



جامعة محمد بوضياف بالمسيلة
UNIVERSITY MOHAMED BOUDIAF OF MSILA



كلية: العلوم الاقتصادية والتجارية وعلوم التسيير
Faculty of Economic, Commercial and Management Sciences
قسم: العلوم الاقتصادية
Department of : Economic Sciences

Courses Handout in: Negotiation and Economic Diplomacy

Courses Handout presented to: First-Year Master's Students
Specialization : International Economics

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University Year: 2024/2025

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Courses Handout in Negotiation and Economic Diplomacy

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Introduction

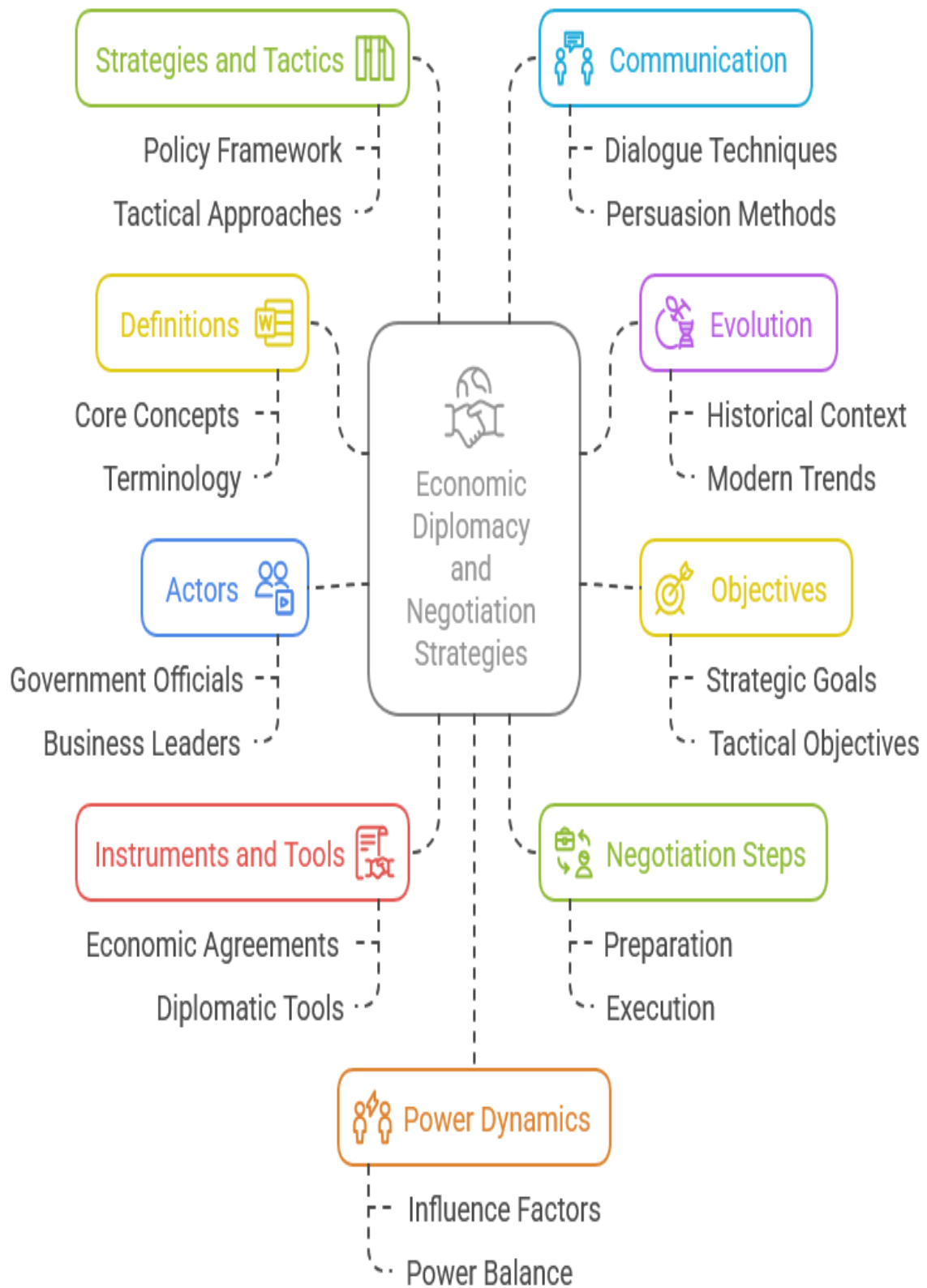
Negotiation and economic diplomacy are now fundamental pillars of modern international relations. In an era of globalization and growing economic interdependence, states have gradually transformed their traditional diplomatic approaches to incorporate more significant economic dimensions. This shift is taking place in a context where a country's power is no longer measured solely by its military strength, but also by its ability to exert influence in the economic, commercial, and financial spheres.

