

NCE NEGOTIATIONWORKSHEET

NCE NEGOTIATIONS WORKSHEET		
	You	Opposite
<i>Position Aspiration / Reservation Points</i>		
<i>Prioritized Interests</i>		
<i>BATNAs</i>		
<i>Agenda</i>		
<i>Develop Options for Mutual Gain</i>		
<i>ZOPA</i>		
<i>Select the Best Option</i>		

NCE NEGOTIATION WORKSHEET (EXPANDED)

NCE Negotiation Worksheet (Expanded)		
<p>NOTE: This section will help you fill out the above information. A separate sheet of paper is needed to makes notes on the cross-cultural considerations (referenced below).</p>		
	You	Opposite
<p><u>Position:</u> What do you want?</p> <p><u>Aspiration Point:</u> What is the best you could hope for?</p> <p><u>Reservation Point:</u> What is the least you are willing to accept?</p>	<ul style="list-style-type: none"> - What is “our” position? -- Is the position unique to a single organization, or must the scope of the position include other organizations (other stakeholders)? - Is this a new situation or the continuation of another situation? - Are there any “in-force” agreements? - What does your organization / chain of command / team want to have happen? - What is the rationale for this position? 	<ul style="list-style-type: none"> - What is the opposite’s position(s)? - Do they present any “in-force” agreement to support the opposite’s position? - Do they see it as a new situation or the continuation of another situation? - Is there precedent / tradition? - What does the opposite’s chain of authority (COA) look like? What do you think the COA desires as the opposite’s “best position”? - Rationale for the position?
<p><u>Prioritized Interests</u></p> <p><u>Why</u> do I want above outcome?</p> <p>How important is each interest?</p> <p>Which is the most important, least important, etc?</p>	<p>- List (and prioritize) what your interests are (and what is the context / situation / conditions / environment BEHIND the position that creates the position)</p> <ol style="list-style-type: none"> 1. From your perspective, what are the overarching issues? What are other stakeholders’ (if any) overarching issues? 2. From your perspective, what are issues specific to this region outside of this individual case (economic, political, cultural, etc.)? 3. From your perspective, what are issues specific to this individual case (for example: AFIs, SOFA, laws, existing contracts / agreements, maximize a gain or minimize a loss, 	<p>List (and prioritize) what the opposite’s interests are in this case (what is the context / situation / conditions / environment BEHIND the position that creates the position)</p> <ol style="list-style-type: none"> 1. From the opposite’s perspective, what are the overarching issues? What do they think ours might be?(avoid mirror imaging, strive to put issues in the opposite’s context) 2. From the opposite’s perspective, what are issues specific to the other main party to the negotiations (and / or other interested parties with power) outside of this individual case (economic, political, cultural, etc.)? What are the opposite’s issues? Why might they be interested in the negotiations? 3. From the opposite’s perspective, what are issues specific to this individual case (for example: AFIs, SOFA, laws, existing contracts / agreements, maximize a gain or

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	<p><i>political issues, economics, tradition, etc.)? Do you see this as an individual case or part of a larger situation?</i></p>	<p><i>minimize a loss, political issues, economics, tradition, etc.)? What might the opposite's perceptions be</i></p>
<p>Prioritized Interests <i>(continued)</i></p>	<p>4. <i>Identify your stakeholders. What are the stakeholder's positions and interests? What are the opposite's relationships with the other parties and with each other? Who has power, why and how can it be affected?</i></p> <p>5. <i>Are there any interrelations between issues? (For example, if I execute an economic policy in response to this case, what will the effect be on other elements of my relationship with the opposite's government? Might other parties (i.e. stakeholders) relationships change (how and why?)</i></p> <p>6. <i>What does your side want the situation to be AFTER the negotiations conclude (what is/are the long-term interest(s))? Do all stakeholders share the same long-term goal?</i></p> <p>7. <i>What is your assessment of the level of trust between you and the opposite? Is it process trust, personal trust, or some of both? Do they trust you? If so why? What can you do to maintain that trust? If not why? What can you do to build trust?</i></p>	<p><i>of ours? Does the opposite see this as an individual case or part of a larger situation?</i></p> <p>4. <i>Identify the opposite's potential stakeholders. What are those stakeholder's positions and interests? What are the opposite's relationships with your parties and with each other? Who has power, why and how can it be affected?</i></p> <p>5. <i>What does the opposite see as the interrelations between issues? (For example, if they execute an action within their legal system, what might be the effect on other elements of the opposite's relationship with your stakeholders?)</i></p> <p>6. <i>What do you think they want the situation to be AFTER the negotiations conclude (what is/are the opposite's perceptions of long-term interest(s))?</i></p>
<p>BATNAs (Best Alternative to a Negotiated Agreement)</p> <p>What do I have the will and the resources to do</p>	<p><i>BATNA: an action that may be pursued by your side without any consultation or agreement by the opposite.</i></p> <ul style="list-style-type: none"> - <i>Determine your "unilaterally executable options" if you "leave the table". What is the "best"? What might be the "worst" (WATNA)?</i> - <i>Within each of these unilateral options, what is /are the desired</i> 	<p><i>A BATNA may also be pursued by the opposite without any consultation or agreement by you.</i></p> <ul style="list-style-type: none"> - <i>Estimate the opposite's "unilaterally executable options" if they "leave the table"</i> - <i>Within each of these unilateral options, what is /are the desired response(s) they might want from</i>

