

国际贸易实务

The Practice of International Trade

(英文版)

王海燕 刘迎春 编著
谭万成 主审



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编写说明

随着经济的全球化和科学技术的现代化,世界各国之间的交往日益频繁,国际竞争日趋激烈。我国加入世界贸易组织之后,正以前所未有的速度参与到经济全球化的进程中来,这就迫切需要我国的教育界,尤其是高等院校培养出一大批既精通英语、又通晓国际商务知识和操作规范、善于进行跨文化交际的复合型国际商务人才。

教育部高教司司长张尧学指出:“外语是提升国际竞争力的重要手段。为了提升国际竞争力,就要培养出具有国际竞争力的外语人才。”具有竞争力的外语人才只精通外语是不够的,还必须通晓国际商务知识,熟悉国际商务环境和操作规程、国际商法和国际惯例等。

为了实现这一目标,必须要有高素质的教师、高质量的教材、先进的教学设备和科学的教学方法作保证。“国际贸易实务”这门课程的汉语版教材很多,但高质量的英语版教材较少,有的内容陈旧,未将最新的国际贸易惯例和规则融入其中,有的则在系统性、完整性方面欠缺,因此,迫切需要出版新的英文版教材,以适应新形势对人才培养的要求。

本书作者根据自己多年的进出口业务实践和商务英语教学实践,编写了这本《国际贸易实务》(英文版)教材。该书以进出口业务的主要环节为主线,系统地介绍了各个环节的操作程序和相应的国际惯例和法律法规。课文全部用英文编写,注重外贸知识、实际操作规程和英语运用三者之间的密切配合,努力将语言技能的训练与商务知识的讲解融为一体,为培养复合型人才服务。

本书的主要内容包括:出口前的准备工作、国际商务谈判的程序、国际商务合同及其履行、2000年国际贸易术语解释通则以及进出口合同的主要条款,其中包括:商品的品质、数量、包装、运输、保险、检验、索赔和支付方式(汇付、托收、信用证和银行保函)。

本教材有以下特点:

一、时代感强

在国内出版的商务英语类书籍中,首次将最新的国际贸易术语解释通则,即《2000年国际贸易术语解释通则》融入教材中。因为许多外贸从业人员对贸易术语中买卖双方的责任和义务经常出现理解偏差,给我国的企业造成一定的损失,因此有必要专设两个章节进行逐条讲解。

二、实用性强

本书注重实用性,删去了以往教材中的有关国际贸易方式一章,因为这一章放在教材中既不是重点也不是难点,学生通过自学便能领会。本书重点讲解进出口合同条款,国际贸易惯例(跟单信用证统一惯例1993年修订本,国际商会第500号出版物)和2000年国际贸易术语解释通则等内容,使教材重点突出,便于学生毕业后将所学知识运用到工作中去。这一点已经从以往几届毕业生的反馈中得到证明。

三、博采众长

在讲义和教材的编写过程中,作者参考了大量文献,既有国内出版的相关书籍,又有国外大学使用的教材,如哈佛商学院的 Analysis Study of Negotiation(《谈判分析学》)和 Youngstown University 的教材 International Business(《国际商务》)。因此,学生在使用该书时,能够获

得更多、更新的资料。

四、体例新颖

1. 每章开头都有本章的要点提示,使学生对所学内容一目了然。

2. 习题设计新颖,包括三个方面:

(1) 针对往届学生在经贸术语方面的欠缺,第一部分练习要求学生对本章的经贸术语进行解释和翻译,力求全面的理解和掌握。

(2) 第二部分考查学生对教材内容的理解。

(3) 第三部分包括与教材内容相关的资料的收集、整理、陈述和演练。

学生可以通过研究型的自主学习学到更多的知识。通过陈述和演练,能大大提高学生的英语表达能力。这样便能做到商务知识和语言技能培养的有机结合。

本书作者用了四年的时间,积累素材,翻译资料,自编并完善英文版讲义。该讲义曾于2002年获大连海事大学优秀教学成果奖。

本教材适合国际经济贸易、市场营销、工商管理、物流工程和商务英语等专业的学生作为教材使用,同时也可作为外经贸从业人员的工具书使用。在作为教材使用时,教师可根据不同的教学目的和教学对象,在内容上进行取舍,在方法上灵活掌握,以便取得较好的教学效果,真正为国家培养出具有国际竞争力的人才。

