

商务英语系列丛书
Business English Series (English - Chinese)

商务英语谈判

Business English for Negotiation

曹菱主编



外语教学与研究出版社

FOREIGN LANGUAGE TEACHING AND RESEARCH PRESS

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BUSINESS ENGLISH FOR NEGOTIATION

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FOREIGN LANGUAGE TEACHING AND RESEARCH PRESS

(京)新登字 155 号

图书在版编目(CIP)数据

商务英语谈判/曹菱主编. - 北京:外语教学与研究出版社, 2001
ISBN 7-5600-2342-8

I. 商… II. 曹… III. 商务-谈判-英语 IV. H31

中国版本图书馆 CIP 数据核字(2001)第 049824 号

商务英语谈判

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* * *

责任编辑: 杨学义

执行编辑: 游 媛

出版发行: 外语教学与研究出版社

社 址: 北京市西三环北路 19 号 (100089)

网 址: <http://www.fltrp.com.cn>

印 刷: 北京国防印刷厂

开 本: 850×1168 1/32

印 张: 7.75

字 数: 208 千字

版 次: 2001 年 9 月第 1 版 2001 年 9 月第 1 次印刷

书 号: ISBN 7-5600-2342-8/H·1242

定 价: 9.90 元

* * *

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丛书前言

“商务英语系列丛书”全套共四册,分别为《外贸英语实务》、《商务英语信函》、《商务英语谈判》和《商务英语翻译》。为方便大家了解全套丛书的内容,现简要介绍如下:

《外贸英语实务》主要涉及外贸实务的基本知识,其中包括进出口业务常识,如:价格术语、商品的描述、国际货物运输、保险、进出口商品的价格、货款支付、索赔、仲裁、进出口操作程序、单证等;同时还介绍了目前世界各国日益广泛使用的其他贸易形式,如:经销、代理和对销贸易等。全书采用英汉对照的形式,简明易懂,材料紧跟时代,对广大有志于从事国际贸易业务的朋友们来说,是理想的自学读本。

《商务英语信函》一书基本涵盖了商务英语信函的写作知识。第一、二、三部分阐述了商务英语信函的要素、格式及特点等。第四部分着重分析了贸易业务信件。第五部分则列析了贸易业务以外的其他一些很实用的商业信件。本书除了样信部分采用注释形式外,其他部分均为英汉对照形式,目的在于帮助读者快速提高写作英语商务信函的能力。

《商务英语谈判》的第一部分系统地介绍了国际商务谈判中应注意的重要问题,如:制订目标、配备人员、确定策略等。第二至四部分主要讲述了三种常见的涉外谈判的具体内容:货物买卖谈判、投资谈判和技术贸易谈判,它们分别代表有形贸易谈判、融资谈判和无形贸易谈判。第五部分则介绍了文化差异对国际商务谈判的影响。全书采用英汉对照的形式,旨在帮助读者快速进入商务谈判的角色,以胜任工作需要。

《商务英语翻译》一书包括理论和实践两大部分。第一部分讲

述了翻译的标准、方法和技巧等问题。第二部分则通过对多种翻译材料的分析和译注,着重讲述对翻译技巧的灵活运用和对商务材料的处理等问题。这些翻译材料包括商务信函、经贸文章和商业法规等常见的文体,同时还包括谈判、经贸研讨会及大会发言等口语材料。本书旨在帮助广大从事或有志于从事国际商务工作的朋友们提高笔头和口头翻译的能力。

本套丛书力求专业性、普及性和知识性相结合,面向具有一定英语基础知识、从事或准备从事国际商务活动的广大朋友们。为便于自学,《外贸英语实务》、《商务英语信函》、《商务英语谈判》均采用英汉对照的体例,旨在帮助读者快速提高英语水平和增长业务知识,做到事半功倍,一举两得。《商务英语翻译》一书由于其内容本身的特殊性,采用中文评述、翻译材料英汉对照的体例,以便读者对两种语言的互译有更直观的了解。本书的编者包括从事商务英语教学多年的对外经济贸易大学的教师和从事外贸业务多年的涉外企事业单位的业务人员,他们对商务英语教学和运用有很直观的了解和丰富的经验。这套丛书就是他们多年教学和工作经验的结晶。不足之处,敬请多提宝贵意见。