The topic of international negotiation is considered among the vital and very important topics in the fields of international economic, given that it provides the skills and tools that help marketing personnel and business personnel to negotiate effectively and conclude profitable deals in international markets.

This publication provides many skills in the field of Diplomacy and economic negotiation, not only for marketing personnel or business personnel, but for anyone who needs and practices negotiation or wants to learn about its nature and skills, considering that negotiation is a human life skill that everyone needs and practices.

In defining the topic of international negotiation and its most important related topics, this publication came, which is the result of eight years of teaching the International economic course to Lmd and Master undergraduate students, in the Department of economic Sciences at Mohamed Boudiaf University in M'sila.

This publication contains - and it is compatible with the curriculum determined by the supervising ministry at the level of Master International economic undergraduate.



Chapter One:

Economic Diplomacy (Definitions, Evolution, Objectives, actors, Instruments and Tools...)

Firstly - Economic Diplomacy:

Navigating the Intersection of Wealth and Power in the 21st Century

Economic Diplomacy is a subject of ever-increasing importance in our interconnected world:

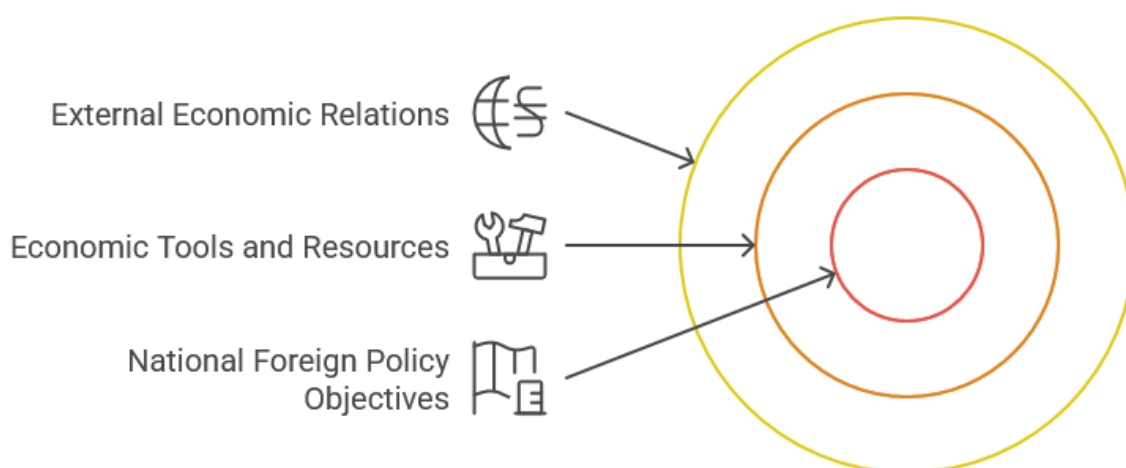
For centuries, diplomacy has been primarily understood through the lens of political and security concerns – peace treaties, alliances, border disputes. However, as global economic interdependence has deepened, the lines between the political and the economic have blurred, giving rise to a field where economic tools are explicitly used to achieve foreign policy objectives, and where foreign policy is increasingly shaped by economic imperatives.

Today, we will embark on a comprehensive exploration of economic diplomacy. We will define its contours, trace its evolution, identify its key actors and instruments, examine its contemporary applications, and grapple with the challenges and ethical considerations it presents. By the end of this lecture, you should have a robust understanding of how nations, and indeed other actors, leverage economic means to pursue their interests and shape the global order.