本书由王海燕和刘迎春同志策划、编写和统稿。外语系谭万成教授审阅了全部书稿,并提出了许多宝贵的意见和建议。美籍专家 Judy Roach 和 Benjamin Mayo 对书稿在语言方面严格把关。在讲义的编写及使用过程中,外语系英语专业 1998 级、1999 级、2000 级和 2001 级的学生给予了大力的协助,并提出了许多修改意见。对上述同志付出的辛劳,作者在此一并致以诚挚的谢意。

书中如有不当之处,敬请广大读者批评指正,以便再版时修订。

编者

2004年7月

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Chapter 1 Preparation for Exporting

After reading this chapter, you will learn the following:

- ▶ Market Research
- ▶ Cultural Research
- ▶ Customer Research
- ▶ Sales Promotion

It is acknowledged that traders must make some preparations before entering the global market in order for them to conduct business successfully. In practice, from the beginning to the end of a transaction, the whole process generally goes through four stages: preparation, negotiation, making and executing a contract and settlement of disputes (if any).

1. Market Research

Any import/export transaction should start with market research. An importer/exporter must acquire good knowledge of the foreign market to which his products are sold so that he can trade with the customers successfully.

1) Market Research Questions

- ▶ What is the level of demand for the products the exporter is going to sell in the target market at this time?
- ▶ Are the products marketable?
- ▶ Are there any competitors from both home and abroad?
- ▶ What is the market price and its trend at the target market?
- ▶ What is the political, economic and financial status of the target country?
- ▶ What are the local laws and regulations, customs tariffs, port facilities and commercial practices?

2) Ways of Getting Market Information

Market information is not always easily available because some countries regard business activities and commercial statistics as state secrets.

However, a company must choose a variety of means for conducting research. Both the primary data and the secondary data can be used in market research. Specifically, sources for international market research are as follows:

▶ Indirect Sources

They are used to get the secondary data.

Foreign Governments

Governmental agencies are the first source that small and medium-sized companies turn to

when seeking international marketing information. Each nation (and sometimes their major cities) has a governmental department devoted to promoting trade. It compiles statistics and formulates profiles on all of their current and potential trading partners. However, this source of information must be confirmed by another source.

Trade Organizations

Trade associations, such as Chambers of Commerce, whose sole purpose is to gather trade statistics and analyses, are a source of quality information about the potential customers and the markets. They will charge a fee for their service.

Consultants

Market research consultancy firms are beginning to grow throughout the developed and undeveloped world at an unchecked rate. Most of them will not only gather the information, but also formulate a marketing plan, usually for a fee.

The Internet

The Internet can be a very useful tool for market researchers. Information can be assembled in a minute. Email is also an economical way for researchers to make initial contact with potential partners and customers.

Media

Recent publications, such as books, magazines, newsletters or newspapers, may contain some useful business and cultural information. Some publications and publishers that specialize in business have also established an Internet presence. When the needed information from the indirect sources has been found and understood, it is still necessary to decide how accurate it is and whether it is reliable.

► Direct Sources

They are used to get the primary data.

Diplomatic Staff

If Chinese traders are allowed to do business in a target market, the Chinese government usually maintains a diplomatic office there staffed with a number of diplomats. Their job is to provide information drawn directly from the target market for use in promoting import/export trade. They are also a good source of information regarding the true nature of the local investment policies. In countries where "connections" are needed to do business, the diplomatic staff can set the market researcher on the right path toward the right people.

Observational Method

An observational method is known as "on the ground" research. The market researchers observe the consumers and the marketplace in action. The researcher should be prepared to take notes on the marketplace whenever and wherever valuable information presents itself. Observation requires some subtlety, so researchers must not let others know that they are gathering information, otherwise the consumers will not behave in their usual way.

However, observation tells what has happened, but it cannot tell why. It cannot provide access into motives, attitudes, or opinions. In such circumstances, the traders may use inter-

views as a follow-up to get additional information.

Survey Method

A survey method consists of gathering data by interviewing a limited number of people selected from a group. The interview in the survey may be done by the researcher in person, by telephone or by mail.

