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Optimizing negotiation processes:

PHASE 1 – THE PRELIMINARY CONVERSATION

#1/4

Your Access to Efficient Negotiations

Introduction

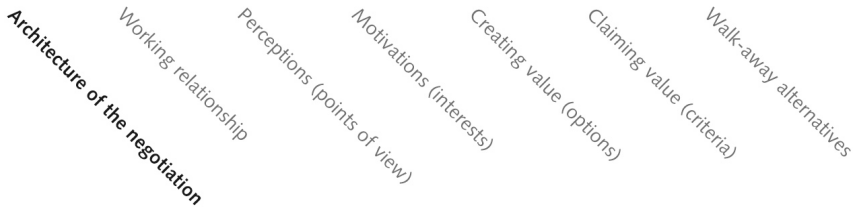
A negotiation does not only start when the parties meet at the table. It actually starts as soon as one party contacts the other one(s), often by telephone, and suggests that one could meet for a negotiation.

During that first, preliminary conversation, one should not only decide when and where to meet. The quality and efficiency of an upcoming negotiation can be markedly increased if one also discusses the following questions: what is the reason for being of this negotiation, how do we want to prepare it and how do we want to conduct it? – i.e.: when one negotiates the "architecture of the negotiation" before starting the negotiation proper.

The people in the best position to conduct the preliminary conversation are those who either have the final decision power or will have the responsibility of leading the delegations.

This booklet is the first one in a series of four. The other three deal with the next phases of an optimal negotiation process:

- Phase 2 – the preparation of the negotiation
- Phase 3 –the negotiation itself
- Phase 4 – the debriefing of the negotiation



Topics and issues


Reason for being

- Are both/all parties of the opinion that entering into a negotiation is worthwhile at this stage – and if yes, why?

- Which task(s) – which should be meaningful for both/all parties – should be accomplished during the negotiation (e.g.: determine the modalities of a collaboration, resolve a conflict, etc.)?

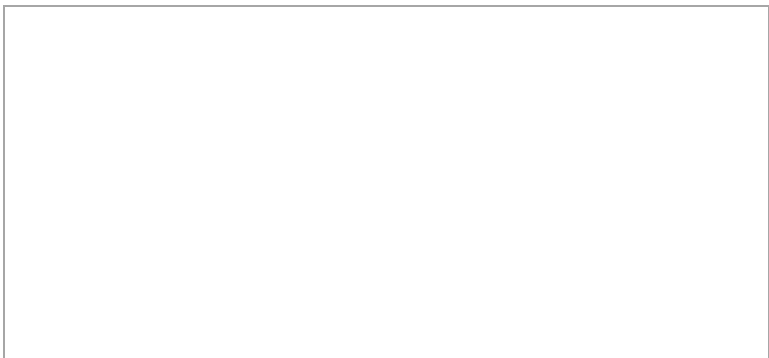
● Composition of the delegations

- Which criteria should be used to select the individuals who will take part in the negotiation?
- Do the people involved already know one another – and if not, what shall we do about it?



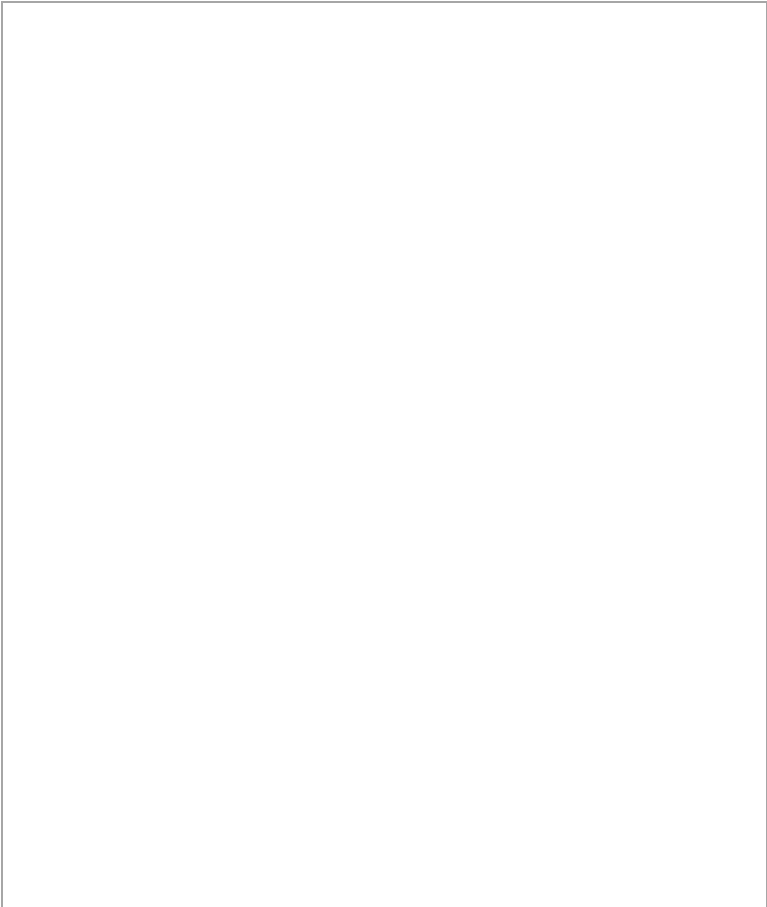
● Logistics

- Where should the negotiation take place?
- How should the meeting room look like (style, seating arrangement, moderation materials, equipment, etc.)?
- What should we foresee in terms of food and drinks?
- Who should take over the costs (meeting room rentals, catering, etc.)?



