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International Business Negotiations and
Business Etiquettes

国际商务谈判与 商务礼仪



北京邮电大学出版社
www.buptpress.com

内 容 简 介

本书以国际商务谈判、商务礼仪为切入点，深入浅出地讲解了商务谈判的基本理论、原则、程序、策略、技巧，以及商务礼仪的构成、作用、原则、规范、应用等。本书可作为高等院校商务谈判、商务礼仪课程的教学用书，也可供从事商务谈判、商务礼仪工作的实际工作者参考。

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International Business Negotiations and Business Etiquettes

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· 北京 ·

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本书是根据普通高等学校应用型人才的培养需要,按照教育部应用型人才培养的教学要求编写的。本书分成10章,用通俗易懂的英语系统、全面地介绍了国际商务谈判中的各个重要方面。本书注重实务操作,并配有与国际商务谈判紧密相关的讨论题、扩展阅读书目及网络资源指导,以强化国际商务谈判知识的实际应用,从而突出应用型人才培养的特点,培养学生用英语进行国际商务谈判实际工作的能力。

本书适合作为大专院校国际商务和国际经贸及相关专业的教材,同时也可以作为国际商务谈判相关从业人员的参考用书。

图书在版编目(CIP)数据

国际商务谈判与商务礼仪/徐如浓,陈刚主编. -- 北京:北京邮电大学出版社, 2016.8

ISBN 978-7-5635-4342-7

I. ①国… II. ①徐… ②陈… III. ①国际商务—商务谈判—高等学校—教材②商务—礼仪—高等学校—教材 IV. ①F740.41②F718

中国版本图书馆CIP数据核字(2015)第087626号

书 名	国际商务谈判与商务礼仪
主 编	徐如浓 陈 刚
责任编辑	向 蕾
出版发行	北京邮电大学出版社
社 址	北京市海淀区西土城路10号(100876)
电话传真	010-82333010 62282185(发行部) 010-82333009 62283578(传真)
网 址	www3.buptpress.com
电子信箱	ctrd@buptpress.com
经 销	各地新华书店
印 刷	北京泽宇印刷有限公司
开 本	880 mm × 1 230 mm 1/32
印 张	6
字 数	171千字
版 次	2016年8月第1版 2016年8月第1次印刷

ISBN 978-7-5635-4342-7

定价: 28.00元

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本书介绍了国际商务谈判的基本知识,包括商务谈判的过程、种类、策略及谈判人员的品质和技能,重点阐述了国际商务谈判中跨文化因素的影响及相关的社交礼仪。这有助于培养学生对国际商务谈判的见解,提高学生国际商务谈判的能力,使其成为更有效的和负责任的谈判者。

本书提供了与每章内容密切相关的网络资源,包含课本研究材料的网址和学生可参考的在线材料的链接。这些网络资源可对国际商务谈判人员及国际商务谈判的学习者有一定帮助。

本书由徐如浓、陈刚担任主编,由陈琨琨、陈悠扬担任副主编,参加编写的还有徐丽、梁媛媛、胡旦、蔡溢、Elisa、孙一得、Steve。其中,第1章由徐如浓编写,第2章由徐丽编写,第3章由陈刚和梁媛媛编写,第4章由胡旦编写,第5章由陈刚编写,第6章由蔡溢编写,第7章由Elisa编写,第8章由陈琨琨、陈悠扬编写,第9章由孙一得编写,第10章由Steve编写。

由于本书编者水平和能力有限,不当和错误之处在所难免,恳请读者批评指正。

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Chapter One

Fundamentals of International Negotiations

"We spend a great deal of time negotiating...most managers and supervisors spend up to 50% of their time negotiating. The outcomes of these negotiations determine our success in both our professional and personal lives."

—Brad McRae

Introduction

Jan graduated from a leading Polish business school. He had learned a lot about economics, finance, marketing, and strategy and his grades were excellent. Everything indicated that he was well prepared for his starting career. Very soon he found a job he was dreaming of and started applying what he had learned in real business environment. He has been advancing his career rather quickly and taking over new areas of responsibility. Recently, his boss has asked him to identify a company potentially interested in cooperation especially in the area of research and development. Since his company was operating in a niche market manufacturing very specialized products, very early Jan realized that for a potential partner he would have to look in Southeast Asia, particularly in Japan, and possibly in China.



Without difficulty he came up with a short list of potential partners and scheduled the first meetings with them. Today, his secretary gave him the tickets. Next week Jan and his boss are flying to Asia. Suddenly, he realized that all he knows about Asian culture actually comes from TV and movies. The same was true for his boss. A hundred questions went through his mind. How is he supposed to behave there? What can he say and what not? Will they understand what he has to tell them? How should Jan negotiate with these guys?