Experimental Method

A company may manufacture a few units of a product and give them to employees or consumers to try out. It requires a long period of planning and administration. Therefore, it is very expensive.

3) Analyze the Research Findings and Prepare a Report.

The final step in market research is to analyze the data and prepare a report that will be a guide to the production and sales of the products for which there is a market.

Comprehensive research and quality interpretation can provide the market researcher with a detailed map, but only proper analysis can determine whether it is a good time to start to market the products.

2. Cultural Research

The cultural features of a country have a deep effect on people's lifestyle and behavior patterns, and these are reflected in the marketplace. Every country in the world has a unique culture. A company unfamiliar with a foreign culture may try to market goods that are unacceptable to or misunderstood by that culture. Also, some behavior patterns may have an impact on the way to communicate with people from another culture.

1) The Contents of Cultural Research

The study of culture includes standard of living, customs and manners, language, education, values or religion, which have impact on marketing decisions.

► Language

Language is important in international trade because the buyers and the sellers must be able to communicate with the individuals who speak different languages and live in different cultures. Realizing cultural differences is only the first step, while learning to deal with these differences and turning them to one's own advantage can make a difference between a successful and unsuccessful international business deal. Even if the trading partners speak the same language, there will also be some misunderstandings.

In the USA, for example, "to table the proposal" means to put it aside (postpone it), maybe indefinitely. However, in Britain, "to table the proposal" means to bring it up for consideration and make a final decision. Therefore, a close examination of foreign markets and linguistic differences is necessary before a product is introduced.

► Customs and Manners

Many countries have different customs that foreign businessmen should be aware of. In the United States an executive might bring a Japanese businessman home for dinner. Back home,

however, the Japanese executive would never bring an American counterpart to his house for dinner. In Japan, the home is not used for business entertainment; instead, businessmen are taken out to dinner. Unless Americans are aware of this, they might feel belittled by their Japanese host.

► Education

Education is also part of culture. Companies need to consider the educational background of the consumers. If the consumers cannot read, written descriptions and directions of the products are not useful. Customers respond to pictures and interpret products according to the pictures. In areas in which many of the people are illiterate, product labels usually depict a picture of what the package contains.

One big company tried to sell baby food in an African country by using its regular label showing a baby and stating the type of baby food in the jar. Unfortunately, the local population took one look at the labels and interpreted them to mean that the jars contained ground-up babies.

Great caution must be exercised when potentially dangerous products are sold to the illiterate. Employees or customers who cannot read the warning labels are subject to dangers because they cannot understand written warnings. Companies in such situations must devise means that are not written statements to warn and direct users. Therefore, learning the educational background of the customers is very important.

► Living Standard

Material life reflects the standard of living and the degree of economic development. Knowing the different standards of living, traders will realize what kinds of products are suitable for different customers from different countries.

► Religion

In general, the religions practiced in a society influence the emphasis placed on the living standard, which in turn affects the attitudes toward owning and using goods and services. Religious traditions may prohibit the use of certain goods/services altogether. Religion influences many day-to-day activities, such as opening and closing times, days off, holidays, ceremonies, and foods.

All the differences of habit in language and behavior can be potential sources of offence and misunderstanding.

2) Ways of Getting Cultural Information

► Read books on the culture of every nation. These books can be found in the business section of most bookstores.

► Read recently published texts on business protocol.

► Get extensive training in the culture and language of the society you are about to enter, if possible.

► Listen to speeches on culture given by the native speakers or experts.

► Talk to foreigners directly to gather some information.

► Search on line.

3) Coping with Cultural Differences

▶ Be Confident.

The discomfort one may feel in dealing with an individual from a different cultural environment is often mutual.

▶ Keep an Open Mind.

Not everything in one's culture is the best or most efficient. Keep on learning a new culture to increase one's understanding.

▶ Be Flexible.

Not all Americans, all Europeans or Asians are the same. Be ready to adapt.

▶ Manage Your Responses.

If one finds the behavior of another person different from one's own or even surprising, he should not show his surprise, but should try to control himself and respect the foreign customs.

▶ Become Involved.

Try to participate, even if one has to force oneself. He should not drift off to the sidelines.

3. Credit Inquiry into the Customers

Once an overseas market has been found, market research, cultural research and a credit inquiry into the potential customer should be conducted to gather information about the reputation, financial position and business methods of the customers to avoid being cheated or trapped by the customers.

