

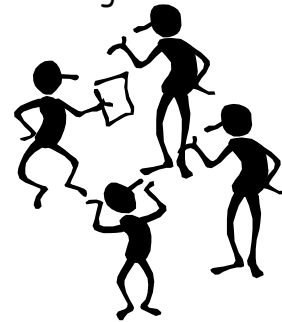
Negotiation Skills Handbook



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Top Negotiation Tips

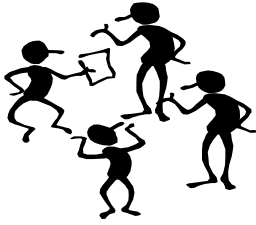
- * Build in regular recesses and meal breaks to allow the team to rest, review its position and enable people to share disagreements.
- * Prepare meticulously for the negotiation, if necessary conducting simulated sessions with others playing the role of your adversaries.
- * Identify the other side's strengths and weaknesses.
- * Decide on your fall-back positions.
- * Begin with easy-to-handle issues.
- * Don't underestimate the other side.
- * Use inclusive language not words creating a '**them and us**' atmosphere.
- * Express disagreement in an open-ended way to encourage further discussion - for instance rather than saying: 'Impossible, our price is already rock bottom'. Try "How could we close the gap between us on this one?" or "That seems too low for us, but we'd still like to do business with you".
- * Avoid posing confrontational yes-or-no questions.
- * Use specific numbers rather than quoting ranges: if you quote a delivery price range or a variety of delivery dates you force the other side to push ahead for the most favourable figure, so stick to realistic figures and have no more than two fall-back positions.
- * Don't concede something without gaining something in return.
- * Resist, if faced with a demand, to concede something in return for something.
- * Stick to the truth. Exaggeration and posturing seldom enhance a business negotiation; deliberately trying to bluff or confuse will make mutual agreement harder.
- * Don't gloat if you're winning - remember you're seeking agreement not victory.
- * Watch for the non-verbal signs from the other side, including fatigue.
- * Keep control of emotions.



*Let us never negotiate out of fear.
But let us never fear to negotiate.*

John F. Kennedy, Address to UN Assembly, 1963

Do's & Don'ts for Negotiations



1. Preparing for negotiations
2. During the negotiation
3. Closing a negotiation
4. Follow-up to negotiations

1. Preparing for negotiations

Do:

- Obtain as much background about the subject to be discussed from the other side as possible.
- Assess the other party's strengths, weaknesses, perceived needs and negotiating strategies.
- Study the culture of the other party and negotiating style.
- Identify your needs.
- Determine your bargaining range and your best option in a negotiated agreement.
- Prioritise and determine the cost of the concessions that you are prepared to make.
- Prepare for price or other objections in advance.
- Develop a negotiating strategy and plan of action.

Don't:

- Enter into negotiations without preparation.
- Assess the other party's position and behaviour on the basis of your own culture or background.
- Develop negotiating strategies based on assumptions.

Remember:

- The more you know about the other party, the greater your ability to obtain favourable terms in the agreement.
- Success in negotiations is 80% preparation and 20% interaction.
- A negotiator cannot be over-prepared, only under-prepared.

2. During the negotiations

Do:

- Adopt cooperative tactics but be ready to use a competitive approach when warranted.
- View negotiation as an opportunity to build a rewarding working relationship that is mutually beneficial over the long term.
- Project confidence, credibility and professionalism.
- Search for common goals, interests, needs.
- Concede low-value items in the early stages to initiate reciprocity.
- Give explanations when rejecting an offer.
- Use such openers as

"Yes, but...", "What if ...?", or "If..., then..."

when making a counter-offer.

- Know when to listen; ask well-conceived questions and maintain two-way communication.
- Make full use of the four "p's" of marketing in your negotiations instead of relying on the price issue only - product, promotion, place and price.
- Refer to your price quotations with qualifiers such as :

about, approximately, roughly and in the range of,

as it sends a message that your offer is open for negotiation.

- Summarise regularly the agreed items to ensure that they are understood by both sides before proceeding to other issues.
- Ensure that the other party participates fully in the negotiating process and feels "ownership" of the options being discussed.
- Keep personalities out of the negotiations; concentrate on the problem.

Don't

- Underestimate the other side.
- Rush into hasty decisions and calculations.
- Make concessions, even minor ones, unless you ask for something in return or wish to encourage a more cooperative approach from the other side.
- Make too many concessions in the early stage of negotiations.
- Make final, best or non-negotiable statements in the early stage of negotiations.

- Accept an offer at the first stage of a negotiation.
- Reject offers without asking more questions.
- Make your moves based on assumptions.
- Change the price unless you change the pricing package.
- Be drawn into non-essential, controversial or personal issues.
- Use such words as:

to tell the truth, honestly, frankly

- Agree to an offer until all the elements to be negotiated have been discussed.
- Make promises you cannot live up to.
- Prolong the negotiations when you consider that you have obtained an acceptable agreement

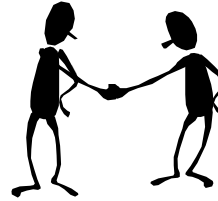
Remember:

- Establish the authority of the person with whom you are negotiating.
- Serious negotiations require compromise on both sides.
- The less you are willing to risk, the less likely you are to gain maximum concessions.
- Small price concessions may have a major impact on profits over the long run.
- Most major concessions are agreed to near the end of the talks.
- The party without time constraints has an advantage.
- The party that asks most of the questions is likely to obtain a better agreement.