Within the last few decades the number of international negotiations has been increasing rapidly. Negotiating is a part of everyday life, and in business it's absolutely critical to every one's success.

1.1 Negotiating Defined

The *American Heritage Desk Dictionary* defines negotiation as “conferring with another in order to come to terms or reach an agreement”.

Here are some other ways to think about negotiation:

1. Negotiation is simply stated, formalized discussion between two parties or organizations.
2. Negotiation refers to the process we use to satisfy our needs when someone else controls what we are seeking. Other words sometimes used to describe negotiation are: bargaining, exchanging and haggling.
3. Negotiation has traditionally been thought of as the process of attempting to satisfy your wants, by giving up something you now have in exchange for something else you want.
4. Negotiation and conflict are closely related. Sometimes we negotiate to avoid conflict. Other times, we use negotiation to resolve conflict.
5. Negotiation applies to everyday exchanges in business or personal life where agreement is reached over buying and selling, exchanging services or property, resolving differences, or engaging in mutually desirable



projects. There are many examples, from such simple tasks as deciding with colleagues where to have lunch to such complex issues as discussing with a builder the cost of constructing a new home.

6. Negotiating is the process of communicating back and forth for the purpose of reaching a joint agreement about differing needs or ideas. Negotiating has to do with persuasion rather than the use of crude power. What's more, negotiating has to do with the other side feeling good about the outcome of the negotiation.

One thing is certain about negotiation—we each do it every day! Some of us are better at it than others, and we get more of what we seek. Sometimes we can be negotiating without even knowing it. But negotiation results are better when we know that is what we are doing. Thus, understanding what negotiation is and how it works, and being prepared to negotiate should lead us to a better result. Above all, it has to do with the clear understanding of our own motivations and those of the other side as we try to persuade them to do what we want them to do.

1.2 What Can You Negotiate About?



Now that we have a sense of what negotiation is, let's look next at what we can negotiate about. Many people miss the opportunity to make a more favorable exchange because they fail to recognize the opportunity to negotiate. Any aspect of a transaction that is not totally satisfactory to you is worth negotiating.

Are You Missing Opportunities for Negotiation?

Here is a list of the kinds of transactions we might face in our own lives. Please check (☑) those that you think offer an opportunity to improve your position through the process of negotiation.

1. Purchasing a new car.



- 2. Deciding with the family where to vacation this year.
- 3. Getting a raise in pay.
- 4. Selecting a dress for the senior prom.
- 5. Meeting with an employee group over work rules.
- 6. Deciding on a new product to launch.
- 7. Agreeing on new curtains for the dining room.
- 8. Buying new furniture for the office.
- 9. Deciding who gets to use the family computer each evening.
- 10. Agreeing on the terms of a new business loan.

As you may have guessed by now, all of the above situations could involve negotiating. Some are more challenging than others. Some require serious thought and planning. Others can flow quickly and easily. Read on and be prepared to deepen your understanding of negotiation and to sharpen your skills as a negotiator. Although the details of business negotiations can be quite complex, there are really only nine subjects about which you can negotiate. Everything else is a variation on these themes:

1. Price.
2. Terms (e. g., how and when payment will be made).
3. Delivery.
4. Quality.
5. Service.
6. Training.
7. Resources (people, money, materials).
8. Scope.
9. Process (who is going to do what to whom).

Many negotiations are centered on price. Negotiations that involve the other eight items relate to the return on investment, or the value added.



1.3 Types of Negotiation

To simplify looking at types of negotiation, we can look at the environment, the urgency, or need for the negotiation, as well as the personal approach or style of the negotiators.

Looking at it from this perspective, we can categorize negotiation into five principle types:

1. Everyday (Or Casual) Negotiations.
2. Informal Negotiations.
3. Formal Negotiations.
4. Facilitated Negotiations.
5. Critical Negotiations.

Let's look at each of these types in more detail.

1.3.1 Everyday Negotiations

We already know that every day, in communicating about our wants and needs or engaging in minor problem solving, we conduct casual negotiations. Here is an example:

Alice's Internship: An Everyday or Casual Negotiation

Alice was finishing college. During the summer between her junior and senior year at State U, she served as an intern in the marketing department of Widget International ("Widget"). Her boss and mentor was Jane Jones. Alice didn't understand much about working in an organization. A number of times that summer, Jane and Alice had relaxed conversations about how things were done at Widget and what Alice was expected to do. Several times Alice needed time off to do research on a paper due in the fall. She and Jane easily worked out the details and both women felt fine about the arrangement.



1.3.2 Informal Negotiations

Sometimes we make it clear to the other party that we expect to engage in a more serious conversation toward resolving some problem or obtaining something we want from that party. Most of these conversations take place in an informal environment.

