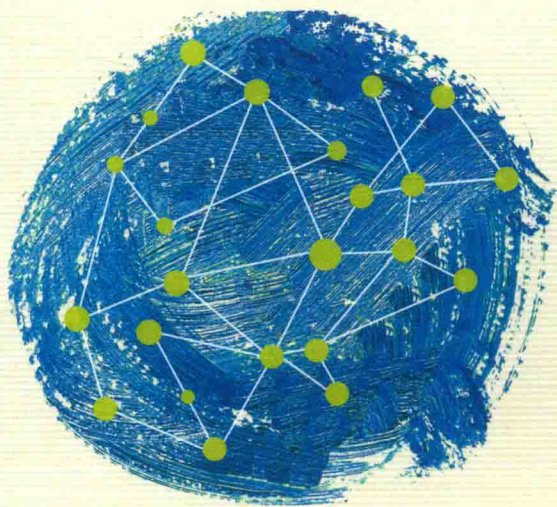


21世纪高等学校国际经济与贸易系列规划教材

International Business
Negotiation:
Theory, Practice and Case Study



国际商务谈判：

理论·实务·案例分析

主 编 吴仁波 刘昌华
副主编 战岐林 刘 迅



ZHEJIANG UNIVERSITY PRESS
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前 言

中国经济特别是对外贸易的快速发展,需要大量既懂得国际商务知识又具备较强英语应用能力的高级复合型人才。国际商务谈判是国际经济与贸易及国际商务等专业的核心主干课程,是现代国际商务人员必备的一项基本技能;其内容涉及经济学、管理学、语言学、心理学、社会学、文化学、民俗学等诸多学科,是一门实践性很强的综合性应用课程。本书适合国际经济与贸易、国际商务、工商管理、电子商务及商务英语等专业的学生、外贸工作者及需要同外商进行沟通的从业人员参考使用,也可作为教学用书、公司培训以及自学参考用书。

本书分三篇,共9章,第一篇为理论篇(第1~2章),介绍了国际商务谈判的概况及主要理论;第二篇为实务篇(第3~6章),介绍了国际商务谈判的准备和过程(开局、报价与还价、磋商以及每个过程的策略);第三篇为知识篇(第7~9章),介绍了国际商务谈判的语言技巧、常用礼仪及主要国家商人的谈判风格。附录为模拟谈判资料和要求以及与谈判相关的常用术语。

本书主要有以下几个特点:

1. 知识的实用性。本书为双语教材,每章英语在前,汉语在后。适合于双语教学,也可用于单语教学,更有利于学生的自主学习。另外教材抓住“应用”二字,在编写风格上尽量淡化枯燥的谈判理论,重点介绍谈判实务中的一些做法以及策略和技巧。

2. 内容的时代性。本书内容取材真实,反映了当今国际商务谈判的现实状况与最新变化。书中很多内容都是编者通过实际工作经历和对外贸公司的调研,选自实际应用范例的第一手资料,能反映谈判的实际过程和真实情况,从而拓宽学生的视野。

3. 突出案例教学。书中列举了48个简短、典型且又通俗易懂的案例,紧扣

每章所讲的内容,在为学生提供国际商务谈判真实情景的同时,以期培养学生分析问题、解决问题的能力。每章先以开篇案例引出主题,在主要内容中穿插相关案例佐以分析,结尾又以案例强化主题并附有思考题目。

本书基于编者多年的谈判工作和教学实践所积累的经验,由吴仁波和刘昌华两位老师与战岐林、刘迅等老师合作完成,全书由吴仁波设计、统稿,刘昌华负责翻译及文字润色。北京大学博士研究生吴唯伊参加了文字及格式的校对工作。本书的编写得到了浙江大学出版社的大力支持,编译过程中参考了多种同类教材,在此一并表示深深的谢意。由于编者水平有限,书中之不妥在所难免,敬请各位读者、同行及专家批评指正!