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3. Closing a negotiation



Do:

- Anticipate last-minute demands when planning your negotiating strategy and tactics.
- Agree to an agenda that reflects your objectives and set realistic deadlines.
- Listen to the other party's objections and ask why they are not agreeing.
- Emphasise the benefits to be gained by the other side by accepting your proposal.
- Look for a change in the pattern, size and frequency of the other party's concessions.
- Overcome objections by giving clear explanations.
- Take notes throughout the discussions, including your concessions and the ones made by other party.
- Make your "last offer" credible and with conviction.
- Examine the draft agreement and clarify any points that you don't understand, before signing.

Don't

- View closing as a separate step in the negotiations.
- Be in a hurry to close.
- Make large concessions at the last minute.
- Rush into costly concessions because of deadlines.
- Push your advantage to the point of forcing the other side to leave the negotiations.
- Lose sight of your long-term objectives when getting blocked on minor issues.
- Become too emotional when closing (you need to think as clearly as possible during the close).
- Discuss the deal with the other side once you have agreed (you run the risk of reopening the negotiations).

Remember:

- Flexibility is at the heart of closing a deal.
- Experienced negotiators plan their closing tactics during their preparations for the negotiations.
- Successful negotiators follow their pre-set goals and concentrate their efforts on essential issues.

- Encourage the other party to close, when the time is appropriate, since many negotiators either fear or do not know how and when to close.
- The best time to close is when both sides have achieved their expected goals.
- Close only if the deal is good, not only for you but for the other party as well.
- The notion of closing varies in different parts of the world because of cultural factors requiring different closing techniques.
- Closing is not done in a hurry.
- Overcoming objections is a part of getting approval of proposals.
- Successful closers seek consensus.
- Buyers often say "no" one more time before saying "yes".
- Nothing is agreed until everything is agreed.
- Not all negotiations lead to the closing of a deal - sometimes no deal is better than a bad deal.

4. Follow-up to negotiations

Do:

- Deliver what has been agreed to.
- Maintain regular contact with the other side.
- Consider re-negotiation in case of unexpected events.
- Follow up complaints and seek mutually agreeable solutions.

Don't:

- Consider your involvement finished after the agreement has been signed.
- Take a rigid stance concerning any required re-negotiation.

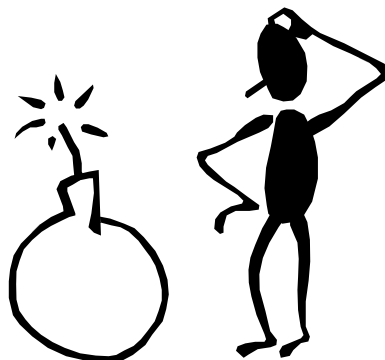
Remember:

- The negotiation process does not end with the agreement; instead it is the beginning of a business relationship.
- Success in the long run does not result from one single deal but rather from a continuous process of maintaining a cooperative business environment.
- Sometimes no deal is better than a bad one.
- Successful negotiators never stop learning.



Most Common Negotiation Errors

1. Unclear objectives.
2. Inadequate knowledge of the other side's goals.
3. Incorrectly viewing the other party as an opponent.
4. Insufficient attention to the other party's concerns.
5. Lack of understanding of the other side's decision-making process.
6. Non-existence of a strategy for making concessions.
7. Too few alternatives and options prepared beforehand.
8. Failure to take account of the competition factor.
9. Unskillful use of negotiating power.
10. Hasty calculations and decision-making.
11. Poor sense of timing for closing the negotiations.



Attributes of Effective Negotiators

- ✓ Listen more than talk: listen to them instead of listening to you
- ✓ Build trust
- ✓ Build a relationship
- ✓ Be objective
- ✓ Use empathy
- ✓ Never assume
- ✓ Use pauses (to sum up progress)
- ✓ Be flexible, be generous *refer to *Getting Past No*, last page
- ✓ Communicate honestly and openly
- ✓ Use silence
- ✓ Create doubts and uncertainties in the minds of others as to the viability of their position (by trust)
- ✓ Understand them: their expectations, both lowering them and raising them when necessary
- ✓ Manage expectations of other party
- ✓ Be modest, play yourself down
- ✓ Ask questions: *How* you ask is just as important as *what* you ask
- ✓ Educate yourself about their needs: get to know other side
- ✓ Distance yourself from natural impulses and emotions
- ✓ Know your "hot buttons" ; recognize what s/he is doing but also what you are *feeling*
- ✓ Review; summarise (to buy time)
- ✓ Look for occasions where you can say YES without making a concession. Each YES reduces tension
- ✓ Use language s/he understands
- ✓ Distinguish between the person and his/her behaviour
- ✓ Don't say *BUT* say *AND* (acknowledge view with *yes*; preface yours with *and*)
- ✓ Make *I* statements not *YOU*
- ✓ Invite opponent's criticism (how would s/he would solve it)



Tips for Avoiding Misunderstandings When Negotiating Cross-Border Deals

March 31, 2003

Negotiation is a delicate business, made even more delicate by different cultural understandings. How can you avoid the subtle pitfalls and make deals go smoothly? This article from *Harvard Management Communication Letter* has suggestions.

by Andrew Rosenbaum



Henry in Los Angeles and Hiroshi in Tokyo both like Armani suits, baseball, Mozart, and good Bordeaux. But Henry recently spoke for days with Hiroshi, his potential business partner, and yet the barriers between them were never broached—and the deal didn't get inked.