Alice's Vacation: An Informal Negotiation

At one point late in the summer of her internship, Alice's parents asked her to accompany them to the beach for a week-long vacation. Alice went to her supervisor, Jane, with the request. Jane explained that an important project was scheduled for that week and Alice's help was needed. Alice expressed her desire to help out at Widget, but also explained that this might be the last opportunity she would have to vacation with her parents.

After some serious discussion in an informal environment, Jane and Alice worked out a plan. Alice and her parents would each take their own car to the beach, and Alice would return to work on Wednesday of the big project week.

1.3.3 Formal Negotiations

On occasions it is necessary to discuss issues on a more formalized basis. These negotiations are usually planned in advance. They follow set agendas and may even require representatives, such as a lawyer or union rep, to be present to assist in the discussions. Also, more formal negotiations may take place in a neutral location and be of longer duration. These discussions can continue over periods of days or weeks—even months or longer.

Alice Goes to Work: A Formal Negotiation

After graduation from State U with excellent grades, Alice applies for a job at Widget. The company is very interested in her, especially be-



cause of the kind things Jane had said about the quality of Alice's work and her dedication to her responsibilities at the company when she was an intern.

Richard, Vice President of Marketing (Jane's boss) interviews Alice with a view toward hiring her as a Marketing Assistant. He offers her a very minimal salary with a review at the end of one year, followed by a possible raise.

Alice is well prepared for her meeting with Richard. She has documented the tasks she accomplished for Widget as an intern the previous summer.

Richard responds that there is great competition for the job Alice wants.

Alice points out, most respectfully, that she knows Jane wants her and none of the other candidates.

After several friendly, but serious, interchanges, Richard offers Alice the job at a somewhat higher salary, with a review at the end of six months toward a possible raise.

Alice accepts. She begins working at Widget, on staff, the following Monday.

1.3.4 Facilitated Negotiations

Sometimes, the assistance of a neutral or impartial third party is necessary to help parties negotiate to agreement. The third party, the person who assists, is limited to facilitating agreement between the negotiators. These "facilitated negotiations" are also referred to as mediation. The mediator acts to empower the negotiating parties to reach their own resolution. The mediator doesn't have a vote in the outcome.

[Note: Sometimes mediation is confused with arbitration. They are both methods of resolving conflict in a nontraditional way (what lawyers refer to as "alternative dispute resolution" or "ADR"). However, in arbitration the third party makes the decision. Arbitration, therefore, is not



a negotiation. As noted above, in mediation, the parties make the decision themselves.] The negotiated agreement belongs to the parties themselves—even if they have received the assistance of a third party acting as mediator.

Alice Needs Assistance: A Facilitated Negotiation

Alice is very happy at work; however, she is not getting along well with Tom, a coworker in the Marketing Department. She has tried talking to Tom about the problem, but Tom refuses to respond. Finally, Alice asks Jane if she can assist Tom and her in resolving their differences.

Jane approaches Tom about a meeting with Alice and herself. Tom agrees. The three meet in Jane's office. Jane asks each to explain what is going on. Tom explains that he resents Alice getting a reserved parking place after being at work only 7 months, while, he has worked 5 years without a designated space. Alice explains that she didn't ask for the space and doesn't even need it. Tom did not know that Alice never asked for the space. Alice says she is happy to give up the space and Tom could have it if he wanted it. Tom says he really doesn't need it either, but feels better now knowing that Alice hadn't asked for it and is willing to give it to him.

Both Alice and Tom shake hands and thank Jane for her assistance in resolving the issue that had come between them at work. Jane acknowledges Tom and Alice's willingness to be open about what was bothering them. Soon, all three are back at work.

1.3.5 Critical Negotiations

Sometimes, but rarely, discussions take place on an emergency basis with serious possible consequences for failure. These kinds of critical negotiations often involve an outside intervener, such as a pastor, police officer, or mental health worker. Negotiations undertaken during war, national emergency, or crisis are, by virtue of the situation under which the negotiations take place, critical. It is important to note that even in



such situations, negotiations can occur. Let's look next at a critical negotiation which takes place at Alice's workplace.

Alice Witnesses a Crisis :A Critical Negotiation

One day, after Alice has been working at Widget for a year, an announcement comes over the company public address system for all employees to leave the West Building immediately. Alice wonders what is going on. She and other employees heard police sirens and witnessed much activity outside the East Building.

Richard rushes into Alice's office, where Alice is now working, and tells Alice, and their secretary to get out of the building fast. He alerts other members of the Marketing staff to vacate the building immediately through the nearest exit, but not to go near the East Building.

Once outside in the parking lot behind the West Building, Alice and other staffers learn that an upset former employee has taken the company president and his office staff hostage on the top floor of the East Building.