编者

前 言

随着我国进出口权的放开和中国加入世贸组织进程的加快,对外贸易有着巨大的发展前景。对国内一些有竞争实力的企业来说,其高层领导人及具体业务人员专业谈判水平的高低在一定程度上将直接影响其企业的收益。了解对外贸易谈判的惯例作法、制定合理的谈判计划、确定合适的人选以及把握对外谈判中的文化差异的影响,对一个谈判者是至关重要的。

我们正是顺应了市场的这一需求,编写了这本《商务英语谈判》。本书的第一部分系统介绍了国际商务谈判中应注意的重要问题,如:制订目标、配备人员、确定策略等。第二至四部分主要讲述了三种常见的涉外谈判的具体内容:货物买卖谈判、投资谈判和技术贸易谈判,它们分别代表有形贸易谈判、融资谈判和无形贸易谈判。第五部分则介绍了文化差异对国际商务谈判的影响。内容广泛,简明易懂,是理想的自学读本。

《商务英语谈判》面向具有一定英语基础知识、从事或准备从事国际商务活动的广大朋友们。为便于自学,本书给广大读者提供了一个既实用、又有效的学习方式。本书克服了传统的英汉书籍所使用的页与页或章与章对应的形式,采用独特的段与段英汉对照的形式,使读者能非常方便地将两种语言对照起来,在提高业务知识的同时也熟悉了语言知识,以便帮助读者快速进入商务谈判的角色,以胜任工作需要。

本书的编写者为对外经济贸易大学从事商务英语教学多年的教师和中国仪器进出口公司从事业务工作多年的业务人员,我们对商务英语的教学和运用有很直观的了解和丰富的经验。在广泛参考了国内外有关专著的基础上,我们结合了多年教学和工作经

验编写出这本书。

由于时间仓促,书中可能有遗漏或不足之处,欢迎读者和有关专家提出宝贵意见。

编者

2001年8月

Contents

目 录

丛书前言	1
前言	3
Part One: About Negotiation 关于谈判	1
Chapter One: Preparation for Negotiations	
谈判前的准备	4
I . Forming the Negotiating Team 谈判队伍的组成	5
II . Creating the Information Base 建立资料档案	8
III . Creditability Study 资信调查	13
IV . Feasibility Study 可行性研究	15
V . The Negotiating Brief 谈判方案	18
VI . The Negotiating Plan 谈判的执行计划	25
Chapter Two: Structure and Sequence of the Negotiation	
谈判的结构与程序	31
I . The Opening and its Review 摸底阶段	31
II . The Follow Up 讨价还价阶段	35
III . Identifying the Bargain 成交前的准备阶段	39
IV . Concluding the Bargain 成交阶段	40
Chapter Three: Negotiating Tactics 谈判的策略	43
I . Attitudinal Tactics 表态策略	43
II . Situation Tactics 情景策略	48
Part Two: Negotiations on Sales of Goods 货物买卖谈判	59
Chapter One: Product and Quality 产品与品质	60

Chapter Two: Packing and Marking 包装和唛头	66
I . Packing 包装	66
II . Marking 唛头	67
Chapter Three: Price 价格	70
Chapter Four: Transportation 运输	75
Chapter Five: Insurance 保险	80
Chapter Six: Payment 支付	86
I . Payment Instruments 支付手段	86
II . Payment Methods 支付方式	87
III . Payment Clauses Usually Adopted 通常采用的支 付条款形式	90
Chapter Seven: Arbitration 仲裁	92
Part Three: Investment Negotiation 投资谈判	97
Chapter One: Negotiation Procedure 谈判程序	99
I . Pre-negotiation Stage 谈判前的准备阶段	99
II . Beginning Stage 谈判初期	102
III . Integrative Bargaining Stage 集中谈判阶段	103
IV . Decision-making and Action Stage 决策阶段	103
Chapter Two: Content of Negotiations 谈判内容	106
I . Negotiation of the Contract of Cooperative Joint Ventures 中外合作经营企业合同的谈判	106
II . Negotiation of the Contract of Equity Joint Ventures 中外合资经营企业合同的谈判	116
Part Four: Technology Trade Negotiation 技术贸易谈判	151
Chapter One: Negotiation Procedure of Technology Trade 技术贸易谈判程序	155
I . Pre-negotiation Stage 谈判前的准备阶段	155
II . Beginning Stage 谈判初期	162
III . Integrative Bargaining Stage 集中谈判阶段	163