The problem had to do with different conceptions of the negotiation process itself and misinterpretations of the other's behavior. For Henry, negotiation is about pushing through a deal, period. When Henry didn't think their discussion was moving forward as quickly as he thought it should, his arguments became increasingly forceful. Because Hiroshi read this as

disrespect, the negotiation essentially ended days before their talks did.

Although globalized communications and marketing have made the world smaller in many ways, deep differences between cultures remain. Despite similar tastes, Henry and Hiroshi each approach negotiation in a way heavily conditioned by his national culture. Because they sat down at the table without understanding the other's assumptions about the negotiation process, all they ended up with was an impasse.

Negotiation is always a delicate business, requiring determination and diplomacy in equal measure. But finessing a cross-cultural negotiation is a particular challenge. Here are some tips that can help you put together a deal with a foreign partner.

Understand expectations

Your negotiating partner's expectations of the negotiation may well be very different from yours. Like you, he will want to succeed, but success may not mean the same thing to him and his co-nationals as it does to you.

Decision-making styles may be different, too. American managers usually make decisions by themselves, while Japanese managers tend to make decisions by consensus, a practice that can add time to the negotiation process.

Americans place a high value on flexibility, whereas once a Japanese manager has reached a decision, he believes it is shameful to change it, says Tokyo-based management

consultant Mitsugu Iwashita, director of the Intercultural and Business Communication Center.

Understanding these underlying attitudes helps you see what your potential partner's priorities are, and you can then adapt your strategy accordingly.

In many cultures, negotiation is ritualized, especially in its early stages.

— Andrew Rosenbaum

Establish common ground and choose your style

Find anything that will allow your foreign colleague to share something with you. This can help you get past “people” problems—ego wars, saving face, and so on—which is a good tactic because these problems can crop up where you may least expect them.

Now the real work can begin. You’ll need to choose which of two classic negotiating styles you’ll adopt: Contentious or problem-solving. The contentious negotiator, a tough, demanding guy who makes few compromises, can be a great success given the right conditions. He either wins or loses, but never comes to a conditional agreement. The problem-solving negotiator takes a broader view, attempting to get as much as she can without handing out a deal breaker. She establishes common ground wherever she can find it and approaches negotiations on a step-by-step basis.

While one has to be careful about generalizing across cultures, experts agree that a problem-solving approach to cross-cultural negotiations is prudent. (Indeed, many would say it’s the right choice for almost any negotiation.) The problem-solving approach helps to avoid blunders, says Elaine Winters, coauthor of *Cultural Issues in Business Communication* (Program Facilitating and Consulting, 2000). But there are limits to this approach. In many cultures, negotiation is ritualized, especially in its early stages. It is obviously important to learn these negotiating rituals for a given culture, even if your foreign partner turns out not to require them. Germans, for example, often need to spend a large part of the initial negotiations in number crunching. All the facts and figures must be agreed upon, and woe betide the negotiator who makes a mistake! This German trait is not really about number crunching, however; it is a confidence-building ritual in which two potential partners run through a series of routine checks just to display trustworthiness. So the problem-solving approach, which would try to find common ground quickly, could prove threatening for the ritual negotiators.

“When confronted with cultural differences in negotiating styles, we need to be aware of the potentially adverse effects of a flexible, mixed style,” says Willem Mastenbroek, director of the Holland Consulting Group (Amsterdam) and professor of organizational culture and communication at the Free University of Amsterdam. “If it is not understood, people may perceive it as smooth and suave behavior and resent it. Because they are not able to counter it with equal flexibility, they may feel clumsy and awkward, in some way even inferior. It may also become difficult for them to believe in the sincerity of the other side. They may see it as an effort to lure them into a game defined by established groups which will put them at a disadvantage.”

Manage the negotiation


Let’s assume that you have passed successfully through the initial stages of the negotiation and that you have agreed upon common ground with your prospective partner. The game of tactics now broadens. It is at this stage, in which the actual issues go back and forth between participants, that your awareness of negotiating behavior typical to your potential partner’s culture can be put to use.

Italian negotiators, for example, will often try to push through this stage quite quickly, repeatedly insisting on their terms to tire out their opponents. Knowing this, a foreign negotiator may find a good tactic is to display no great hurry to deal—change the subject, digress, etc.

On the other hand, Chinese negotiators usually make one offer after another at this point to test the limits of a possible deal. According to Winters, nonverbal communication in negotiations with a Chinese businessman can be quite important. He may say little in response to your questions, and expect you to garner what you need to know from his gestures and from the context of whatever he does say. More demonstrative Western cultures can find this conduct very difficult to work with, but the application here of patience and deductive reasoning can take you a long way.

Most Europeans won’t break off discussions unless they are deeply offended, but Asian negotiators are often happy to drop the project if they are uncomfortable with some aspect of the negotiations. If this happens, try to backtrack and fix the problem.