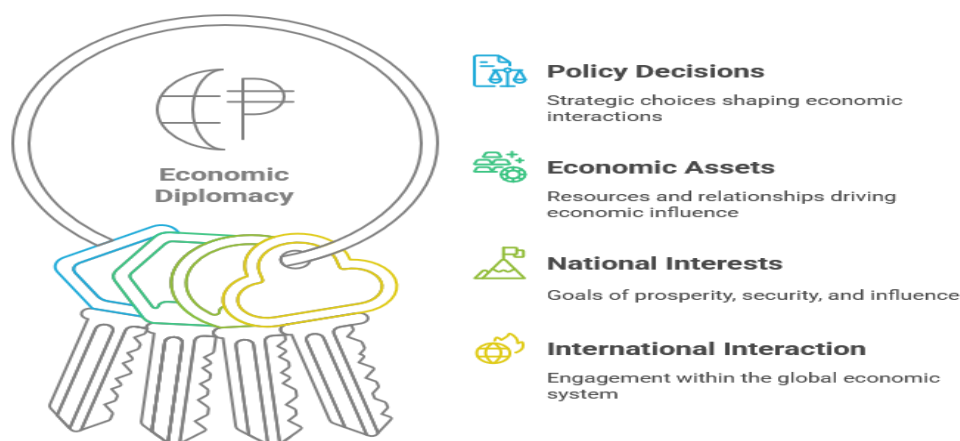


Secondly- What is Economic Diplomacy?

- **Definition 1 (Broad):** The use of economic tools, resources, and policies to achieve national foreign policy objectives.
- **Definition 2 (Focused):** The process through which countries conduct their external economic relations, including activities like trade promotion, investment attraction, participation in international economic institutions, and the use of economic leverage.



- **Key Elements:**
 - Policy decisions and activities of states.
 - Utilisation of economic assets and relationships.
 - Pursuit of national interests (economic prosperity, security, influence).
 - Interaction within the international economic system.



Let's start by establishing a working definition. At its core, economic diplomacy involves the application of economic instruments – be they trade policies, investment agreements, financial sanctions, or development aid – to advance a nation's strategic goals on the international stage. Conversely, it also involves shaping foreign policy to support and enhance national economic well-being. It's a two-way street where economic considerations influence foreign policy, and foreign policy tools are deployed for economic ends.

Nicholas Bayne and Stephen Woolcock, prominent scholars in this field, define it as being concerned with "how states conduct their external economic relations, how they make decisions on economic issues and how they use economic resources for foreign policy ends." It is, therefore, not just about promoting exports or attracting investment, though these are crucial components. It is also about shaping the rules of the global economic game, managing economic crises, and using economic leverage to influence the behaviour of other states.

Thirdly -The Evolution of Economic Diplomacy

- **Ancient & Mercantilist Era:** Trade routes, resource control (e.g., Silk Road, Spice Trade). States directly managing economic enterprises for power.
- **19th Century & Colonialism:** Economic exploitation as a primary driver of foreign policy. Gunboat diplomacy to open markets.
- **Post-WWI & Interwar Period:** "Beggars-thy-neighbour" policies, reparations, trade wars contributing to global instability.
- **Post-WWII & Bretton Woods:** Creation of IMF, World Bank, GATT to foster economic stability and cooperation, preventing a repeat of interwar chaos. Economic diplomacy focused on multilateralism.
- **Cold War:** Economic aid and trade blocs (COMECON vs. Marshall Plan) as tools of ideological competition.
- **Post-Cold War & Globalization:** Rise of neoliberalism, focus on market liberalization, explosion of FTAs, emergence of new economic powers (BRICS).
- **21st Century & Geoeconomics:** Increased strategic use of economic instruments for geopolitical competition. Rise of economic nationalism alongside interdependence.

Economic diplomacy is not a new phenomenon. Its roots can be traced back to ancient civilizations vying for control of vital trade routes like the Silk Road. The mercantilist era saw European powers explicitly linking economic prosperity with national power, often through state-sponsored trading companies and colonial expansion.

The 19th century witnessed "gunboat diplomacy," where naval power was used to force open markets, most notably in China and Japan. The catastrophic economic policies of the interwar period, characterized by protectionism and competitive devaluations, underscored the dangers of uncoordinated economic nationalism and provided a stark lesson that informed the post-World War II order.

The establishment of the Bretton Woods institutions – the International Monetary Fund (IMF), the World Bank, and the General Agreement on Tariffs and Trade (GATT), later the World Trade Organization (WTO) – marked a pivotal moment. This was an attempt to embed liberal economic principles within a multilateral framework, fostering stability and cooperation. Economic diplomacy during this period was heavily channelled through these institutions.

The Cold War saw economic tools, such as the Marshall Plan and COMECON, deployed as instruments of superpower rivalry. With the end of the Cold War and the acceleration of globalization, economic diplomacy entered a new phase. The emphasis shifted towards market liberalization, deregulation, and the negotiation of numerous Free Trade Agreements (FTAs). New economic powerhouses, notably China and other BRICS nations, began to reshape the global economic landscape.

