HKS will be a co-sponsor.

PON will continue to co-sponsor a research seminar series with the Women and Public Policy Program at the Harvard Kennedy School. The seminars discuss issues relating to gender, identity, and negotiation.

PON will offer a Master Class for the first time in September 2013. For experienced negotiators and graduates of PON’s Negotiation and Leadership program, this advanced course will be taught by four faculty members and will involve the use of innovative teaching tools and methods.

HLS professor Gabriella Blum will teach a new one-day seminar called International Diplomacy in September 2013 as part of PON’s executive education program.

HLS professor Robert Bordone will teach a new workshop at the Law School entitled The Lawyer as Facilitator during the Fall 2013 semester.

In April 2014, Professor James Sebenius will offer a one-day executive education seminar, Practical Lessons from the Great Negotiators, using case study materials developed through PON’s Great Negotiator award program.

In June 2014, PON will offer for the first time a one-day executive education program on Women and Career Negotiations, to be taught by Harvard Kennedy School Associate Professor Hannah Riley Bowles and developed in cooperation with the Women and Public Policy Program at HKS.

PON will once again co-sponsor the Herbert C. Kelman Seminar on International Conflict Analysis seminar series on “Negotiation, Conflict, and the News Media”. Other sponsors include the Nieman Foundation for Journalism, the Shorenstein Center on the Press, Politics, and Public Policy, the MIT-Harvard Public Disputes Program, and the Weatherhead Center.
PON, in collaboration with China Education Group, plans to offer two seminars in Hong Kong in October 2013, one on negotiation to be taught by HLS Professor Guhan Subramanian and one on mediation to be taught by HLS Professor Robert Mnookin.

2. Research, Scholarship and Project Activities

a. Research Projects

PON will continue to support a broad scope of research in order to recognize the diversity of disciplines that both build on negotiation theory and advance new negotiation concepts. Throughout the coming year, PON will continue to support several research initiatives, including: Great Negotiator Study Initiative, Harvard Negotiation Research Project, Harvard Negotiation Project, The Middle East Negotiation Initiative, MIT-Harvard Public Disputes Program, Dispute Resolution Program, Program on Negotiations in the Workplace, and PON Research Seminar. Each research project and initiative’s plans for the upcoming academic year are outlined below.

i. Harvard Negotiation Research Project

The Harvard Negotiation Research Project (HNRP), directed by PON Chair Robert Mnookin, aims to strengthen the theoretical underpinnings and empirical scholarship related to negotiation and dispute resolution, and to develop practical tools that translate the theory of dispute resolution into practical processes for parties engaged in conflict. During this next year, HNRP will continue its work relating to ethnic conflict in Belgium and the Middle East, and will focus on approaches to mitigating “behind the table conflicts” that often impede the resolution of conflicts between ethnic groups.

ii. Harvard Negotiation Project

The mission of the Harvard Negotiation Project (HNP) is to improve the theory and practice of conflict resolution and negotiation by working on real world conflict intervention, theory building, education and training, and writing and disseminating new ideas. Professor James Sebenius, who serves as vice-chair for Practice-Focused Research at PON, will continue his leadership of the Harvard Negotiation Project this year. During 2013-2014, HNP activities from the previous year will continue, while greater emphasis will be placed on HNP-related activities of the Middle East Negotiation Initiative and on renewing the intellectual pursuits of the Negotiation Roundtable.

1. Harvard International Negotiation Program

INP continues to expand the role of psychology to address current global concerns, including developing new frameworks, language, and conceptual tools to address internal and international conflict.

INP is completing Phase II of its project to develop a Global Curriculum on Conflict Management for senior policymakers. The curriculum includes an
innovative framework (“the 5x5 Framework”), as well as firsthand case studies from global leadership, including Bertie Ahern, Tony Blair, and Morgan Tsvangirai. INP is currently converting the raw case studies into multi-media simulations. Once completed, the curriculum will have the potential to make an important contribution to the way leaders negotiate regional and international security.

The initiative will also continue to develop new scholarship on negotiation, including books and research articles. With support from the Harvard Global Health Institute, INP will continue to revise and expand its negotiation course offerings for Harvard students.

