

实用

外贸谈判英语

English for International Business Negotiations

廖瑛 等编著



对外经济贸易大学出版社

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前 言

《实用外贸谈判英语》是作者根据自己长期进行外贸英语教学、外事工作和业余谈判的实践经验而编著的一部对外贸谈判有实用价值的教材,是继作者所编著的《实用公关英语》、《商务文秘英语》、《实用外贸英语函电》、《实用外贸英语函电常见错误辨析》、《实用公关英语 900 句》、《实用公关、文秘、外贸、旅游英语口语教程》、《实用外宾接待与外贸谈判英语》、《国际商务英语——商务理论、语言与实务》、《实用英语应用文写作》等系列畅销书后,又一部指导和实施外贸谈判、内容丰富、理论与实践并举的专著。

全书共分 14 章,1 至 4 章属谈判理论指导部分,从“国际商务谈判策略”、“文化差异对国际谈判的影响”、“国际商务谈判中的语言交际技巧”到“国际贸易实务简介”,多方面对外贸谈判进行指导,使谈判者掌握相应的谈判策略,具有相应的文化素养,提高语言交际技巧和了解贸易实务知识。5 至 14 章为情景会话部分,从建立业务关系到询盘、报盘、还盘、反还盘与递盘、接受与订货、包装与装运、付款与交货、商检、保险与仲裁、投诉、索赔与理赔、代理与签约到合资办企业,包括了国际贸易谈判中的外方谈判代表与中方谈判代表口头交谈全过程。由于国与国之间相距遥远,百分之九十以上的买卖都是由书信(包括电传、传真和电子邮件)往来完成的。因此,针对同一谈判内容,每一章设有若干封信函,以适应书面谈判的需要。实际上,本书将书面谈判和口头谈判交织在一起,是一部标准的“函电与谈判”教材,能适应不同的读者在不同情况下使用。无论是书面谈判还是口头谈判,均按谈判进展的程序,上下文相互衔接,宛如一幅完整的生活画卷。并且,本书配有由外国专家录制的磁带与光盘,使读者如闻其声,如临其境。耳闻

目睹,易懂易学。便于记忆,收效更佳。书中配有相应的书面和口头练习,以达到巩固课文,扩展知识的效果。

本书适用于高等学校的公关、文秘、外贸、旅游、酒店管理、外企管理、涉外会计、国际经济技术合作、商务英语、应用英语等专业作专业英语口语教材和商务英语函电写作教材,也适用于外贸、银行、海关、进出品贸易公司、厂矿、企业、事业单位的公关文秘人员、外贸业务工作者、国际营销人员、口译工作者、海关业务员,以及与外商打交道的厂长、经理、政府官员作专业英语口语和商务英语应用文培训教材,也适合广大读者作自学教材。上述人员若能熟读此书,运用自如,足以胜任本职工作。

本书由湖南大学外国语学院商务英语系硕士生导师廖瑛教授编著,参加编著工作的还有国防科技大学禹金林副教授和长沙民政学院外语系的覃蔚老师,湖南科技职业学院的李江春老师。在编著过程中,作者参考了国内出版的有关书籍和资料,从中获得了很大的启示。甚至少数地方还引用了其相关内容,在此谨致谢意。

由于编者水平有限,书中不妥之处在所难免。欢迎同行专家和广大读者不吝赐教。

廖 瑛

2004年4月湖南大学外国语学院

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Chapter 1

Negotiation Strategies on International Business

国际商务谈判策略

1. Introduction 概述

We all know that in international business it is mostly through negotiations that exporters and importers bridge the difference and reach a fair and mutually satisfactory deal. After business negotiations, if the buyers and sellers of a transaction reach an agreement, they will sign a written contract which shall function as basis for the performance of rights and obligations by the two parties. Once the contract is effectively concluded according to the law, the parties concerned should perform the contract strictly. So we can say business negotiation plays a basic part in conclusion of a contract and has direct influence on the conclusion and implementation of a contract, and also has a great bearing on the economic interests of the parties concerned.