IV . Decision-making and Action Stage 决策阶段	164
Chapter Two: Content of Negotiations 谈判内容	166
I . Selecting an Appropriate Type of License Contract 许可证合同的选定	166
II . How to Draft a License Contract 许可证合同条款的拟定	175
Part Five: The Impact of Cultural Differences on International Business Negotiations	
文化差异对国际商务谈判的影响	207
I . What is Culture? 什么是文化	207
II . The Relevant Cultural Factors 有关的文化因素	209
Section One: The United States 美国	213
I . Language and Communication 语言与交流	213
II . Values 价值观念	214
III . Decision-making Process 决策过程	216
Section Two: Japan 日本	217
I . Language and Communication 语言与交流	217
II . Values 价值观念	219
III . Decision-making Process 决策过程	220
Section Three: Germany 德国	223
I . Language and Communication 语言与交流	223
II . Values 价值观念	224
III . Decision-making Process 决策过程	227
Section Four: Kuwait 科威特	228
I . Language and Communication 语言与交流	229
II . Values 价值观念	230
III . Decision-making Process 决策过程	233
Bibliography 参考书目	235

Part One

About Negotiation

关于谈判

Negotiation is a dynamic process of adjustment. In import and export trade operations, the buyer and the seller confer together to reach a mutually satisfying agreement on a matter of common interest. This is because each of the parties has his own objective in trade operations, e. g. the seller intends to sell the goods/services at a higher price, while the buyer intends to buy the same goods/services at a lower price. Each party presses for the attainment of its own goal. But some element of cooperation must be present, otherwise there will be no agreement at all and the opportunity to take part in the activity will be lost.

谈判是一个动态调整过程。在进出口贸易中，买卖双方就一共同感兴趣的问题进行磋商以达成令彼此满意的协议。这是因为交易双方各有自己的目标。例如：卖方欲以较高的价格出售自己的商品或服务，而买方则想以较低的价格购买同样的商品或服务。双方都想方设法达到自己的目的，这就需要双方之间有一些合作，否则就无法达成任何协议，从而丧失交易的机会。

The dual elements of conflict and cooperation are described here: it is in the mutual interest of participants to come to some agreement and this provides a cooperative aspect; however, the interests of participants are opposed, and this is the basis for rivalry. The negotiator is pulled in two directions at the same time: towards holding out for more with the risk of losing all; towards agreeing to his opponent's demands and securing the bargain with sacrificing the chance of a possible higher reward.

这里所说的是争议和合作两个要素：双方因彼此的利益需要而达成某种共识，这是合作的前提；然而，双方的利益截然不同又成为争议的基础。谈判者同时受两个方向的压力：一是冒着谈判破裂的危险而坚持自己的高收益；一是同意对方的要求，达成交易，从而失去获得更高收益的机会。

The two parties need to adjust themselves by exchanging their ideas on the common interest, and then the negotiation begins. Over a span of time, a final agreement is reached. Maybe neither of the parties is wholly satisfied but both recognize that it is more beneficial for them to agree than to disagree. Negotiation has its end result on a basis profitable to both parties.

双方需要通过就共同的利益来交换意见从而调整各自的想法，这样谈判就开始了。经过一段时间的磋商，达成最终协议。双方可能对此协议并不完全满意，但是他们都会意识到：与达不成协议相比，达成协议对双方更有利。谈判的最终结果建立在互利的基础上。

Negotiation is not treated as an isolated event but as an integral part of the total business activity. Links are established in the chain by which goods are traded and services are provided through the agreements negotiated. In this respect, negotiation is a function subservient to the general commercial interests of the parties involved and it is directed towards the achievement of their overall objectives.

谈判并非独立于整个交易之外，而是整个交易活动的一部分。交易关系是通过谈判协议而建立的，商品贸易和服务的提供又是通过这种交易关系而进行的。由此看来，谈判不过是交易双方的商业利益而服务的工具，是为了帮助交易各方实现各自目的而服务的。

The process of negotiation takes place in a series of time scales. The first one is a period during which the negotiator must prepare for the negotiation, and execute the initial approach. The second period follows during which the parties must reach agreement for the common interests to be realized. The agreement itself operates during the third period and may give rise to the need for further negotiation. Finally there is the extended period during which the parties think of a continuing business relationship and can be regarded as infinite.