INP sees great promise for interdisciplinary research on the emotional dimensions of negotiation, and encourages students who are interested in exploring the emotional and identity-based aspects of negotiation to pursue research opportunities with INP. As always, the INP looks forward to continued collaboration with colleagues at the Program on Negotiation, the Harvard Negotiation Project, and others throughout the Harvard community.

2. The Global Negotiation Initiative

GNI continues to shepherd the academic research dimension of the Abraham Path Initiative, which seeks to inspire and support the opening of a permanent cultural route of pilgrimage and tourism retracing the footsteps of Abraham in the Middle East. GNI is working on the second version of a detailed case study of the Initiative that will highlight lessons for the field of negotiation and provide teaching material for classes around the university.

Dr. Ury is collaborating with Trinity University professor David Lesch on interviewing leading participants in the Syrian conflict about obstacles to a negotiated resolution. Dr. Ury is doing research on the conditions for resolving the longstanding civil war in Colombia. He is also working on a new book on the psychological aspects of negotiation.

Dr. Weiss is currently working on a book on confidence in negotiation and how people can improve their level of self-efficacy. The book will include insights from great negotiators and provide a practical ‘how to’ framework that readers can follow and utilize in their negotiations.

3. The Great Negotiator Award Program

This year PON will honor its eleventh Great Negotiator, Tommy Koh, former President of the Third United Nations Conference on the Law of the Sea and Ambassador-at-Large for the Government of Singapore. PON created the Great Negotiator Award in 2000 to recognize individuals whose lifetime achievements in the field of negotiation and dispute resolution have had a significant and lasting
impact. Koh will be honored in 2014, and his work will form the basis for case studies, under the direction of Professor James Sebenius.

iii. Middle East Negotiation Initiative (MENI)

The Middle East Negotiation Initiative (MENI) will continue to help PON strengthen, connect and grow various activities relating to the Middle East and to support faculty research efforts relating to the region. Professor Mnookin will continue to oversee this work with significant involvement by Professor James Sebenius, Senior Fellow Shula Gilad, and others.

MENI and the Amal Network will host their joint negotiation training for Jewish and Arab high school students in Israel, which received a Middle East Partnership Initiative grant from the U.S. State Department for 2013-2014. On October 1, 2013, all the students from the 2012-2013 program will convene at Ono College to celebrate the end of the project. The students’ teachers, ten Arab and Jewish practitioners, and six conflict resolution experts, will illustrate how negotiation works in different sectors. Guest speakers will be Former Ambassador to the UN, Gabriella Shalev, and a yet-to-be-determined PON faculty affiliate will honor the event together with the US Ambassador to Israel and a delegation from the US Embassy.

iv. MIT-Harvard Public Disputes Program

PDP will continue its research efforts in the following areas: (1) international environmental treaty-making, (2) the application of mediation techniques and strategies to a range of public disputes, (3) strategies for addressing values-based and identity-based disputes in the public arena; and (4) the resolution of sovereignty and land claims of indigenous peoples. Ongoing projects include the following:

In May 2014, PDP and the MIT Center for Real Estate will offer “Creating Value in Real Estate Negotiation,” a two-day open enrollment negotiation training course for real estate professionals.

*Volume XIX of Papers on International Environmental Negotiation*, edited by Professors Bill Moomaw and Lawrence Susskind, will be published in late 2013. This is a collected volume of the best papers submitted in their joint MIT-Fletcher class on International Environmental Negotiation, offered in the fall of 2012. This is the 19th and final year in which they will publish an edited collection of papers from this course, as Professor Moomaw is retiring from Tufts.