Working relationship

- What should we do to foster a good and positive climate during the negotiation?
- Are there some relationship problems and conflicts at the individual or institutional level – and if yes, what should we do in order to address and resolve them?
- Should we foresee some social events?



Architecture of the negotiation / Standard questions

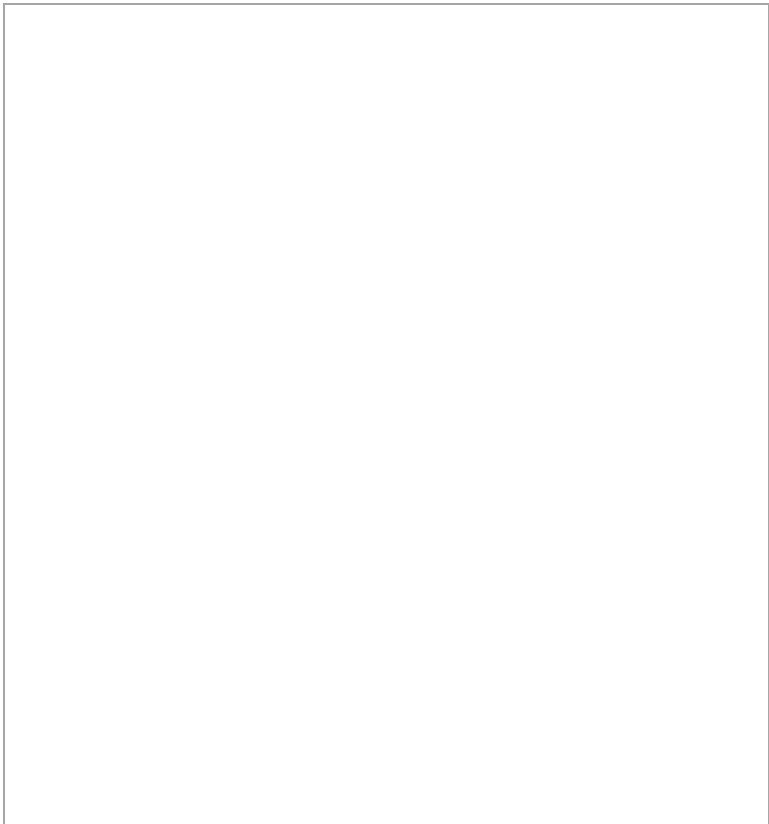
■ Agenda:

- Which topics and issues should we address during the negotiation – and in which sequential order?
- How much time is available and how shall we allocate it?

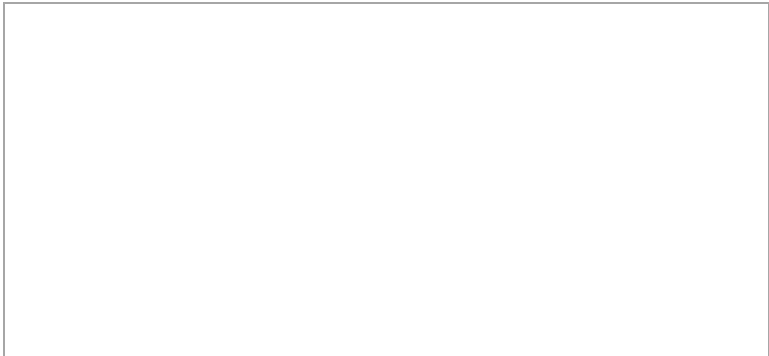
Topics and issues	Time

Architecture of the negotiation / Additional standard questions

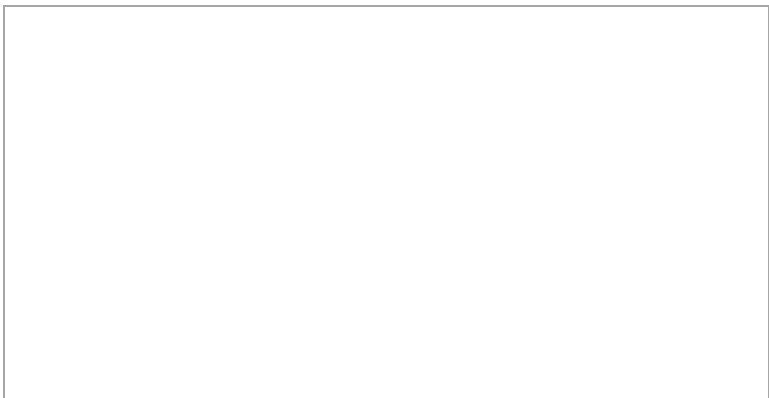
- Should the individuals who have the final decision power be present right from the beginning, or should they join at a later stage – and why?
- Would both/all of us agree to prepare ourselves in the same way – i.e.: by using the same preparation checklist?
- Should we adopt some ground rules in order to increase the productivity of the meeting(s) – and if yes, which ones?
- Should we entrust a neutral facilitator with the task of managing the negotiation process?
- Should we take meeting minutes – and if yes, who should do it?



- Architecture of the negotiation / Special questions (in case of a complex negotiation)
 - If we can expect that the negotiation will take quite a long time, how many meetings shall we plan (und what should be accomplished at the end of the first meeting)?
 - In case of a multiparty negotiation: should we create a body in charge of coordinating the discussions or entrust a neutral third party with this task?
 - etc.



- Other topics or issues to be addresses during the preliminary conversation





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Opportunities and risks in the negotiation process