整个谈判过程发生在一个连续的时间段之内：第一个阶段，各方为谈判做准备并且进行初次接触；第二阶段，各方就实现共同利益而达成协议；协议的执行发生在第三阶段，由此可能产生进一步谈判的需要；在最后的扩展阶段，各方意欲维持长久的贸易关系，此阶段会持续很长时间。

The agreement provides a discipline for the participants in the first two short periods. And these two periods affect the value of the outcome. But the extended period is very important if both parties contemplate a long-term continuing buyer/seller relationship. The parties know that the value of any successful bargain is limited because opportunities provided in the administration of the contract or by other tenders may correct any serious out-of-balance. On the other hand, the bargain may be of significant value in the consequences it possesses for the future, not only because of its actual terms, but also for the manner of its negotiation and its impact on human relationships.

在第一、二两个较短的阶段中，协议会约束各方。这两个阶段将影响交易结果。但对想维持长久贸易关系的买卖双方来讲，扩展阶段则至关重要。他们知道任何一次成功的讨价还价都是有限的，因为在合同执行过程中得到的商业机会或其他商人提供的商业机会都有可能修正谈判所达成的任何极端的不公。从另一方面说，讨价还价又对将来的贸易活动意义重大，这不仅指谈得的实际条件，从谈判方式及其对人际关系的影响看，亦是如此。

Success in negotiation is seen not to be measured in points scored off one's opponent, but in the contribution that the negotiation makes to the successful operation of the activity as a whole. This applies within the negotiation itself. Each party must accept the need to modify its own demands as necessary to meet the requirements of the negotiating objective. There is no room in a negotiating team for a certain person to insist on pursuing limited departmental interests to the detriment of his team's overall success.

谈判的成功与否并不以击败对手来衡量，而是以促进整个交易活动的成功为标准，这一点贯穿于谈判的整个过程之中。在谈判中，各方需调整自己的要求，以便达到其谈判目的。在一个谈判队伍中，不允许某个人为追求有限的局部利益而给整个谈判的成功造成损失。

Chapter One

Preparation for Negotiations

谈判前的准备

Far too many business negotiations fail because of inadequate preparation on one side or the other. So it is important for the participants to make a good job of preparation before the negotiation begins. Preparation is necessary to achieve the highest level of success in business negotiation. In a word, there is no substitution for advance preparation in negotiation arena.

许多谈判失败的原因都是一方或另一方的准备工作不充分，因此在谈判开始之前谈判人员充分的准备工作就显得尤为重要。要使谈判取得最大限度的成功，准备工作必不可少。总之，在谈判场上，谈判前的准备工作无可替代。

Emphasis on preparation in international business negotiation is due to its complexity. It involves activities that take place across national borders, and deals that might have to be transacted in foreign languages with constraints of foreign laws, customs and regulations. The negotiator has to take cultural differences into account. If foreign currency transactions are necessary, the negotiator must pay attention to exchange rate variations. Foreign/world market situation and the risks of international trade are also within the scope of study before the participants begin the negotiation with his foreign counterpart.

在国际贸易中之所以强调准备工作的重要性，是因为它的复杂性。它所牵涉的活动跨越国界，所牵涉的交易可能必须通过外语进行，且可能受到国外法律、习俗和规定的限制。因此，谈判者须考虑文化差异。当进行外汇交易时，谈判者必须考虑汇率波动的问题。在与外方谈判之前，国外/世界市场行情和国际贸易的风险亦属于谈判者应当研究的范畴。

This chapter will outline the critical steps in preparing for business negotiations. The topics focused on are arranged according to their chronological order. Details will be found in Part Two and Part Three in this book.

本章将概述谈判准备工作中的几个主要步骤。讨论的题目是按其发生的时间顺序来安排的，细节请见本书第二部分和第三部分。

I . Forming the Negotiating Team 谈判队伍的组成

Negotiation is a team sport. It requires the specialized skills, communication ability, team spirit and gamesmanship found in any professional sporting event. If a negotiating team is structured properly and is deployed in an effective and timely manner, it can play a critical role in achieving victory at the bargaining table.