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<p>if I don't reach an agreement with the opposite?</p> <p>What might they do?</p>	<p><i>response(s) from the opposite?</i></p> <ul style="list-style-type: none"> - <i>Within each of these unilateral options, what action by the opposite might trigger this event?</i> - <i>Within each option, how might your stakeholders respond?</i> - <i>Within each option, what are some possible 2nd, 3rd order effects that are undesirable to your position?</i> - <i>Within each unilateral option, how will executing the option affect your long-term relationship with the opposite? With your stakeholders?</i> - <i>Within each unilateral option, how much does the opposite know about the option? How much power / ability do they have to weaken your BATNA options?</i> 	<p><i>you</i></p> <ul style="list-style-type: none"> - <i>Can they impact a stakeholder that can, in turn, exert influence on your BATNA?</i> - <i>Within each unilateral option, what action by you might trigger this event?</i> - <i>Within each unilateral option, how might the opposite's stakeholders respond? How might your stakeholders respond?</i> - <i>Within unilateral each option, what are some possible 2nd, 3rd order effects that are undesirable to the opposite's position? To the opposite's stakeholder's position? To your position? To your stakeholder's position?</i> - <i>Within each option, how will executing the option affect the opposite's long-term relationship with you? With your stakeholders?</i> - <i>Within each option, how much do you know of the details? How much power / ability do you have to weaken the opposite's BATNA options?</i>
<p>Develop Options for Mutual Gain</p>	<p><i>Satisfying as many interests of both parties as possible.</i></p> <ul style="list-style-type: none"> - <i>Where might your interests and the interests of the opposite coincide?</i> - <i>Are there areas of mutual agreement?</i> - <i>What actions (or combination of actions) might support the attainment of these mutual interests?</i> - <i>How might these actions be coordinated? Verified?</i> 	
<p>ZOPA</p>	<p><i>Identify your Zone of Possible Agreement (ZOPA). A ZOPA is the overlap between two ranges. The first is the range from the least you'll accept to the best you can possibly hope to get. The second is the opposite's range from the least they'll accept to the best they can possibly hope to get. How does this change during your negotiations?</i></p> <ul style="list-style-type: none"> - <i>Gather information & identify the ZOPA</i> - <i>Test assumptions and motives</i> - <i>Learn from the opposite. Listen carefully and ask clarifying and follow-up questions. Separate assumptions from facts.</i> - <i>Be prepared to learn/modify as facts are unveiled.</i> - <i>Understanding priorities and why the priorities are the way they are</i> - <i>Brainstorming – is the opposite amenable to divergent thinking and</i> 	