Today, we are arguably in an era of "geoeconomics," where the strategic manipulation of economic interdependence for geopolitical advantage is paramount. We see a complex interplay of deep interdependence alongside rising economic nationalism and great power competition, making economic diplomacy more critical and more complex than ever before.

Fourthly - Core Objectives of Economic Diplomacy

Promoting National Economic Prosperity:

- Increasing exports and market access for domestic firms.
- Attracting Foreign Direct Investment (FDI) and technology transfer.
- Securing access to vital resources (energy, raw materials).
- Enhancing national competitiveness.

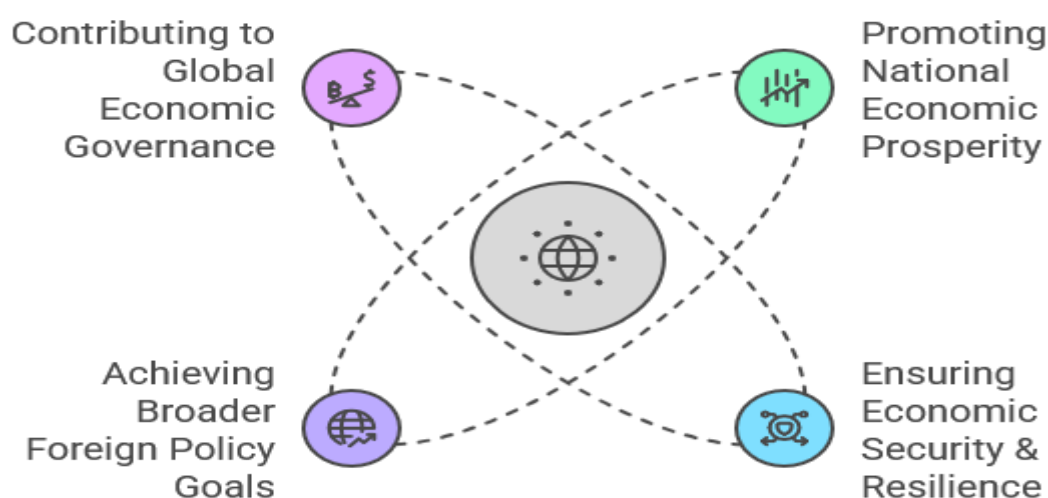
1- Ensuring Economic Security & Resilience:

- Diversifying economic partners and supply chains.
- Protecting strategic industries.
- Managing economic shocks and crises.
- Countering economic coercion.

2- Achieving Broader Foreign Policy Goals:

- Projecting soft power and influence.

- Building alliances and partnerships.
 - Promoting political values (democracy, human rights – though often contested).
 - Isolating or sanctioning adversaries.
- 3- Contributing to Global Economic Governance:**
- Shaping international economic rules and norms.
 - Participating in multilateral economic institutions.
 - Addressing global challenges (climate change, pandemics, financial stability).



The objectives of economic diplomacy are multifaceted. Primarily, states engage in economic diplomacy to enhance their national economic prosperity. This involves a range of activities: trade promotion missions to open new markets for domestic goods and services; negotiating FTAs to reduce barriers to trade; actively seeking Foreign Direct Investment to bring in capital, technology, and jobs; and securing reliable access to essential resources like energy and critical minerals.

Secondly, economic diplomacy is crucial for ensuring economic security and resilience. In an uncertain world, this means diversifying trade partners and supply chains to avoid over-reliance on any single source, protecting industries deemed vital for national security, developing mechanisms to withstand economic shocks (like financial crises or pandemics), and building capabilities to counter economic coercion from other states.

Thirdly, economic instruments are often deployed to achieve broader foreign policy goals. Development aid can be a tool of soft power, fostering goodwill and dependence. Trade agreements can cement strategic alliances. Conversely, economic sanctions can be used to pressure regimes to change their behaviour, or to isolate them internationally. Some nations also attempt to use economic leverage to promote their political values, though this is often contentious and can be perceived as interference.

Finally, economic diplomacy plays a role in contributing to global economic governance. This involves participating in institutions like the WTO, IMF, and World Bank to shape the rules that govern international economic interactions. It also means collaborating on transnational challenges that have significant economic dimensions, such as climate change, global health security, and financial stability.