But in focusing on your potential partner’s culture, don’t lose sight of him as an individual. It’s always best to learn as much as you can about his personality and communication style. “Personalize negotiation

methods and approaches," Winters says. "Don't ignore culture (impossible anyway!), try to treat it as background; focus on the capabilities of the specific individuals at the table. This is frequently successful because a new, mutually agreed-upon culture is being created just for this effort." 

Excerpted with permission from "How to Steer Clear of Pitfalls in Cross-Cultural Negotiation," **Harvard Management Communication Letter**, March 2003.

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See the latest issue of [Harvard Management Communication Letter](#).

Look, Listen and Learn

(or ... how to get what you want)

Many people find the prospect of high-level business negotiating terrifying, and would probably consider jumping out of an aeroplane a less stressful option than asking for a raise.

Derek Arden explains why and reveals strategies for overcoming the fear of asking for what you want.

(This article was first published in the Chartered Institute of Bankers Journal)

THERE IS MORE to successful business negotiation than simply putting your case or request and waiting hopefully for a positive answer. Preparation, an understanding of the negotiating environment and a confident disposition will make the whole procedure work more effectively for you and might even be enjoyable.

You may have already experienced different negotiating scenarios. These can vary from confrontational 'take it or leave it' situations to Tony Blair's jackets off, first names only, round the table, approach.

One very good way of improving your negotiation skills and overcoming any fears you might have is by appealing to your legitimate self interest.

A five-year study of delegates attending a senior management course at Henley Management College, revealed that managers with high-calibre negotiating skills earned 100 per cent more than their peers. The reasons for this are obvious and twofold.

You either bump up your salary through persuasive bargaining techniques, or you receive indirect financial reward as a result of the long-term benefits secured by you and your team on behalf of your company.

There are four basic outcomes for the parties involved in any negotiation strategy:

- **win / win**
- **win / lose**
- **lose / win**
- **lose / lose**

In today's world of global alliances and local mutuality, the first outcome, where everybody wins, is the most desirable and therefore the most commonly sought.

Your Position

But first things first. It is important to assess your own negotiating abilities and your attitude to the process. Do you enjoy the cut and thrust of negotiation, or do you find it too confrontational by half?

It is important to remember to depersonalise the process, not to the extent that you appear cold and indifferent but to enable you to keep in mind the fact that the objective is to secure a potentially lasting business relationship; a case of separating the people from the problem.

If you fail to prepare, then you prepare to fail. There is no substitute for thorough research prior to the meeting, especially when you are part of (or even leading) a negotiating team. The most successful negotiators will, on average, spend at least 10 times more time on preparation than less experienced hands.

It is important to establish your most favourable position, your walk-away position and the likely stance of those you will be talking to. What intangible items you may be prepared to trade during the course of discussion should also be determined.

For complex negotiations it is advisable to role-play potential scenarios first. This will give you and your team a better idea of how to conduct yourselves and of how to respond to tough questions or demands.

Phrasing the question

How you ask a question is just as important as what you ask. Open questions should be used where possible: what, who, when, and so on. If possible, avoid prefacing a question with "why". If you ask what the reason is rather than why, you are much less likely to get a negative reaction. The recipient of the question won't be forced on the defensive and may give more information away as a result.

Avoid making statements, especially those which you may be called upon to substantiate there and then. Even if you can prove your point, by being categorical you risk an "escalation of confrontationality", as the Americans say.

Listen up

Good negotiators are also good listeners. The key is to listen to what the other person is really saying rather than thinking so far ahead that you miss important information. In general, people speak at around 200 words a minute but can think at 2,000 words a minute - although you may have met some people where it seems the reverse is true.

As well as listening to what is being said, you need to listen to how it is being said, and with what accompanying gestures. You may think the body language is an unimportant component but a skilled negotiator will appreciate the inference of tone and gesture; in other words, what isn't said. Recent research goes so far as to suggest that 55 per cent of the information received and perceived during any encounter is visual.

Empathy

This may sound like a curious concept to discuss in the context of business negotiation, but to ignore it entirely would be foolish. Empathy in this context is about understanding what the other parties, objectives are. By not correctly assessing needs and wants, conflict can arise out of silly misunderstandings:

The story of two people fighting over one orange effectively illustrates this point. Both want the orange for their own purposes but do not initially tell one another what those purposes are.

After the orange has been squashed to a pulp in the struggle, it transpires that one of the two wanted to squeeze the orange to make juice, while the other wanted the peel to make marmalade. If they had fully discussed each other's needs first, both would have got what they wanted.

The point is that although you may feel you understand the situation, everyone's perception is different and it is this that must be remembered whenever you sit down at the conference table.

Empathy can be achieved in a number of ways, including social meetings and team discussions before the negotiation proper. The use of humour, where appropriate, is always a good idea in that it shows that you are human.

Empathy also helps you to anticipate the tactical moves that might arise out of a negotiating situation. This obviously stems from a perceived better understanding of the two parties; you and them.

Tactics

What else are tactics about if they are not about the means of altering the perception of power in a bargaining scenario?

This does not mean that you should be unethical. It is merely a way of encouraging a particular view or a line of discussion to prevail. You will of course, be on the lookout for any tactics being employed on you. Sometimes, by correctly identifying a strategy and making it known, you can neutralise it or turn it to your own advantage. It is also important that you brief your team on the tactics you intend to employ and the part each member is to play.