谈判是一种集体项目，它需要其中的成员具有专业的技能、沟通的能力、团队协作的精神，以及克敌制胜的策略，这些在任何一个职业体育项目中均可找到。如果谈判队伍组织得当，调配得有效、及时，这会对谈判的成功起到决定性的作用。

If you expect your negotiating team to be effective, it must be organized at an early date, preferably as the first step in preparing for a transaction. The members can foresee the areas covered by the negotiations, and have the technical expertise to deal with the problems effectively. They should also be compatible in temperament with one another.

如果你希望有一个高效率的谈判队伍，就须尽早组织谈判队伍，最好将它作为准备交易的第一项工作来做。这样参加谈判的人员就能预测谈判的内容，并运用良好的专业知识来有效地解决问题。谈判人员的性情也应彼此相投。

1. The Selection and Size of the Negotiating Team

谈判人员的选择和谈判队伍的规模

The negotiating team should include members in each of the following areas:
谈判队伍应包括以下四个方面的专业人员：

- commercial: responsible for the negotiation on price, delivery terms, and

commercial policy of risk taking

商务谈判人员：负责价格、交货条款和风险划分的磋商

- technical: responsible for the area concerning specification, program and methods of work

技术谈判人员：负责规格、程序和工艺的磋商

- financial: responsible for terms of payment, credit insurance, bonds and financial guarantees

财务谈判人员：负责支付方式、信用保险、保证金和资金担保的磋商

- legal: responsible for contract documents, terms and conditions of contract, insurance, legal interpretation

法律谈判人员：负责合同文件、合同中各项条款、保险和法律解释的磋商

If it is an important negotiation, the negotiating team will be comprised of negotiators responsible for the above mentioned areas. Other members for the negotiation include some functional specialists. The negotiator's function is to negotiate, while the functional specialists provide specialist advice or information. 如果是重要的谈判，谈判队伍就应由负责上述 4 个方面的人员组成。其他人员还包括一些专家。谈判人员的任务是谈判，而专家则为谈判人员提供专业性的意见和信息。

For negotiation of lesser significance, one negotiator would cover two areas after having been fully briefed on the subject with which he was less familiar. For instance, the legal negotiator might cover the financial area. Team of four could be reduced to two; it should not be reduced to one, no matter how well qualified the negotiator is.

对于不太重要的谈判，一个谈判人员在大致了解了他不熟悉的专业知识后，可身兼两职。例如，主管法律谈判的人员也可兼管金融方面的谈判。4 人的谈判队伍可减为两人；但决不能减至一人，无论这个人资格多高，也不行。

However, the negotiating team should not be too large. At any time it should not exceed five. It becomes extremely difficult for the team to be kept under control if the team number is beyond five. And it is difficult for its activities to be directed towards a single outcome. Arguments are likely to develop between the members of the team themselves during the negotiation session.

然而，谈判队伍的阵容也不宜过大，一般不超过 5 人。否则，会非常难于控制，也难以保证小组的所有行动都围绕一个既定的目标；谈判期间，小组内部的成员之间也可能会产生意见分歧。

It is preferable that a negotiator has the support of an assistant to make notes, do calculations and remind him of any points that he has missed. And this does not leave him to handle the whole bargaining process by himself.

主谈人谈判时，最好有一个助手进行记录和计算，提醒主谈人疏忽的问题。这样就不会让主谈人独自完成整个谈判过程。

2. Team Leader 谈判小组负责人

Reference has been made specifically to the sales manager or the chief buyer as two obvious examples when choosing a team leader. But there are also numerous other occasions when an alternative candidate will be proposed.

谈判小组负责人一般由销售部经理或采购部经理担任。但有时也可选择其他人来担任谈判小组领导人。

The negotiating team leader should possess sufficient knowledge of all the problems involved in the negotiation — commercial, technical and contractual to enable him to make an intelligent contribution to each item discussed and to direct and coordinate the activities of the functional specialists.

谈判小组负责人应掌握足够的知识，如：商务、技术、合同等方面的知识来应付谈判中遇到的各种问题，使他对所谈的每一个问题都能提出自己的见解，有效地指挥与协调专家的活动。

The duties of the team leader are to select the remainder team members, prepare