众所周知,在国际贸易中,出口商和进口商要消除分歧,达成一项公平的相互之间满意的交易,大多是通过谈判才能做到的。经过谈判后,如果说买卖双方达成协议,他们将签订一项书面合同,作为确定双方权利和义务的依据。合同一经依法生效,有关当事人必须严格遵守。所以,我们可以说,商务谈判是合同签订的基础,它直接影响到合同的签订和履行,也关系到交易双方的经济利益。

International business negotiation refers to a wide range of international business activities. As far as international investment, import and export of products, machinery, equipment, technology, etc. are concerned, international business negotiation is a consultative process between governments, trade organizations, multinational enterprises or private firms. In a word, it is a consultative process between the buyers and the sellers. Business negotiation is conducted either by correspondence or by face-to-face talk, and involves all kinds of terms and conditions of a sales contract including quality, quantity, packing, shipment, payment, insurance, inspection, claims, arbitration and force majeure, etc. Generally speaking, business negotiation contains four steps: inquiry, offer, counteroffer and acceptance, among which offer and acceptance are two indispensable steps for reaching an agreement and concluding a contract. Negotiations on some special trading mainly involve the following elements such as processing and assembling trade, compensation trade, technology importation and joint venture, etc.

国际商务谈判涉及的国际商务活动的范围很广。就国际投资、商品、机械、设备、技术的进出口贸易而言,国际商务谈判是发生在政府之间、贸易组织之间、跨国公司之间和私人商行之间的磋商过程,简而言之,就是买卖双方之间的磋商过程。贸易谈判可以通过函电或面对面的洽谈进行。谈判内容涉及买卖合同的各项条款,主要包括商品的质量、数量、包装、装运、支付、保险、商检、索赔、仲裁、不可抗力等。谈判的过程一般包括询价、发盘、还盘和接受四个环节。其中发盘和接受是达成协议、订立合同的两个不可缺少的环节。关于某些特殊贸易的谈判,主要涉及下列内容,例如来料加工与装配贸易、补偿贸易、技术引进、合资经营等。

2. The Preparations for Business Negotiations

谈判前的准备工作

International business negotiations involve different respects and the contents are very complicated. In order to achieve a favorable outcome from the negotiations, the negotiators of both parties should make efficient preparations, which can be divided into three aspects:

国际商务谈判涉及不同的方面,内容非常复杂,为了使谈判取得有利的结果,买卖双方的谈判人员应在谈判开始前做好充分的准备。谈判准备可分三个方面:

(1) Defining the aims for negotiations 确定谈判目的

Defining the aims for negotiations means that the negotiators should know well their desired results according to their own practical conditions so as to avoid manipulation by their counterparts.

所谓确定谈判目的,就是谈判人员应根据自己的实际情况,对谈判的预期目标做到心中有数,从而避免被对方任意操纵。

Before business negotiations, there are three different aims to be decided: the best aim, the satisfactory aim and the acceptable aim. The best aim is the ideal aim that will benefit you best and help you achieve all desired results planned at the beginning of the negotiation. If the world market is beneficial to you, as a negotiator, you should seize every opportunity to firmly maintain the desired objectives from the beginning to the end until obtaining the best aim. When you find it difficult to get the best aim, as a negotiator, you had better make a good preparation to get your second aim — the satisfactory aim, which is fair for both parties, although it provides you with lower interests than the best aim. When you find you have no advantages in the world market, or you have met a skillful negotiator in the business activities, or you have

to export or import some products, you have to face the reality — to accept the third aim, i.e. the acceptable aim gradually. But you should always remember that this should not let your counterpart know.

外贸谈判前,要设定的谈判目的有三种:最佳目的、满意目的和可接受目的。最佳目的就是最理想的目的,最有益于你,能帮助你达到谈判开始前计划好的预期效果。如果国际市场有益于你,作为一个谈判人员,你应当抓住每一个机会维护预期目标,直到获得最佳目标为止。当你发现难于获得最佳目的,作为一个谈判者,你最好做好准备去实现你的第二目标——满意目标。尽管这一目标获利低于最佳目标,但对双方来说还是公平的。当你发现自己在国际市场上没有优势,或者遇上了商务活动中谈判的老手,或者不得不向对方出口或进口某些产品,那么,你只好面对现实,逐步接受第三目标,即可接受目标。但是,你得牢记,切勿将此举向对方泄露。

(2) Getting necessary information 获取必要信息

Whether you are the exporter or the importer, you should learn as much information as possible about the market that you want to enter, the potential clients and the competitors you will deal with before you join the negotiation. Only by so doing will you know your counterparts quite well and take the initiative in business negotiations. In order to obtain the information concerned, market research should be made necessarily, which involves the following:

无论你是出口商,还是进口商,参加谈判前,你应当尽可能多地获取你所要进入的市场、潜在的客户和竞争对手的信息。只有这样,你将熟悉他们的情况,在谈判中采取主动。为了获取有关信息,有必要进行市场调研,其内容如下:

1) Make use of trade statistics published by most countries to learn the size or potential size of the market for your products or services.