Patrick Field and Lawrence Susskind will continue their NOAA grant funded project, working with four New England coastal communities and the National Estuarine Research Reserve System to test the effectiveness of "massive" playing of tailored role play simulations as a tool for promoting collective efforts to manage climate change risk. Four games developed in this two-year experiment will be added to the PON Clearinghouse with detailed teaching notes.
v. Dispute Resolution Program

The Dispute Resolution Program (DRP), co-directed by its founder, Professor Emeritus Frank Sander, and Professor Michael Wheeler, will continue to promote research and theory-building on the ever-increasing array of alternative dispute resolution mechanisms, with emphasis on how those procedures are best used in conjunction with judicial and regulatory systems. Professor Wheeler’s book, The Art of Negotiation: How to Improvise Agreement in a Chaotic World, will be published by Simon & Schuster in October 2013.

vi. Program on Negotiations in the Workplace

Professors Kolb and McGinn will continue their new project with the African Women in Agricultural Research and Development (AWARD), a project funded by the Bill and Melinda Gates Foundation. The project is intended to develop the capacity of African trainers to deliver a four-day negotiation workshop that emphasizes negotiations in the workplace. In 2013, they will initiate the first phase of the train the trainer program.

Deborah Kolb continues work on a new book—Negotiating in the Shadow Of Organizations: Gender, Negotiation and Change. Working from case studies of women leaders, Kolb develops an approach to negotiating in organizations that help women leaders negotiate “second generation” gender issues. “Second generation” gender issues are the powerful yet often invisible barriers to women’s advancement that arise from cultural beliefs about gender, as well as workplace structures, practices, and patterns of interaction that inadvertently favor men. Women have to negotiate, not only over issues of compensation, but also for opportunities, for ways to manage their complex work and personal lives, and to create value for the invisible work they do. Raising these types of issues can be met with resistance and so requires some different approaches to negotiation. But in the process of negotiating over second generation issues, changes in work practices are often the outcome.

vii. PON Research Seminar

In 2013-2014, the PON Research Seminar will be organized by Professor Jared Curhan (MIT). The PON Research Seminar invites leading scholars from around the country to speak about their research on negotiation and related fields to PON-affiliated faculty members and doctoral students from the Greater Boston area. In addition, PON will again co-sponsor a research seminar with the Women in Public Policy Program at Harvard Kennedy School.

b. New Scholarship

In the coming year, PON’s faculty will be teaching new courses at our consortium schools and publishing books and articles. Planned publications include:


• Sheila Heen and Doug Stone’s book, tentatively titled *Thanks for the Feedback: The Science and Art of Receiving Feedback*, will be published by Viking Adult in March 2014.


c. PON Graduate Research Fellows

The Program on Negotiation is hosting two graduate research fellows for the 2013-2014 academic year:

**Alexandros Sarris**  
PhD Candidate, Public International Law, University of Leiden

Alexandros is a PhD student in Public International Law at the University of Leiden. His research is on whether the United Nations Convention on the Law of the Sea is a reasonable framework for international disputes regarding fuel resources in the Polar Regions, and if a new treaty will appropriately resolve some of the current arguments. During his time at PON, Alexandros will write on the topic of grey zones in negotiations among parties that have international legal and political ramifications. He holds an LL.B. and LL.M. from the Democritus University of Thrace, and was a coach for the Greek Team in the International Law Moot Court Competition from 2007-2009.

**Sarah Woodside**  
PhD Candidate, Sociology, Boston College

Sarah is a Ph.D. candidate in Sociology at Boston College. Her research is on how individuals in social ventures navigate complex and competing logics, both inside and outside of their organization. While at PON, Sarah will conduct an empirical, qualitative study of eight companies to identify how employees within these companies negotiate among themselves, with their beneficiaries, and with their stakeholders. She has identified these negotiations as key components of their success in creating social transformation and social justice. Sarah is a 2012 Babson College Teaching Innovation Fund Grant recipient, and has been published in *Sociology Speaks*, *Journal of International Negotiation*, and *Theory in Practice*. She holds an M.A. in Dispute Resolution from the University of Massachusetts in Boston.

d. Visiting Scholars & Fellows

**Bruce Allyn, Senior Fellow**, is an Adjunct Faculty member at the University of Oregon Law School and former Director of the Harvard-Soviet Joint Study. He is also the former Associate Director of the Harvard Strengthening Democratic Institutions Project. His current research focuses on negotiation and strategies for nonviolent action. He is writing a book on the nonviolent collapse of the Soviet Union, using it as a case study to derive lessons for regime change in current conflicts, particularly in the Middle East. While at PON, he will
work with Professor James Sebenius to develop a case study on his experiences negotiating with the Russians. He will also develop case studies, including one on Nelson Mandela’s negotiation campaign to end apartheid in South Africa.