Bargaining

This is always a tricky area. Give away nothing and the other party will think you are Arthur Scargill, give away too much and you will be condemned for ever more as a soft touch with a generous heart and an empty wallet.

An effective strategy is to reduce the expectations of the opposing team early on, thus making any concessions or offers you do make seem much more attractive. Never accept the first offer, even if it is exactly the deal you are looking for. Your haste may create distaste - and that is just on your own side. And if concessions must be made, do so graciously and at least create the impression that you have in no way compromised or inconvenienced yourself or your colleagues.

Be creative

Tried and tested solutions to negotiating stumbling blocks are well and good but that should not stop you exploring other avenues that may be without precedent. New ideas will come out of brainstorming processes, which should be engaged in both before the scheduled meeting and during time outs.

Think outside the box. Try not to reject proposals outright, no matter how absurd they might seem. Remember, Leonardo da Vinci's idea for a helicopter, though initially ridiculed, caught on eventually.

Have confidence

A nervous lead negotiator is likely to achieve very little. You will only succeed in boosting the confidence of your opposite number(s) and unnerving your own side. Rigorous coaching and even videoing of role-playing sessions will all help in the preparation of a calm and collected exterior, even if your insides are churning like a cement mixer.

There are a number of breathing and visualisation techniques that can be employed to calm and relax you. Slow, regular, deep breaths always help, as does filling your mind with images of blue whales or waves gently lapping Caribbean shores.

And remember, if you look your best, you will feel your best. Well, perhaps that's not always the case, especially when you are waiting in a crowded lobby, the air conditioning is up the spout and, beneath your expensive jacket, your shirt or blouse is sticking to your back like a wet flannel. At least you will look good in the eyes of your opponents. First impressions do last.

You are not alone

It is unlikely that any serious senior-level negotiation will take place between just two people. The information and situations discussed will often be too complex for one mind to deal with, so having a team within which the divisions of labour are clearly identified is essential.

The size and scope of your team will obviously depend upon the size of your company and the subjects under discussion.

Telephone negotiations

Not all business matters are settled face to face. Sometimes it is inconvenient for a meeting to take place due to location or time constraints. A telephone discussion can therefore be next best option or, indeed, be simply a tactic employed by either side as a means of defining their position towards the negotiation. Either way, it requires a different approach.

Without the benefit of being able to observe the other person's body language, your empathic listening skills will assume an even greater importance. For this reason, use a speaker phone where possible so that your colleagues can listen in and offer input where appropriate. Ensure at the outset, however, that the other party knows you are doing this and who you have in the room with you.

Concentration is the key. To this end ensure that your phone conversation is in private, away from any distractions - even the slightest interruption could mean that you miss something vital.

Listen to everything. If the person with whom you are dealing is concealing something or is unsure of themselves, they will give this away in 'aural clues', such as a slowing of speech, slight hesitations or a change in pitch. Silence is a powerful tool in face-to-face and telephone conversations, although it is a little more difficult to use this tactic in the latter.

To wrap it up

Regardless of what jobs we do, we are all negotiators, both at work and in our personal lives. The skills and techniques outlined above are inherent within all of us; it merely requires practice and discipline to make them work effectively.

Your career, your family life, even just a trip to an antique market can be transformed if you know how to negotiate effectively. We all want the best deal in every aspect of our lives. Hopefully, the above strategies will help you in the pursuit of that goal.

This article and further information can be obtained by contacting:

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Some Common Tricks in Negotiation and How to Counter Them

by John Mole www.johnmole.com

In an ideal negotiation both sides are going for win/win, creating partnership, and/or problem solving. However, some negotiators are not like this and it is a good idea to know how to deal with them...

<p>TAKE CONTROL</p> <ul style="list-style-type: none"> • pick the ground • control the space • ask to adjourn • summarise • we have alternatives • silence • KISS 	<p>YOU</p> <ul style="list-style-type: none"> • pick the time • I'll go here... • fix the return • summarise next • so do we • cup of coffee? • KISS 	<p>STALEMATE</p> <ul style="list-style-type: none"> • as far as we can go • take it or leave it • ultimatum 	<p>YOU</p> <ul style="list-style-type: none"> • what do you suggest? • change the shape • introduce an option • conditional concession • take a break • change the venue • walk (the last resort)
<p>ESCALATE</p> <ul style="list-style-type: none"> • unreasonable demand • new demand • slip in 	<p>YOU</p> <ul style="list-style-type: none"> • unreasonable demand • analyse • I'm surprised/upset • I have to refer it • we didn't agree that • if ... then • shift the specs • start all over again 	<p>BLUFF <i>(only if you can carry it out!)</i></p> <ul style="list-style-type: none"> • or else... • had a better offer • we'll go elsewhere • looking at others 	<p>YOU</p> <ul style="list-style-type: none"> • take seriously • question • why talk to me then? • ignore • if that's best for you • we respect them a lot

TIME PRESSURE**YOU**

- we have a deadline
- time's getting on

- question
- flexible return ticket
- ignore
- do not be rushed

BLIND WITH NUMBERS**YOU**

- new data
- this report shows...

- adjourn to consider
- write down
- ask for in writing
- query
- ask to repeat

NO AUTHORITY**YOU**

- company policy
- outside my authority
- not in the budget

- who set the policy?
- never an exception?
- we'd better adjourn
- call me when you can
- when is the new one?