编 者

2017年6月

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Chapter 1

An Overview of International Business Negotiation

第一篇

理论篇

Chapter 1

An Overview of International Business Negotiation

☞ Case study 1 – 1 (A prisoner and the guard)

A prisoner was put into the jail alone and idled about all day. One day, he suddenly smelled out the flavor of Marlboro cigarette which he liked very much, the smell coming from the guard who was smoking. The prisoner knocked at the door gently. "What do you want?" the guard asked arrogantly. "Please give me one Marlboro cigarette," the prisoner answered. The guard felt surprised, "A prisoner even wants to smoke!" He hummed banteringly and left. The prisoner knocked at the door again, this time he knocked strongly. "What do you want again?" asked the guard. "Please give me one cigarette within 30 seconds, or I will knock at this concrete wall with my head till I am badly mutilated and lose consciousness, and when I wake up, I will say it's all because of you. Probably the authority will not believe me, but you simply have to attend every hearing to prove you are innocent. You will be asked to fill in all kinds of reports—all these are due to one inferior Marlboro cigarette. So only one cigarette, I'll make you no more trouble." At last the guard passed the prisoner one cigarette through the window and lighted for him.

Do you think the talk between the prisoner and the guard can be called a negotiation?

We live in a world of limited resources, but man's appetites are infinite, which has constantly given rise to conflicts with limited resources. There are two ways to resolve such conflicts: One is by force and the other is by negotiation, and it is no doubt that the latter is much better. In the field of international business, the era when one party manipulated the other by means of violence and force no longer exists. Instead, negotiation has become an effective approach to resolving conflicts and

adjusting interests.

You probably think that negotiation is irrelevant to our lives, and that it is the matter concerning governments and large enterprises. As a matter of fact, it suits for not only matters of utmost concern, but also for any conflicts, contradiction and different opinions concerning our lives. There might be negotiations between governments, enterprises and even individuals. For each of us, everybody is a negotiator no matter whether you like it or not. You might be discussing with your classmates where to have your supper, debating with your parents which coat to buy, talking with your boss about your promotion, bargaining the price of buying a house, and handling the responsibility for a car incident, etc.

Therefore, every one of us is negotiating consciously or unconsciously. Negotiation is an indispensable part in our life, and exists in every aspect of our life. As long as there are conflicts in our society, there is negotiation. A successful negotiation can help us reach our expected goal.

An intelligent conversation can help a hopeless person to face up to his life again.

An open and frank negotiation can make a boy and a girl who are in an emotion crisis love each other again.

A right negotiation can make an enterprise which is in a dilemma turn for the better.

A successful diplomatic negotiation can change a bloody war into a peaceful situation.

A successful negotiator amounts to thousands of soldiers; he is not only a tactician who plays a vital importance, but also a strategic commander.

I . The Concept of International Business Negotiation

There are many kinds of negotiations. Negotiation might be formal or informal; it might be specialized or ordinary. According to the content, it can be divided into political negotiation, diplomatic negotiation, business negotiation and military negotiation. In this book, we mainly talk about business negotiation from the angle of international aspect.

1. The concept of negotiation

From the above case, we can see that a negotiation should at least include three factors: the negotiating subject, negotiating object and negotiating purpose. Negotiation, as a very general activity, can take place at any time in our daily life. It

can happen between you and your counterparts, or in your family. When a person has a desire to be fulfilled, there is an incentive to lure people into negotiating process. As long as people exchange ideas for changing mutual relationship or negotiate for reaching a deal, they are actually negotiating.

In simple words, negotiation is a process of communication for reaching an agreement/or solving a problem or making an arrangement between two or more parties.

2. The concept of business negotiation

The so-called business negotiation refers to the process in which the two groups engaged in business activities conclude a deal by way of communication, interaction, discussion and compromise in order to meet the requirements of a transaction. Business negotiations are the most widespread and common activities under the circumstance of market economy.

So business negotiation is a process of communication by the participants of business activities to close a deal or achieve a proposed financial goal.

3. The concept of international business negotiation

International business negotiation refers to the process in which people from different countries or districts reach the goal of trade by way of communication, interaction, discussion and compromise to meet a certain need. It is the extension and development of business negotiation in the international field.