充分利用大多数国家已公布的贸易统计数据弄清你的产品或

劳务有多大的市场或市场潜力。

2) Try to have a good command of the language and culture, local conditions and customs, social backgrounds and relevant government policies, esp. the foreign trade policies of the countries of the target market.

尽力掌握好目标市场国家的语言文化、风俗习惯、社会背景和政府的政策,特别是外贸政策。

3) Be sure to know the geographical conditions and features, communication and transportation of the countries of the target market so as to push the sales of certain products.

务必了解目标市场国家的地理条件和特征、交通运输情况,以便推销某些产品。

4) Be sure to know the target market conditions, such as the demands and supplies of the commodities, the changes of the prices, the numbers and abilities of the competitors, etc.

务必了解目标市场的行情,如商品的需求与供应、价格的变化、竞争者的数量和能力等。

(3) Making a practical negotiation plan 制订切实可行的谈判计划

It is very important to make a practical negotiation plan after establishing the aim for negotiation and getting necessary information. When you draw up the plan, you should pay attention to the following points:

确定谈判目标和获取必要信息之后,制订切实可行的谈判计划就很重要了。当草拟这一计划时,你得注意下列几点:

1) designing an agenda most suitable to you and letting all the negotiators be very familiar with the plan.

安排最适合你的议事日程,并让谈判人员对此十分熟悉。

2) comparing your own agenda with your counterpart's when you have got his agenda and considering how to adopt the new strategies and

tactics which should be used with caution.

当你知道对手的议事日程后,将自己的议事日程与之比较,并考虑好采用新的战略和策略,小心谨慎地使用之。

3) Choosing the location of negotiation which is favorable to you, for example, choosing the "home court" which is convenient for you to get the information; or at least choosing a neutral location which is equally convenient to both parties.

选择有利于你的谈判地点,例如,选择主座谈判地点,这便于你获得谈判信息,或者至少选择一个对双方都便利的中间地点。

3. The Notable Problems during the Process of Negotiations 谈判中应注意的问题

International business negotiation is a process that is complicated, arduous, and of course interesting in international business activities. You will meet with not only the language barrier, the foreign trade policies of various countries, the life styles of customers coming from every part of the world, but also the ever-changing world market, powerful opponents for negotiation and different negotiation styles and tactics, which may bring you some difficulties in your negotiations, but give you great joy and satisfaction once you overcome those difficulties.

国际商务谈判是国际商务活动的一个复杂、艰难,当然,也是很有意思的过程。在谈判中,你遇到的不仅是语言的障碍,不同国家的外贸政策,来自世界各地的顾客的生活习惯,而且还有多变的国际市场,强有力的谈判对手,不同的谈判方式和策略,所有这些都会给你的谈判带来诸多困难,然而一旦克服这些困难,就会给你带来欢乐和欣慰。

At the negotiating table, the price is usually the key point. Both parties will have a few bargains before acceptance. Many difficulties

center on pricing problems. In order to achieve a favorable outcome from the negotiation, the following points should be paid attention to:

谈判桌上,价格通常是关键。在接受之前,双方要反复进行讨价还价。许多困难都集中在定价问题上。为了使谈判取得有利的结果,下列几点应当注意:

(1) Making a high offer at the beginning of negotiations: 谈判开始,出口商报高价:

If you are an exporter, you should make a high offer at the beginning of the negotiation and try your best to achieve your best aim through negotiation. Even if the best aim could not be achieved, you could reduce your price step by step without taking any financial risks because your first quotation is high enough. Meanwhile, as reducing your prices step by step will make a good impression on the other party, he will be pleased to cooperate with you. And on this situation, he may well accept your quotation as the best price.

如果你是出口商,谈判开始,你应当报高价,并尽力通过谈判实现你的最佳目标。即使最佳目标不能达到,你还可以逐步降价,而不承担任何经济风险,因为你的初次报盘价格够高了。同时,由于逐步降价给对方留下了一个好印象,他会十分乐意与你合作。而在这种情况下,你的对手也许会把你的报价作为最优价接受下来。

(2) Making no compromise in the matter of prices at the beginning of negotiations: 谈判开始,出口商不要在价格上妥协:

If you are an exporter, remember never to make compromise in the matter of prices at the beginning of negotiations, or you will lose the other advantages, such as the product's quality, the firm's experience and credit, and other conditions of transaction being of benefit to you.