1) Questions for a Credit Inquiry

▶ Is the customer reliable?

▶ Does the customer pay promptly?

▶ Is the customer financially strong?

▶ Does the customer have any outstanding debts?

▶ After you get the credit report, are you satisfied with the credit report on the customer?

2) Ways of Getting Information about the Customers

▶ Direct Sources

Traders can contact the customers directly. Through business correspondence, perhaps they can glean some aspects of their customers' credit standing and business methods. They may also meet face to face. However, in a credit inquiry, the direct means is not always reliable; traders need to combine the direct sources with the indirect sources.

▶ Indirect Sources

Research can be conducted through banks, consulting firms, Chambers of Commerce, consulates abroad, the Internet, newspapers and magazines, or recent publications.

4. Sales Promotion

After the exporter has found the market and learned about the market demand for the products, he should try every means to make the products known to the potential customers in order

to promote sales. One of the most effective measures is to advertise the products. Advertising is a key tool in international marketing. If advertising is successful, it can pave the way for the sales expansion.

► Purpose of Advertising

Advertising seeks to inform, persuade, remind or modify consumers' attitudes toward a product to trigger the eventual buying of a product. It should attract attention, hold interest and create desire.

► Advertising Media

It is important to choose the best media suitable for the products and the customers.

The media are televisions and radios, newspapers and magazines, outdoor advertising, direct mail or the Internet.

Televisions and Radios

Television and radio advertising are very popular advertising media. The advantages are their wide coverage, repetition, flexibility, immediacy and deep impression on people. The disadvantages are their high cost and some public distrust.

Newspapers and Magazines

The products can be advertised in newspapers and magazines. Some newspapers and magazines are available in the target market, or they have established their Internet presence so that people can read the articles and the advertisements.

Outdoor Advertising

Billboards, painted bulletins and large illuminated signs and displays make up the outdoor advertising media. It can show simple and quick ideas, can be seen by people repeatedly, and can promote local sales. It is particularly effective in urban and other high-traffic areas. The message is too brief and the public concern over its beauty. If it is attractive in design, people would like to have a further look.

Direct Mail

Sales letters, postcards or brochures can be sent to potential customers directly to acquaint them with the products. The advantages are their selectivity, format flexibility and detailed information. Their disadvantage is that the direct mail may easily be ignored by the businessmen.

The Internet

The Internet promotions involve the direct contact of consumers through emails to sell products. Even tiny companies can afford Internet promotions. It is a great way to contact potential customers before taking an expensive trip. It is cheap and has extensive coverage. However, there is often public distrust of the Internet advertising.

► Points to Note

In some countries, televisions and radios are under the direct control of local governments and even satellite broadcasts can be subject to the local regulations. Therefore, before advertising, traders must familiarize themselves with the local laws and regulations.

A company may choose a variety of advertising media to promote sales of its products. Sales

across borders can be difficult if advertising is focused on a single medium only.

Cultural differences and preferences should also be considered when advertising is done in a foreign country.

Exercises

1. Comprehension questions

- 1) How many stages does an export transaction generally go through?
- 2) What preparations should traders make for export?
- 3) How do the traders get some information about the market of a target country?
- 4) What are the contents of cultural research?
- 5) How do traders get information about the potential customers?
- 6) What should traders do to promote the sales of their products?

2. Research topics or discussion questions

1) Examine recent reports on the Bata Shoe Organization (BSO), identify the countries and regions of the world in which BSO currently operates and summarize why it is so successful.

2) Do you think market research and cultural research important? Why or why not? Today, in China, managers of some foreign trade companies pay little attention to market research and cultural research because they themselves are ignorant of them. Suppose you are sent to work in a foreign trade company, will you persuade your manager to lay emphasis on market or cultural research? How do you persuade him? If he turns a deaf ear to your advice, what will you do?

3) Find some information about the Coca-Cola Company to illustrate the effects of wording on sales promotion.

4) There are many kinds of non-verbal communication, such as personal space, dress and appearance, posture, silence, gestures or positive versus negative body language. Please find such information of a particular country that you are going to trade with.

5) Divide the class into groups of four. Find more about cultural differences in daily life or in business, and then do an oral presentation in class.