Fifthly -Key Actors in Economic Diplomacy

- **Nation-States (The Primary Actors):**
 - Ministries of Foreign Affairs: Traditionally political, now increasingly incorporating economic desks/departments.
 - Ministries of Trade/Commerce/Economy: Lead on trade negotiations, export promotion.
 - Ministries of Finance & Central Banks: Manage international financial relations, exchange rates, contributions to IFIs.
 - Embassies and Consulates: On-the-ground implementation, economic reporting, business facilitation.
 - Heads of State/Government: Often play a direct role in high-level economic negotiations.
- **International Governmental Organizations (IGOs):**
 - WTO, IMF, World Bank, OECD, UNCTAD.
 - Regional Development Banks (AfDB, ADB, EBRD, IDB).
 - Regional Economic Blocs (EU, ASEAN, Mercosur, AfCFTA).
- **Non-State Actors:**
 - Multinational Corporations (MNCs): Huge economic footprint, lobby governments, implement investments.
 - Business Associations & Chambers of Commerce: Advocate for business interests.

- Non-Governmental Organizations (NGOs): Advocate for development, human rights, environmental standards in economic agreements.
- Credit Rating Agencies & Financial Institutions: Influence capital flows and perceived economic stability.
- **Sub-National Entities:**
 - States, provinces, and major cities increasingly conduct their own "para-diplomacy" to attract investment and promote trade.

Characteristic	Nation-States	International Governmental Organizations	Non-State Actors	Sub-National Entities
 Key Ministries	Foreign affairs with economic desks	Not applicable	Not applicable	Not applicable
 Trade Focus	Trade negotiations, export promotion	WTO, UNCTAD, Regional Economic Blocs	Multinational corporations, business associations	Attracting investment and promoting trade
 Financial Role	Manage finances, exchange rates	IMF, World Bank, Regional Banks	Credit rating agencies, financial institutions	Not applicable
 Diplomatic Presence	Embassies and consulates	Not applicable	Non-governmental organizations	Para-diplomacy efforts
 Leadership Role	Heads of state/ government	Not applicable	Not applicable	Not applicable

While nation-states remain the principal actors in economic diplomacy, the landscape is far more crowded today.

Within the state apparatus, responsibility is often distributed. Ministries of Foreign Affairs, traditionally focused on political diplomacy, now almost universally have dedicated economic sections. Ministries of Trade, Commerce, or Economy take the lead on trade policy, negotiations, and export promotion. Ministries of Finance and Central Banks are crucial for international financial diplomacy, managing currency issues, and relations with International Financial Institutions (IFIs). Embassies and consulates are the front line, gathering economic intelligence, facilitating business contacts, and representing national economic interests abroad. Heads of state themselves are increasingly involved in "summit diplomacy" with a strong economic component.

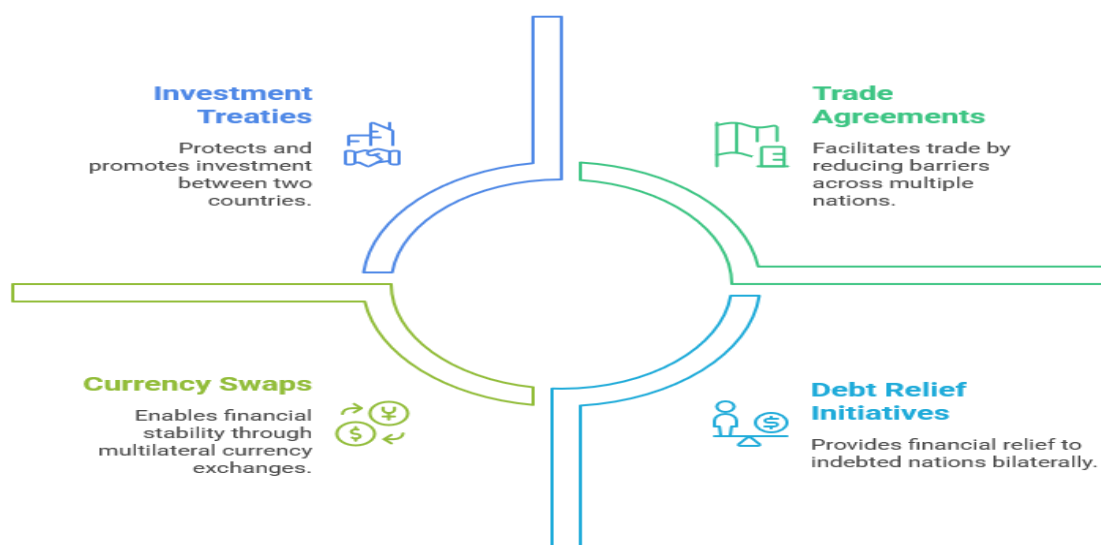
International Governmental Organizations (IGOs) are vital arenas and actors. The WTO sets the rules for global trade. The IMF provides financial assistance and surveillance. The World Bank funds development projects. Regional bodies like the European Union (which has a common commercial policy) or ASEAN also play significant roles.