**Karen Lee Bar-Sinai, Research Fellow**, is Director and Co-Founder of SAYA, Design for Change in Jerusalem, Israel. For the 2012-2013 academic year she was a Loeb Fellow at the Harvard Graduate School of Design where she collaborated with PON and the Middle East Negotiation Initiative to develop a seminar series entitled “Designing a YES: the Role of Spatial Planning in Political Negotiations.” In the upcoming year she will continue her research exploring the role of design and urban planning in negotiation.

**Talia Fisher, Visiting Scholar**, is a Professor of Law and the Director of the Taubenschlag Institute of Criminal Law at Tel Aviv University in Israel. Her research interests include evidence law, private ordering, ADR and Negotiation Theory.

**Stefanos Mouzas, Visiting Scholar**, is a Professor and Director of Research in the Department of Marketing at the Lancaster University Management School in Lancaster, UK. His research looks at imperfections in how actors interact with each other. While at PON he will conduct research, under the supervision of Professor Guhan Subramanian, on the sources of disagreements in negotiation and the possibilities for crafting umbrella agreements.

**Rainer Michael Rilke, Visiting Scholar**, is a research assistant and PhD student at the University of Cologne, Germany. His research interests center on behavioral and experimental economics and business ethics. His most recent research paper, entitled “Lying and Team Incentives” appeared in the *Journal of Economic Psychology*.

**Ann Torres, Visiting Scholar** was renewed for the fall 2013 semester. She is a lecturer in Marketing at the J.E. Cairnes School of Business and Economics and the Vice Dean of Internationalisation for the College of Business, Public Policy and Law at the National University of Ireland Galway. Her research interests lie in the convergence of strategy, entrepreneurship and marketing practices. In this context, she is studying the confluence between e-marketing and marketing communications, with the framework of negotiation, as well as between organizational strategy and innovative marketing practice.

### 3. Contributions to HLS Teaching Program & Other Teaching Activities

The Program on Negotiation will continue to offer the wide variety of teaching programs and activities listed on page 32 in the coming year. These include:

- Courses at Harvard Law School
- The Harvard Negotiation Institute
- Executive Education
- Teaching Materials and Curriculum Development: The PON Clearinghouse
- Participation in the HLS Case Studies Portal initiative
- Pedagogy @ PON
- The PON Seminars
4. Participation of HLS Students in Program Activities

PON will continue to provide support to its network of over 1,000 students through the Student Interest Group. In addition to taking negotiation courses, students are always welcome at PON events; many assist faculty, and work as student teaching and student research assistants.

a. Negotiation and Dispute Resolution Information Session – September 16, 2013

Professor Robert Bordone will hold an information session for HLS students interested in programs related to negotiation, mediation and alternative dispute resolution including the Harvard Negotiators, Harvard Mediation Program, the Harvard Negotiation Law Review, and the Harvard Negotiation and Mediation Clinical Program.

b. PON Open House for Students – September 26, 2013

PON will again host its popular open house for Boston-area students interested in negotiation and conflict resolution early in the fall semester.

c. PON Brown Bag Lunch Series – September 2013

PON also plans on resuming the Brown Bag Lunch series this fall.

d. Film Series Plans

The PON Film Series will continue to offer films that provide a context for discussion about negotiation and conflict. Films in this series often draw 80 or more attendees, including students from the Law School and greater Harvard community and have provided a springboard for many stimulating evening discussions.

5. Faculty Participation

Because PON’s chair Robert Mnookin will be on sabbatical next year, Guhan Subramanian was named co-chair of PON for the 2013-2014 year. This step was taken with approval of Dean Minow and of PON’s Executive Committee.