6) Do you know some other ways of promoting the sales of goods internationally? Please introduce to the class National or International Fairs, China Export Commodities Fair, Expositions or Exhibitions.

Chapter 2 Business Negotiations

After reading this chapter, you will learn the following:

- ▶ Contents of Business Negotiations
- ▶ Negotiating Styles
- ▶ General Procedures of Business Negotiations

Negotiations can be described in broad terms as discussions between two or more parties aimed at reaching a mutually acceptable agreement. Business negotiations are one of the most important steps in international trade because it is the foundation of contracts. Without negotiations, there will be no contracts and transactions will become impossible. Understanding the contents, process, styles and strategies of cross-cultural negotiations are, therefore, very important for companies engaging in international trade.

Business negotiations can be done either in writing or verbally. "In writing" means that traders conduct business negotiations through the exchange of business letters. "Verbally" means that negotiations are done on the telephone or through face to face talks with foreign customers.

1. Contents of Business Negotiations

All the terms and conditions of a contract should be discussed through negotiations. It includes not only the basic terms and conditions, but also the general terms and conditions of the contract. Some of the terms will be discussed in writing; other terms may be discussed face to face. Which way to choose depends on the importance of the terms to the customers and the agreements they have already reached. The two parties shall negotiate amicably on the basis of equality and mutual benefit. Please note that the buyer and the seller wish to achieve the same purpose—"making profit".

2. Negotiating Styles

Negotiators from different cultures have different negotiating styles. Negotiators from the same culture may also have different styles. The cultural orientation of the parties in a negotiating process often influences their views of the process. Each party has different expectations of what negotiations entail, which can lead to unwanted friction and stress. Understanding one's own negotiating style, as well as that of others in the negotiating process can improve negotiations and result in better agreements.

Here is an example of negotiation between an American negotiator and Japanese managers:

A typical situation involves an American negotiating with Japanese managers in order to buy or sell some product or service. The American, often anxious to complete the deal, tends (in the eyes of the Japanese) to rush the negotiation. All too often, when the time for price discussion arrives, the American will quickly suggest a price. When the Japanese hesitates, the American tends to assume that the price mentioned is an unacceptable one. Therefore, the American will sometimes hastily improve the offer even before it is rejected; and the American negotiating with Japanese managers may commit a blunder by quickly altering the price.

This has happened on numerous occasions, but in at least one reported case, an American raised the price he was willing to pay three times after the Japanese were prepared to accept. Unaware of Japanese customs, he did not realize that the hesitation and discussion between the Japanese were not a result of unhappiness over the price quoted. With each higher offer, the Japanese negotiators expressed amazement and then proceeded to check out their colleagues' opinion. This delay only encouraged the American to offer even more.

However, nowadays US negotiators generally start off from a strong position and are quite miserly with concessions. They have learnt patience over the years, mostly from dealing with the Japanese traders. In order to understand how the negotiation process can differ among different cultural groups, two models of the process are discussed below.

1) Graham's Four-Stage Model

A four-stage model of the negotiation process presented by J. L. Graham is helpful in understanding negotiations. This model suggests four stages of the negotiation process: non-task sounding, task-related exchange of information, persuasion, and concessions and agreements. Although all negotiations include these four aspects, the content, duration, and sequence can differ from culture to culture.

The following is a description of these four stages, followed by a contrast of American and Japanese negotiating styles.

► Stage 1: Non-task Sounding

This stage of negotiations focuses on establishing a relationship between the negotiating parties. During this stage, information specific to the issue under negotiation is not considered; rather, the parties seek to get to know each other. This stage may include entertainment and gift giving.

The Japanese believe that if a harmonious relationship is established at the beginning of the negotiating process, conflicts can be avoided later on.

American negotiators, in contrast, see this stage of negotiations as something of a waste of time and prefer to get down to business as quickly as possible. Americans believe that relationships will develop after an agreement has been reached.

► Stage 2: Task-related Exchange of Information

This stage of negotiations focuses on providing information directly connected to the issue under negotiation. During this stage, each party explains its needs and preferences.

Japanese negotiators are concerned with understanding the other side's point of view. The

Japanese tend to provide relatively little information; they are polite and seek to avoid offending other negotiating parties. They present their needs and preferences in ways that, to them, are tactful. They find that their American counterparts are too frank.