After Alice and her colleagues have been standing around nervously for about 30 minutes, a police captain comes to the parking lot to announce that the crisis is over. The hostage negotiator convinced the former employee to surrender and free all hostages. No one was hurt. According to the police captain, it was the negotiator's skill in dealing with critical issues for the hostage taker that prevented a tragedy.

Richard thanked the captain for the good news and informed Alice and the other junior staffers to take the rest of the day off.

1.4 Principles of International Negotiations



“Negotiating is something that can be learned—something for which there are resources,” says oncologist Dean Gesme, MD (Minneapolis, Minnesota), who has been involved in many negotiations throughout



his 25-year career. The way you conduct yourself in negotiations can dramatically affect the outcome. Here are five basic principles that apply to every international negotiation.

1.4.1 Get the Other Side to Commit First

Power Negotiators know that you're usually better off if you can get the other side to commit to a position first. Several reasons are obvious:

1. Their first offer may be much better than you expected.
2. It gives you information about them before you have to tell them anything.
3. It enables you to bracket their proposal. If they state a price first, you can bracket them, so if you end up splitting the difference, you'll get what you want. If they can get you to commit first, they can then bracket your proposal. Then if you end up splitting the difference, they get what they wanted.

The less you know about the other side or the proposition you're negotiating, the more important the principle of not going first becomes. If the Beatles' manager Brian Epstein had understood this principle he could have made the Fab Four millions more on their first movie.

United Artists wanted to cash in on the popularity of the singing group but was reluctant to go out on a limb because United Artists didn't know how long the Beatles would stay popular. They could have been a fleeting success that fizzled out long before their movie hit the screens. So they planned it as an inexpensively-made exploitation movie and budgeted only \$ 300,000 to make it.

This was clearly not enough to pay the Beatles a high salary. So United Artists planned to offer the Beatles as much as 25% of the profits. The Beatles were such a worldwide sensation in 1963 that the producer



was very reluctant to ask them to name their price first, but he had the courage to stay with the rule.

He offered Epstein \$25,000 up front and asked him what percentage of the profits he thought would be fair.

Brian Epstein didn't know the movie business and should have been smart enough to play Reluctant Buyer and use Good Guy/Bad Guy. He should have said, "I don't think they'd be interested in taking the time to make a movie, but if you'll give me your very best offer, I'll take it to them and see what I can do for you with them."

Instead, his ego wouldn't let him play dumb, so he assertively stated that they would have to get 7.5 percent of the profits or they wouldn't do it. This slight tactical error cost the group millions when the director Richard Lester, to every one's surprise, created a brilliantly humorous portrait of a day in the group's life that became a worldwide success.

If both sides have learned that they shouldn't go first, you can't sit there forever with both sides refusing to put a number on the table, but as a rule you should always find out what the other side wants to do first.

1.4.2 Act Dumb, Not Smart

To Power Negotiators, smart is dumb and dumb is smart.^① When you are negotiating, you're better off acting as if you know less than everybody else does, not more. The dumber you act, the better off you are unless your apparent I. Q. sinks to a point where you lack any credibility.

There is a good reason for this. With a few rare exceptions, human beings tend to help people they see as less intelligent or informed, rather

^① Roger Dawson. *Secrets of Power Negotiating*, Career Press; 15th Anniversary Edition (October 20, 2010).



than taking advantage of them.

Of course there are a few ruthless people out there who will try to take advantage of weak people, but most people want to compete with people they see as brighter and help people they see as less bright. So the reason for acting dumb is that it diffuses the competitive spirit of the other side.

How can you fight with someone who is asking you to help them negotiate with you? How can you carry on any type of competitive banter with a person who says, "I don't know, what do you think?" Most people, when faced with this situation, feel sorry for the other person and go out of their way to help him or her.

Be careful that you're not acting dumb in your area of expertise. If you're a heart surgeon, don't say, "I'm not sure if you need a triple by-pass or if a double by-pass will do." If you're an architect, don't say, "I don't know if this building will stand up or not." Win-win negotiating depends on the willingness of each side to be truly empathetic to the other side's position. That's not going to happen if both sides continue to compete with each other. Power Negotiators know that acting dumb diffuses that competitive spirit and opens the door to win-win solutions.

1.4.3 Think in Real Money Terms but Talk Funny

Money

There are all kinds of ways of describing the price of something. If you went to the Boeing Aircraft Company and asked them what it costs to fly a 747 coast to coast, they wouldn't tell you "fifty-two thousand dollars." They would tell you eleven cents per passenger mile.

Salespeople call that breaking it down to the ridiculous. Haven't we all had a real estate salesperson say to us at one time or another, "Do you