QUESTIONS**YOU**

- Use open questions:
- leading question
- difficult question
- who else are you talking to?

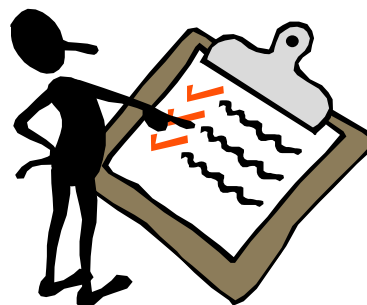
- **who, what, when, why**
- treat as an open question
- straight answer
- reply with a question
- I don't know
- what do you mean?
- answer a different question
- several people
- I think you can guess
- you wouldn't like me to discuss you ...

MANIPULATION**YOU**

- personal abuse
- Mr Nice/Mr Nasty
- Mr Know-all
- agree - Ill fix it later
- it's fair and reasonable
- trust me!
- the low chair

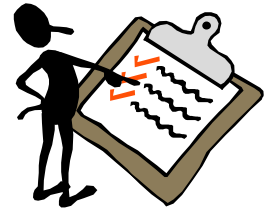
- stay calm!
- ignore
- silence
- address the issue
- ignore Mr Nasty
- dig for facts
- fix it now
- is it? analyse
- don't
- I've got a bad back...

Pre-negotiation Checklist



Factors	You	The Other Party	Your Competitors
What are the objectives of the negotiations?			
What are the main issues to be included in the agenda?			
What are the main strengths?			
What are the main weaknesses?			
Who has the strongest bargaining power?			
What concessions may be made, and how?			
What are the maximum and minimum limits of concessions?			
What items are negotiable?			
What items are not negotiable?			
What are the expected offers requiring counter-proposals?			
What will be the strategy and tactics?			
What will be the opening offer?			

Review & Reflect Checklists



Review

- What went well?
- What (if anything) went badly wrong?
- What could I have done differently?
- What would I have like to do better?
- Did things go as planned?
- How satisfactory was the outcome?
- How different was the outcome from the one I would have liked?
- What affected the outcome of the negotiation, positively or negatively?
- Was it something that I did or something that they did?
- How much did I shift from my original position?
- How much did they appear to shift?
- How much of my original outcome did I achieve?
- Was it a win-win negotiation?

Reflect

- If it was win-win, what helped it to be so?
- If it was not win-win, why not?
- What did I do which helped towards a positive conclusion?
- What helped them to move in my direction?
- Which areas of preparation worked well and which did not?
- What other active listening techniques could I have used?
- What other questions could I have asked?
- How could I have extended *my* thinking to help the other person extend theirs?
- Could I have used any of the bargaining techniques such as *hmm - and?*
- What might have happened if I had done any of these things?
- Which area of background did I feel weak on?
- Which other strategies, tactics or techniques could I have used?

**From: “Getting past no” William Ury
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Summarised by Andrew Gibbons

Download free at: www.andrewgibbons.co.uk

P 7 “To get past ‘no’ you need to understand what lies behind the ‘no’ “.

P 8 “Five challenges:
1. Don’t react.
2. Disarm your opponent.
3. Change the game.
4. Make it easy to say ‘yes’.
5. Make it hard to say ‘no’.

P 9 “Breakthrough negotiation is the art of letting the other person have your way”.

P 12 “Three common reactions when confronted with a difficult interpersonal situation:
1. Strike back
2. Give in.
3. Break off.

P 15 “In reacting we lose sight of our interests”.

P 16 “Much of your opponents’ power lies in his ability to make you react”.

P 17 “When you find yourself facing a difficult negotiation, you need to step back, collect your wits and see the situation objectively. Imagine you are negotiating on a stage, and then imagine yourself climbing onto a balcony overlooking the stage. The ‘balcony’ is a metaphor for a mental attitude of detachment. From the balcony you can more calmly evaluate the conflict, almost as if you were a third part. You can think constructively for both sides, and look for a mutually satisfactory way to resolve the situation”.

“Going to the balcony means distancing yourself from your natural impulses and emotions”.

P 18 “The prize in negotiation is *not* obtaining your position, but satisfying your interests”.

“Behind your position lie your interests. Your interests are the intangible motivations that lead you to take that position: your needs, desires, concerns and fears”.

P 19 “You usually can’t satisfy your interests unless you also satisfy your opponents”.

“While it may not be possible to obtain your position, it is often possible to satisfy your interests”.

P 20 “Your BATNA is your best alternative to a negotiated agreement. It is your best way of satisfying your interests *without* the others’ agreement”.

“To identify your BATNA, you should consider three kinds of alternatives:

1. What can you do all by yourself to pursue your interests?
- your walk away alternative.
2. What can you do directly to your opponent to make him respect your interests?
- your interactive alternative.
3. How can you bring a third party into the situation to further your interests?
- your third party alternative.

“A good BATNA usually does not exist, it needs to be developed. If your BATNA is not very strong you should take steps to improve it”.

P 21 “If you have a viable alternative and your opponent does not, then you have leverage in the negotiation. The better your BATNA (best alternative to negotiated agreement), the more power you have”.

“Once you know your interests, and have considered your BATNA, you should ask yourself whether you should negotiate at all. Perhaps your BATNA is better than any agreement you could reach with your opponent”.