如果你是一个出口商,记住切勿在谈判开始就对价格做出妥协,否则你会失去在谈判中的其他优势,比如产品的质量,公司的

业务经验和信誉,以及其他有利于你的交易条款。

The danger of making compromise in price at the beginning of negotiation is that it immediately directs the discussions into pricing issues at the expense of the other important components of marketing mix. Generally speaking, such initial price compromises are followed by more demands from buyers that will further reduce the profit ability of the export transaction. For instance, the buyer may press for concessions on: quantity discounts; discounts for repeat orders; improved packaging and labeling (for the same price); tighter delivery deadline that may increase production and transport costs; free promotional materials in the language of the import market; free after-sales services; supply of free part to replace those damaged from normal wear and tears; free training of staff in the maintenance and use of the product; market exclusivity; a long-term agency agreement; higher commission rates; better credit and payment terms, etc.

谈判一开始就在价格问题上做出妥协的危险,是马上把谈判引向价格的讨论,从而牺牲营销组合中的其他重要因素。这种一开始就让价的做法,一般随之而来的是买方得寸进尺,进一步要求出口商在交易中让利。比如说,买方也许会步步紧逼,要求更多让步:数量折扣,重复订单折扣,(在同样价格条件下)改进包装和标签,缩短交货期限(会增加生产和运输成本),免费提供以进口市场所使用语言文字印刷的促销资料,免费提供售后服务,免费供应替换正常磨损的零配件,免费培训维修养护和产品使用人员,独家销售权,长期代理协议,更高的佣金率,更优惠的信贷和支付条款等。

As pricing is the most sensitive issue in business negotiations, you'd better try to postpone the subject until all of the other aspects of the transaction have been discussed and agreed upon if possible, so as to avoid losing the transaction that may benefit you.

因为定价一事是商务谈判中最敏感的问题,如果可能,你最好

尽量把这一议题推后,等与这一交易条款有关的其他条款经过讨论达成一致协议后,再进行讨论,以免失去也许有益于你的这场买卖。

(3) Rejecting an exporter's price at the outset of the negotiation: 谈判开始,进口商应拒绝出口商的报价:

As an importer, you should reject the exporter's price at the outset of the discussion in order to get the upper hand from the start of negotiation, thereby hoping to obtain maximum concessions on other matters, or to test the reality of the offer, or to find out how far the exporter is willing to lower the price, or to seek a specific lower price because the product you offer is unknown in the market. At least, you may force your counterpart to cut down the high price he offered.

作为进口商,谈判开始,你应当拒绝接受出口商的报价,为的是抢占上风,先发制人,希望以此使对方在其他问题做出最大的让步;或许是为试探一下价格的真实性;或许是为了摸清出口商到底愿意把价格降低到何等程度;或者是因为该产品在本市场无人知晓而寻求特殊低价。至少你可以迫使你的对手把他所报的高价降下来。

(4) Making no concession on price at once when the importer doesn't accept the offer: 进口商不接受报盘时,出口商不要立即在价格上做出让步:

If the price quoted by exporter has not been accepted by importer, the exporter should react positively by initiating discussions on non-price questions, instead of immediately offering price concession or taking defensive attitude. Widening the issues and exploring the real reasons behind the objections to the price quoted will put the talks on a more equal and constructive footing. Only by knowing the causes of the importer's disapproving the offer can an exporter make a new offer acceptable by importer or make other arrangements.

如果出口商所报的价格没被进口商所接受,出口商应做出积极的反应,开始讨论非价格问题,而不要立即在价格上做出让步,或采取守势。展开讨论,探索对方不接受报价背后的真实原因,便可把谈判建立在更加平等和富有建设性的基础上。出口商只有了解到对方不同意报价的原因后,才能提出新的能被进口商接受的报盘,或做出其他安排。

(5) Constituting the price package: 构成一揽子价格方案:

After discussing all of the non-price issues, the exporter can shift the discussions in the final stage of the talk to financial matters affecting the price quotation, such as credit terms, payment schedules, currencies of payment, insurance, commissions rates, warehousing costs, after-sales serving, costs of replacing damaged goods and so on. Agreement reached on these points constitutes the price package. Any change in the buyer requirements should be reflected in a new price package.

在讨论所有的非价格问题之后,出口商在谈判的最后阶段可把谈判的议题转向对报价有影响的财务问题,如信用证条款、支付时间、支付货币、保险、佣金率、仓储费用、售后服务责任、替换受损货物的费用等问题。就这些问题达成的一致协议,构成了一揽子价格方案。买方要求做的任何变更,都要在新的一揽子价格方案中反映出来。



Explanatory Notes on Technical Terms

1. processing trade — 加工贸易
2. assembling trade — 装配贸易
3. compensation trade — 补偿贸易
4. manipulation — 操纵
5. target market — 目标市场
6. home court — 主座(谈判地点)