In other words, international business negotiation is a process of communication by the participants of business activities from different countries or districts so as to close a deal.

II. Characteristics of International Business Negotiation

1. Characteristics of negotiation

a. Every negotiation involves two or more than two parties. There are at least two participants in a negotiation.

b. The objective of a negotiation must be definite. Different from everyday talk, the purpose of a negotiation is to persuade someone else into accepting one's own ideas, and to maintain or achieve mutual interests.

c. Negotiation must be conducted on an equal basis. Both sides are independent and equal in dignity and legal status whether it is a high-level negotiation or a low-level

negotiation. Neither side is subordinate to the other side or supposed to coerce the other side into giving in.

2. Characteristics of business negotiation

a. Its principle is equality and mutual benefit. Equality is the basis of any business negotiation. It is the only way to realize mutual benefit. Only the principle of equality and mutual benefit can lead to “win-win” or “multi-win.”

b. Business is aimed at gaining economic interests and pursuing economic profits. Different negotiators have different economic goals. Without economic interests, business negotiation will lose its values and foundations. Therefore, business negotiations are negotiations intended to gain direct economic interests.

c. Price is the core of business negotiations, and all the other factors can be converted into price. Business negotiation involves many factors and negotiators' demands and interests can be manifested by many factors but price is always the core of all business negotiations.

3. The particular characteristics of international business negotiation

Besides the general characteristics of negotiation and business negotiation, international business negotiation also has the following particular characteristics.

a. There exists the obstacle of language. Different people speak different languages, so interpreter is of vital importance in international business negotiation. English is the most widely used language. Besides, Chinese, French, Russian, Arabic, Spanish, Japanese and German are also often used.

b. There exist cultural differences. Participants in international business negotiation come from different countries with different economic and cultural backgrounds, different values and ethics, different styles of thinking and manners and behaviors. Their language expressions or customs may vary a lot, too. Cultural difference is sure to make it more difficult for international business negotiations than domestic ones. This characteristic requires business negotiators not only to reconcile each other's economic relations, but also to respect and harmonize each other's cultural and religious aspects.

c. Negotiators must know both domestic and international law. Different negotiators come from different countries and regions, so apart from the domestic laws and regulations, they simply have to know the relevant international law and practices such as INCOTERMS, Uniform Rules for Collection, Uniform and Practice for

Documentary Credit, etc.

d. Negotiators must take many factors into account, such as international politics, international economics, diplomatic matters and religious belief. For example, because of the Financial Crisis of Southeast Asia in 1997, many business negotiations between Korean (R.O.K.) companies and domestic trading companies had to be stopped or delayed.

e. It is more complicated and difficult than domestic negotiations. Being transnational is the most prominent characteristic of international business negotiations, and it is also the foundation of other features. International business negotiations will result in international transaction, capital's transnational flow, international accounting, insurance, transportation, etc.

This characteristic requires negotiators to be familiar with international practices, the law in our counterparts' country, and all kinds of regulations of international economic organizations and international business law. The particular characteristics of international business negotiation determine its complexity and difficulty. Besides, the negotiators will simply have to take into account all kinds of factors, such as international politics, international economy and international culture.

III. Types of International Business Negotiation

According to different standards, international business negotiations can be divided into various types.

1. Classification by object or content of negotiation

(1) Product trade negotiation

Product trade negotiation is also called visible goods trade negotiation, the process in which importers and exporters from different countries confer with each other about the buying and selling of a product, the terms and conditions for the transaction, including the relevant quality, quantity, packing, price, shipment, insurance, payment terms, claim and arbitration. Import and export trade negotiations account for absolutely large part of international business negotiation and take on various forms.

(2) Technology trade negotiation

International technology trade negotiation refers to the conferring process in which the technology transferor and the transferee from different countries discuss about the features, price, payment terms and so on of a certain technology.

(3) Service trade negotiation

International service trade refers to the cross-border transfer of a service,