6. Other Contributions to the HLS Community

The Program on Negotiation is always looking for new and innovative ways to contribute to the HLS community. In addition, we will continue to offer opportunities such as:

- Public events of interest to students, staff, and members of the public
- Semester-length seminars on mediation and negotiation
- Hosting an Open House for students, faculty and individuals interested in ADR
- PON Film Series – PON will continue to offer films that provide a context for discussion about negotiation and conflict.
- Access to the PON browsing library to all students
7. Law Reform & Advocacy

Please refer to page 38 for information on our ongoing efforts in law reform and advocacy.

8. Connections to the Profession

a. Research

PON’s extensive research activities will continue in the upcoming academic year. We anticipate a number of additional publications including journal articles, op-eds, and special reports.

b. The Harvard Negotiation Institute

PON will offer the popular Harvard Negotiation Institute Mediating Disputes course in October 2013. Professor Robert Mnookin, Samuel Williston Professor of Law at Harvard Law School and Chair of the Program on Negotiation, will lead the teaching team. In June 2014, PON will offer several five-day negotiation courses and a 2-day intensive negotiation course for lawyers, on the HLS campus. We hope to provide ever-increasing numbers of lawyers and working professionals the opportunity to learn about negotiation and mediation and implement these skills in their day-to-day personal and professional lives.

c. Executive Education Programs

PON will continue to offer six three-day “Negotiation and Leadership” courses along with one-day sessions with PON-affiliated faculty. These one-day courses include:

- Understanding Diplomacy and International Negotiations with Gabriella Blum
- The Power of a Positive No with William Ury
- Bargaining with the Devil with Robert Mnookin
- The Odd Couple with Max Bazerman and Daniel Shapiro
- Practical Lessons from the Great Negotiators with James Sebenius
- Women and Career Negotiations with Hannah Riley-Bowles

In addition, PON has developed and will launch an advanced “Negotiation Master Class,” in September 2013. This two and a half day course will be limited to 60 participants, and will be taught by four PON affiliated faculty members: Lawrence Susskind, Guhan Subramanian, Jared Curhan and Kimberlyn Leary. The Master Class is designed to provide graduates of the Negotiation and Leadership course with an opportunity to further refine and strengthen their negotiation skills.

In October 2013, PON will offer two, two-day long courses in Hong Kong in collaboration with the China Education Group. A course on mediation will be taught by Professor Robert Mnookin, and a course on negotiation will be taught by Professor Guhan Subramanian.
d. PON Seminars

Once again this fall, PON will offer the PON Seminar: Negotiation and Dispute Resolution. In the spring, PON will again offer the Mediation and Conflict Resolution seminar. These are semester-length courses held on the HLS campus. Additional information about this program can be found on page 40.

9. Collaborations with other Schools and Departments

The interdisciplinary nature of PON generates many opportunities throughout the year for collaboration with other schools and departments. Among other events, the PON Faculty Research Seminar, the Great Negotiator Award Program, the PON Film Series and our brown bag lunches offer regular opportunities for interaction with faculty and students from other Harvard departments and schools, as well as schools within the PON consortium.

In addition, PON will participate in the following collaborations:

In 2013-2014, PON will again co-sponsor a research seminar with the Women and Public Policy Program (WAPP) at the Harvard Kennedy School. As the first in that series, in September 2013, Muriel Niederle of Stanford University will present her research on “Gender Competitiveness and Career Choices.”

PON will continue to sponsor the Herbert C. Kelman Seminar on International Conflict Analysis and Resolution with the Nieman Foundation for Journalism, the Weatherhead Center for International Affairs, and the Joan Shorenstein Center on the Press, Politics, and Public Policy. These seminars are offered monthly during the academic year.

The Program on Negotiation and The Future of Diplomacy Project at Harvard Kennedy School will co-sponsor the 2014 Great Negotiator Award program, to be held in April 2014. The award will be given to Ambassador Tommy Koh in honor of his achievements in challenging negotiations, such as multilateral diplomacy over the Law of the Sea, the Earth Summit, the ASEAN, and the Singapore-U.S. free trade deal. As part of preparation for the Great Negotiation program, there will be roundtable discussions for faculty and students from HLS, HKS and other schools, to identify and articulate the negotiation lessons that can be drawn from Ambassador Koh’s work. Professor Sebenius will oversee these activities in collaboration with Nicholas Burns of The Future of Diplomacy Project.