American negotiators, in contrast, stress openness and honesty in information exchange. They are direct and frank, providing information clearly and to the point. Japanese tact often appears hypocritical to Americans, who would be more comfortable if the Japanese would "tell it like it is."

► Stage 3: Persuasion

This stage of negotiations focuses on efforts to modify the views of other parties. In fact, persuasion goes on while exchanging information and making concessions.

Japanese negotiators believe that little persuasion is necessary if the parties have taken the time to understand each other thoroughly. The Japanese tend to listen to persuasive arguments and respond with silence, which means simply that they are considering the arguments presented. They react negatively to open disagreement and aggression.

American negotiators, in contrast, spend a lot of time and effort on persuasion. They are often aggressive in their attempts to persuade and use tactics such as threats to break off negotiations. Americans are uncomfortable with silence and interpret it to mean that their arguments have not been understood or, alternatively, that the other party is not willing to agree. There is a tendency for Americans to fill silence with additional explanations or concessions.

► Stage 4: Concessions and Agreement

At this stage, an agreement is reached. To reach an agreement that is mutually acceptable, each side must give up something; therefore, concessions by both sides are usually necessary.

Japanese negotiators tend to make all concessions at the end of the negotiation process and expect that these will lead to the conclusion of an agreement.

American negotiators, in contrast, tend to make concessions throughout the negotiation process and to evaluate their progress toward agreement continuously. They are put off when other parties do not seem to be willing to offer concessions early in the negotiations and may interpret this to mean that their side needs to offer even more concessions.

As this contrast indicates, negotiations can easily break down because of a lack of understanding of the cultural component of the negotiating process. Therefore, it is well worth the time that it takes to investigate these differences prior to entering into a negotiation situation.

2) Weiss's Twelve Variables

Weiss identifies 12 variables in the negotiation process that should be examined to understand negotiating styles better. These variables are explained briefly and will be followed by a contrast between Americans and Japanese again.

► Basic Concept

Different groups view the purpose and process of negotiation differently. Negotiations may be seen as a conflict in which one side wins and another loses, as a competition to identify who is the best, or as a collaborative process to formulate some undertaking. Americans tend to see negoti-

ations as a competitive process, while the Japanese see it as collaborative.

► Criteria for Selecting Negotiators

Different groups choose negotiators on the basis of a variety of factors. Negotiators may be selected on the basis of their previous experience, their status, knowledge of a particular subject, or personal attributes, such as trustworthiness.

Americans tend to select negotiators on the basis of ability and experience; the Japanese look for high-status negotiators.

► Issues Stressed

Different groups stress different aspects of negotiations. Some groups stress issues directly related to the agreement, while others stress relationships. Americans tend to stress practical issues; the Japanese are more concerned with building relationships.

► Protocol

Different groups have their own particular etiquette associated with the negotiation process, and their adherence to protocol varies according to its perceived importance.

Protocol factors that should be considered are gift giving, entertainment, seating arrangements, numbers of negotiators, timing of breaks, and the planned duration of the negotiating process. In general, the degree of formality or informality is an important component of protocol that should be assessed.

Americans tend to be informal; the Japanese, on the other hand, are conservative and formal.

► Communication

Different groups communicate in different ways and are more comfortable with one form of communication or another. Some groups rely on verbal communication; others on nonverbal communication including gestures, space, and silence. Some groups rely to a great extent on one method; others use a mixture.

Americans tend to be verbal, but the Japanese often use periods of silence.

► Nature of Persuasive Argument

Different groups attempt to persuade others, and are in turn persuaded, by the use of a variety of different types of arguments. Some rely on facts, others on intuition or emotion, and still others on the beliefs that are associated with a particular religion or philosophy.

Americans emphasize empirical information and rational arguments; the Japanese rely more on sensitivity and intuition.

► The Role of the Individual

Individuals play different roles in different social groups. In some groups, the individual is seen as very important, and a particular individual's success or failure can depend on the outcome of the negotiation process. In other groups, individuals are subordinate to the chief negotiator, and personal opinions are immaterial.

Americans are individualistic, giving negotiating responsibility and authority to individuals; the Japanese are collectivist and rely on the group as a whole in negotiations.