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	<i>brainstorming?</i>
Select the Best Option	<p>Which Negotiation Strategy offers the best chance of success?</p> <p>Which strategy does the TIPO analysis recommend?</p> <p><i>Low Trust, high Power Over: Insist Strategy</i> <i>High mutual Trust, Information sharing, high Power With: CNS</i> <i>Low or no Trust, Information, Power, Options: Evade</i> <i>High Trust, low Information and Power: Evade, Comply, or Settle</i> <i>Some Trust, some Information, no Power advantage: Settle</i></p> <p>Objective Criteria</p> <p><i>What criteria can parties agree to as objective measures of merit for each option?</i></p> <p><i>History, precedent, third party standards, industry standards, law, tradition, etc.</i></p> <p><i>Where are possible sources for objective selection criteria?</i></p> <p><i>a. Within the respective parties' constructs (civil, criminal, social, political, economic, etc)? – What is the relevant law?</i></p> <p><i>b. Within the region? – might there be regional criteria to consider?</i></p> <p><i>Other examples within the region (especially if the example is of a regional power that the countries both respect)</i></p> <p><i>c. Within bilateral documents / agreements? (SOFA, etc.)</i></p> <p><i>d. Within regional documents / agreements? (Might there be a regional / coalition agreement?</i></p> <p><i>e. Within international agreements / agreements?</i></p> <p><i>f. Is there any precedent? (Where has this happened before?)</i></p> <p><i>g. Does the culture consider “golden rule” type criteria “do unto others....”? Is there other “quid pro quo” criterion that is part of the social fabric and / or custom? How is it enforced?</i></p> <p><i>h. For the military context, a potential tool to help select the best idea from all the ideas is to see which option idea best supports the top interest(s) of BOTH sides equitably (not necessarily equally)</i></p>

CULTURAL CONSIDERATIONS

<p><i>(Do not spend too much time in this area. A simple review and a few notes is all that is needed for your next IP)</i></p>	<p>Cultural Considerations / Perspectives Guide</p> <p>The questions below ask you to examine and consider both the opposite’s culture as well as yours. Perspective taking is critical in cross-cultural negotiations. It is suggested you answer these questions first on how you perceive the opposite and then “mirror image” to see how the opposite might perceive you. Then take the perspective of how you see yourself and how the opposite might see themselves. Insights from these four perspectives should be instructive to your negotiations. What is critical is not what you think you are culturally, but what the opposite thinks you are – because that is what they will base the opposite’s planning and action upon.</p>
<p>Cultural Issues</p>	<p><i>SECTION I: Culture considerations</i> <i>This is several general questions/information to help you consider both your culture and the opposite’s culture</i></p> <p><i>Individualistic or communal culture (Individualist or Collectivist)?</i></p> <ul style="list-style-type: none"> - <i>Individualistic: Sets value according to what you do/individual achievement. Independence is valued and compartmentalization of life is accepted. Individual needs may take priority over group needs. Competitive and rewards based.</i> <div style="text-align: right;">Mantra: Live to work</div> - <i>Collectivist: Sets value on who you are and where you come from. Lineage is valued as is association with groups. Groups’ needs take a higher priority than individual needs. Life is not compartmentalized and is seen as a whole of interconnected parts – you affecting all and all affecting you. Cooperation is valued and rewarded with prestige.</i> <div style="text-align: right;">Mantra: Work to Live</div> <p><i>Negotiation’s Purpose: Is the priority on “sealing the deal” or to “cultivate / maintain and relationship”?</i></p> <ul style="list-style-type: none"> - <i>Individualists see negotiations more as a problem solving method – process to achieve an end state. Problems are dissected and solutions offered. Usually Inductive reasoning is used (generalized conclusions from observing specific events / instances). May prefer specific legalistic documents (contract law)</i> - <i>Individualists may also consider the issue at hand in isolation “Let’s solve this problem and move on”</i> - <i>Collectivists may see negotiations as a necessary evil as other lower processes to resolve issues have failed. May approach the process with deductive reasoning (conclusions to the specific flow from general irrefutable principles). May prefer general agreements without much detail</i> - <i>Collectivists may also consider the issue at hand as one step in a seemingly endless flow. Previous issues impact this issue (baggage) and this issue impacts other unforeseen future issues. “This problem is but one in a series of problems, let us examine the ideas to resolve it”. An Individualist based “solution” may not be seen in a Collectivist culture as a true “solution”</i>

CULTURAL CONSIDERATIONS

Linear approach or relative approach to time?

- *Individualists may emphasize punctuality and precise agendas. Time is to be spent “wisely” on the task at hand. Time is a resource to be marshaled – each second as valuable as the other. A schedule defines the process and at the end of the process, the problem needs a solution.*
- *Collectivists may emphasize time as a gift to be shared to show respect for the other. Time with friends is more important than time spent in other manners. Punctuality is not critical, nor even desired. A social process defines the schedule and since the social process may be never-ending, so a solution is not critical.*