“Remember too that the negotiation process itself is not free of costs. It can take a lot of time and effort, during the course of which your other alternatives may vanish. Your decision to negotiate should therefore be a carefully considered one”.

P 22 “There are dozens of tactics, but they can be grouped into three general categories, depending on whether they are obstructive, offensive, or defensive”.

“A *stone wall* is a refusal to budge – your opponent tries to convince you that he has no flexibility, and that there is no choice other than his position”.

P 23 “*Attacks* are pressure tactics designed to intimidate you and make you feel so uncomfortable that you ultimately give in to your opponents’ demands”.

“*Tricks* are tactics that dupe you into giving in. They take advantage of the fact that you assume your counterpart is acting in good faith and is telling the truth”.

P 25 “Whereas a liar can manipulate his words, he cannot easily control the anxiety that raises the pitch of his voice”.

P 26 “It’s very important that you know your ‘hot buttons’, - to properly neutralise the effect of your opponents’ tactic on you, you need to recognise not only what he is doing but also what you are feeling”.

“If you understand what your ‘hot buttons’ are, you can more easily recognise when your opponent is pushing them”.

P 27 “The simplest way to buy time in the middle of a tense negotiation is to pause and say nothing...your silence may make him feel a little uncomfortable. The onus of keeping the conversation going shifts back to him”.

P 29 “You can pause only for so long. To buy more time to think, try rewinding the tape. Slow down the conversation by playing it back. Tell your counterpart: ‘let me make sure I understand what you are saying’. Review the conversation up to that point”.

P 30 “If your opponent overloads you with information, hoping you will overlook a hidden drawback in his proposal, don’t hesitate to say ‘you’re giving too much information to digest so quickly – give me a little time to review this’. This works best when you get the other party to talk his way through it, giving you a chance to think (this is always easier when you’re not speaking) and to spot flaws or inconsistencies”.

“Some people are afraid they will look stupid if they say I’m sorry I’m not following you’. Ironically, they are the ones most likely to be taken in, because they don’t ask the questions they ought to”.

P 31 “An easy way to slow down the negotiation is to take careful notes. So say something like this – I’m sorry, I missed that’ and you’ll keep it at a place that suits you”.

“If you need more time to think, you should take a break. Negotiations are more productive when they are broken up by frequent time outs”.

P 32 “Never make an important decision on the spot – go to the balcony and make it there”.

P 33 “Your worst enemy is your own quick reaction – only you can make the concession you will later regret”.

“The first thing you need to do in dealing with a difficult person is not to control his behaviour, but to control your own”.

P 36 “To disarm your opponent you need to do the opposite of what he expects”.

P 39 “Effective negotiators listen more than they talk”.

P 41 “By letting him tell his side of the story and acknowledge it, you create psychological room for him to accept that there may be another side to the story”.

P 43 “We often overlook the simple power of an apology...what a person most often wants is the recognition that he has been wronged”.

“Your apology need not be meek, nor an act of self-blame...even if your opponent is primarily responsible for the mess you are in, apologising for your share”.

P 44 “Agree wherever you can. It is hard to attack someone who agrees with you”.

P 45 “It is natural to focus on differences because differences cause the problem. At the outset however, you are usually better off focusing on common ground”.

P 46 “Look for occasions when you can say ‘yes’ without making a concession. Each ‘yes’ you elicit from your opponent reduces tension”.

P 47 “Connect with your counterpart by using the language he understands best”.

P 48 “You need to distinguish between the person and his behaviour”.

- P 50 “The best time to lay the foundation for a good relationship is *before* a problem arises”.
- “The secret lies in changing your mindset. The standard mindset is either/or. Either you are right or your opponent is. The alternative mindset is both/and – he can be right in terms of his experience, and you can be right in terms of yours”.
- P 51 “Don’t say ‘but’ say ‘and’. Your opponent will be more receptive if you first acknowledge his views with a ‘yes’ and preface your own with an ‘and’ “.
- “Whatever language you use, the key is to present your views as an addition to, rather than a direct contradiction of, your opponents’ point of view”.
- “Make ‘I’ statements, not ‘you’ statements.
- P 52 “The essence of an ‘I’ statement is to describe the impact of the problem on you. You are giving the other person information about the consequence of his behaviour in a form that is hard for him to reject – because it is *your* experience”.
- P 54 “It is easier to listen to someone who has listened to you”.
- P 60 “Instead of rejecting what your opponent says, accept, and transform it into the negotiation you want to have. In other words, reframe”.
- P 61 “Reframing literally means changing the frame around the picture. In this case, it means putting a problem-solving frame around your opponents’ positional statements”.
- P 62 “Because your opponent is concentrating on the outcome of the negotiation, he may not even be aware that you have subtly changed the process”.
- P 63 “Instead of treating your opponents’ position as an obstacle, treat it as an opportunity. When he tells you his position, he is giving you valuable information about what he wants”.
- “Invite him to tell you more (about his interests and wants) by asking ‘why is it that you want that?’, ‘what exactly is the problem?’ or ‘what are your concerns?’. When he answers, note what happens. The focus of conversation shifts from his position to his interests. You are suddenly engaged in problem-solving negotiation”.
- “How you ask something is just as important as what you ask. If direct questions sound confrontational put them in an indirect form: ‘I’m not sure I understand why you want that’ for instance or ‘help me to see why that is important to you’ ”.
- P 64 “If your opponent is reluctant to reveal his interests, take an indirect approach. If asking *why* doesn’t work, try asking *why not*? Propose an option and ask ‘why not do it this way?’ or ‘what would be wrong with this way?’ ”.
- “People reluctant to disclose their concerns usually love to criticise”.
- P 65 “If your opponent won’t reveal his interests, bring them up yourself, and ask him to correct your perceptions”.
- P 66 “Another way to engage your opponent in a discussion of options is to ask for his advice. This is probably the last thing he expects”.

