



**JOINTLY CLARIFY:**

1. Purpose of the negotiation

Why does this negotiation take place (from the standpoint of both parties)? Which task should we accomplish together (e.g. define the modalities of our collaboration, resolve the conflict, etc.)?

2. Points of view

2.1 What is our perception of the problem, of the issues to be discussed?

2.2 What is probably the point of view of the other party?

3. Interests

3.1 What are the needs and fundamental interests which the result of the negotiation should allow us to fulfill? (*Caution: do not pre-empt the result of the negotiation by trying to agree within the team on a "position".*)

3.2 What are probably the needs and fundamental interests of the other party?

3.3 What are probably our common interests?

4. Options

Which ideas on some realistic ways to serve our interests could we bring into the discussion? How could we jointly with the other party create mutual gains?

5. Legitimacy

Which decision criteria or decision procedure could we propose in order to resolve our conflicting interests in such a way that the solution could be perceived on both sides as understandable and fair?

6. Alternatives

6.1 What will we do, if we can't reach an agreement?

6.2 What is the other party likely to do, if we can't reach an agreement?

7. Working relationship

What should we do to foster a good working relationship with the other party – i.e.:

- good listening on both sides;
- creative thinking to find solutions which could satisfy the interests of both parties;
- mutual trust;
- etc.

## 8. Architecture of the negotiation

What should we do or suggest in order to make the conversation as productive and time-efficient as possible – i.e.: in order to avoid a chaotic meeting?

In particular, what should we suggest in terms of:

- agenda
- time management
- ground rules
- creation of working sub-groups
- layout of the room and seating arrangements
- facilitation (incl. writing the minutes)
- etc.

## 9. Delegations management

9.1 How shall we distribute roles and tasks within our delegation:

- Who will deal with the content – i.e.: who shall explain our point of view, discuss the substantive issues, express ideas and suggest options, make commitments, etc.?
- Who will deal with the process – i.e.: who shall negotiate the architecture of the negotiation (see question 8 above), who shall determine who speaks next, who shall make sure that one sticks to the agenda, who shall manage time, who shall mostly listen and observe, who shall take notes, etc.?

9.2 Who shall lead the delegation (and which kind of leadership should that be)?

9.3 Which level of commitment should we aim at (i.e.: exploring options vs. closing a deal)?

9.4 How shall a member of the delegation proceed if he/she wants to ask for a time-out?

### **RECOMMENDATIONS:**

- **At least 50% of the preparation time should be devoted to the discussion of the questions 7, 8 and 9!**
- Nominate a facilitator for the meeting of the team and give him/her a clear assignment – i.e.: authority.
- In the interaction between the moderator and the other members of the team: strive to find a good balance between discipline and respect for divergent opinions.
- Nominate a note-taker who will capture the thoughts expressed by the members of the team, summarize and structure them (e.g. drafting the final list of issues to be dealt with, the proposed agenda, the list of the interests to be presented and pursued by the delegation, etc.), prepare the visual supports which shall be used during the negotiation.
- Designate the individuals who will take care of the interests of the moderator and the note-taker regarding the negotiation itself (those two persons should be able to focus all their attention on moderating and note taking!).
- Follow rigidly the preparation checklist. If time is short, focus on the main points: working relationship, architecture of the negotiation, delegation management, interests and alternatives (questions # 7, 8 and 9 + 3 and 6).