

ART 5.4.5 Conduct Negotiations with and Between Other Governmental Agencies and Nongovernmental Organizations

Conduct negotiations between the U.S. and local, military, and civilian organizations. These negotiations can range widely in size and scope. (FM 3-07) (USACAC)

NO.	Scale	Measure
01	Yes/No	The outcome of negotiations supported accomplishing the mission of U.S. forces in the area of operations (AO).
02	Yes/No	Unit completed a legal review of restraints and constraints prior to negotiations.
03	Yes/No	U.S. forces facilitated and mediated negotiations between opposing ethnic, cultural, environmental, commercial, religious, and social groups in the AO.
04	Yes/No	Negotiating team conditionally agreed on outcome of the negotiations before the start of negotiations.
05	Yes/No	Negotiating team avoided making the initial offer in the negotiations until it had explained the loss of potential benefits to not agreeing with the team's objectives, illustrated the incentives for agreeing with team's objectives, and demonstrated the costs of both disagreeing and agreeing with team's objectives.
06	Yes/No	Negotiating team kept the objective of the negotiations in mind and focused on the big picture in lieu of single issues.
07	Yes/No	Negotiating team discovered additional variables, concessions, or bargaining chips during negotiations.
08	Yes/No	Negotiating team thoroughly understood U.S. interests and goals for negotiations.
09	Yes/No	Negotiating team kept accurate notes on progress of negotiations for reference if the other party forgot, misunderstood, or attempted to distort interpretations of what was discussed and agreed.
10	Yes/No	Negotiating team summarized and confirmed the understandings of all parties continually.
11	Yes/No	Negotiating team's higher headquarters approved the negotiating team's concessions and positions.
12	Yes/No	Negotiation team negotiated terms for exchange of

		prisoners of war.
13	Yes/No	Negotiation team negotiated arrangements with indigenous populations and institutions.
14	Yes/No	Negotiation team negotiated or modified regional security arrangements with all interested parties.
15	Yes/No	Negotiating team had the skills to conduct negotiations. This included good communications skills; ability to use the dynamics of conflict; and knowledge of the area, culture, economies, political philosophy, language, customs, history, wants, needs, goals, probable assumptions, and communications or negotiation styles of the other parties to the negotiations.
16	Yes/No	Negotiation team negotiated the enhancement of border crossing controls and security.
17	Yes/No	Negotiation team briefed the supported element on issues in negotiation.
18	Yes/No	Negotiating team gained preauthorization for expected negotiations outcome and concessions.
19	Yes/No	Negotiating team did not obligate the supported element on terms not previously approved.
20	Yes/No	Environmental regulations, laws, and considerations were taken into account during planning and were present in procedures being followed.
21	Time	To complete background information on the parties involved in the negotiations to identify needs and interests to include personal and emotional aspects.
22	Time	To establish the conditions necessary for the conduct of successful negotiations. This includes building trust, rapport, and empathy with the other individuals involved in the negotiations.
23	Time	To determine negotiating concessions and bargaining chips that can be exploited during the conduct of negotiations.
24	Time	To complete a legal review of restraints and constraints of agreements reached during negotiations.
25	Percent	Of desired objectives obtained during negotiations.
26	Percent	Of time U.S. force gets something in exchange for some type of concession in its negotiating position.
27	Number	And types of negotiations currently ongoing in the AO.

28	Cost	Of conducting negotiations with and between other government agencies and nongovernmental organizations.
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Supporting Collective Tasks:

Task No.	Title	Proponent	Echelon
07-2-5045	Conduct Negotiations (Platoon-Company)	07 - Infantry (Collective)	Company
17-1-0406	Conduct Negotiations	17 - Armor (Collective)	Battalion
71-8-5450	Conduct Negotiations with and Between Other Government Agencies and NonGovernmental Organizations (Battalion - Corps)	71 - Combined Arms (Collective)	Corps
71-9-5720	Determine Multinational Force or Agency Capabilities and Limitations (Division Echelon and Above [Operational])	71 - Combined Arms (Collective)	Echelons Above Corps