- P 68 “As the French philosopher Blaise Pascal wrote more than three centuries ago: ‘people are more convinced by reasons they discovered for themselves than by those found by others’.
- P 71 “Let silence and discomfort work on the mind”.
- “If you observe the practice of successful negotiators, you will find that they ask countless questions”.
- P 71 “To go around a stone wall you can:
1. Ignore it.
 2. Reinterpret it.
 3. Test it.
- P 78 “To protect yourself, ask questions early on to clarify your opponents’ authority – ‘am I correct in assuming you have the authority to settle this matter?’ ”.
- P 84 “Reframing means taking whatever your opponent says and directing it against the problem”.
- P 93 “Negotiation is more about asking than it is about telling”.
- “The simplest way to involve your opponent is to ask him for his ideas. How would he solve the problem of reconciling both sides ’interests”.
- “Show your counterpart how your proposal stems from, or relates to his ideas”.
- P 94 “As you develop your ideas, keep your opponent involved by inviting his criticism”.
- P 95 “Often resistance stems from an unmet interest that you have overlooked”.
- P 99 “The most common way to expand the pie is to make a low-cost, high-benefit trade. Identify items you could give your opponent that are of high benefit to him, but low cost to you. In return, seek items that are of high benefit to you, but low cost to him”.
- P 100 “A negotiation does not take place in a social vacuum. There is always a constituency or audience whose opinions your opponent cares about. Their criticism typically boils down to two arguments: that he has backed down from his original position, and that the new proposal is unsatisfactory”.
- P 107 “Pause at each step to sum up progress”.
- P 108 “In the rush, it is also easy to conclude that you have reached agreement when in fact you have not”.
- P 111 “The best general is the one who never fights”. Sun Tzu.
- P 112 “An eye for an eye and we all go blind”. Mahatma Gandhi.
- “The harder you make it for him to say no, the harder you make it for him to say yes. That is the power paradox”.

P 113 “The key mistake you make when you feel frustrated is to abandon the problem-solving game and turn to the power game instead”.

“Instead of using power to bring your opponent to his knees, use power to bring him to his senses”.

“If he refuses to come to terms despite all your efforts, it is usually because he believes he can win. He believes that his BATNA is superior to your ‘golden bridge’. You need to convince him that he is wrong”.

“Use your power to educate your opponent. Assume the mindset of a respectful counsellor. Act as if your opponent has simply miscalculated how best to achieve his interests”.

P 114 “If your opponent does not understand the consequences of failing to reach agreement, you should begin by letting him know how serious they are”.

P 115 “The three most common reality-testing questions are:

1. What do you think will happen if we don’t agree?
2. What do you think I will do?
3. What will you do?

P 117 “Before proceeding with your BATNA, you should let your opponent know what you intend to do. You want to give him a chance to reconsider his refusal to negotiate”.

“The key lies in framing what you say as a *warning* rather than a threat”.

“A threat appears subjective and confrontational, while a warning appears objective and respectful”.

“A threat is an announcement of your intention to inflict pain, injury, or punishment on your opponent. It is a negative promise. A warning comes across as what will happen if agreement is not reached”.

P 118 “While a threat is confrontational in manner, a warning is delivered with respect”.

P 122 “The more restraint you exercise, the less negative your opponents’ reaction is likely to be”.

P 125 “The presence of a third party can deter your opponent from threatening or attacking you”.

P 126 “Sometimes just the knowledge that others are watching is enough to bring your opponent to the table”.

P 128 “As you educate your opponent about the costs of no agreement, you need to remind him of the golden bridge you have built for him”.

“Nothing will do more to reduce his resistance than the possibility of an attractive way out”.

“Although you may assume your opponent knows of the way out, he may have become convinced that the way out no longer exists”.

P 129 “It is easy for your opponent to misread your attempt to educate him through power as an attempt to defeat him. You need to reassure him constantly that your aim is mutual satisfaction not victory”.

“Paradoxically, just when your opponent appears to be coming around, you are well advised to back off and let him make his own decision”.

P 130 “An imposed outcome is an unstable one”.

“Disraeli said: ‘Next to knowing when to seize and advantage, is knowing when to forgo an advantage’ “.

P 134 “It is in your interest for your opponent to feel as satisfied as possible at the conclusion of the negotiation”.

“Be generous at the very end. Resist the natural temptation to fight over the last crumb. As a professional hostage negotiator put it: ‘We save some flexibility for the end because we want them to win the last round’”.

P 135 “The best guarantee of a lasting agreement is a good working relationship”.

P 145 “The breakthrough strategy requires you to resist normal human temptations and do the opposite of what you usually feel like doing. It requires you to suspend your reaction when you feel like striking back; to listen when you feel like talking back; to ask questions when you feel like telling your opponent the answers; to bridge your differences when you feel like pushing for your way, and to educate when you feel like escalating”.

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