The influence of non-state actors cannot be overstated. Multinational Corporations (MNCs), with their vast resources and global reach, are powerful players. They lobby governments, make investment decisions that can transform economies, and are often central to the implementation of economic policies. Business associations advocate for their members' interests. NGOs, on the other hand, often act as watchdogs, pushing for greater transparency, accountability, and the inclusion of labour, environmental, and human rights considerations in economic agreements. Even credit rating agencies wield enormous influence through their assessments of sovereign debt.

Finally, sub-national entities like large cities or federal states are increasingly engaging in their own forms of economic diplomacy, seeking to attract investment and promote their local economies on the global stage.

Sixthly- Instruments and Tools of Economic Diplomacy - Positive/Promotional

- Trade Agreements (Bilateral, Regional, Multilateral - FTAs, RTAs): Reducing tariffs and non-tariff barriers.
- Investment Treaties (Bilateral Investment Treaties - BITs): Protecting and promoting foreign investment.
- Export Promotion: Trade missions, export credits, insurance, marketing support.
- Attracting FDI: Investment promotion agencies, incentives, favourable regulatory environments.
- Development Aid & Assistance (ODA): Grants, concessional loans, technical assistance (can be tied or untied).
- Economic & Technical Cooperation Agreements.
- Debt Relief Initiatives.
- Currency Swaps and Financial Support Lines.
- Setting Standards & Regulations: Influencing international standards to favour domestic industries (subtle but powerful).
- Diplomacy for infrastructure projects: (e.g., China's Belt and Road Initiative).



Economic diplomats have a diverse toolkit. These can be broadly categorized into positive/promotional tools and restrictive/coercive tools.

Let's first look at the positive or promotional instruments:

- **Trade Agreements:** These are perhaps the most visible tool. By reducing tariffs and non-tariff barriers, FTAs and RTAs aim to increase trade flows between signatory countries.
- **Investment Treaties (BITs):** These agreements provide legal protection for foreign investors, aiming to create a stable and predictable environment to attract FDI.
- **Export Promotion:** This encompasses a wide array of activities, from government-led trade missions and participation in international trade fairs to providing export credits, insurance, and marketing assistance to domestic firms.
- **Attracting FDI:** Most countries have investment promotion agencies (IPAs) tasked with showcasing investment opportunities, offering incentives, and streamlining regulatory processes for foreign investors.
- **Development Aid (ODA):** Official Development Assistance, whether in the form of grants, soft loans, or technical expertise, is a key tool, particularly for developed countries in their relations with developing nations. It can foster goodwill, address humanitarian needs, and sometimes create future markets or political alignment.
- **Economic and Technical Cooperation Agreements:** These formalize collaboration in specific economic sectors or on technical knowledge sharing.

- Debt Relief: Initiatives to forgive or restructure the debt of heavily indebted poor countries can be a powerful diplomatic tool, freeing up resources for development.
- Currency Swaps: Agreements between central banks to exchange currencies can provide financial stability and liquidity, particularly during crises.
- Standards Diplomacy: A more subtle but increasingly important tool is the effort to shape international technical standards and regulations (e.g., for telecommunications, AI, environmental products) in ways that favour a country's own industries or technological pathways.
- Infrastructure Diplomacy: Large-scale infrastructure projects, like China's Belt and Road Initiative, are a prominent form of economic diplomacy, projecting influence and creating economic linkages.

Seventhly- Instruments and Tools of Economic Diplomacy - Restrictive/Coercive

- **Sanctions:**
 - Trade Sanctions/Embargoes: Restricting imports/exports with a target country.
 - Financial Sanctions: Freezing assets, restricting access to financial markets.
 - Targeted/Smart Sanctions: Focusing on specific individuals, entities, or sectors (e.g., arms embargoes, travel bans).
- Tariffs and Non-Tariff Barriers (NTBs): Used strategically for protectionism or leverage.
- Export Controls: Restricting export of sensitive technologies or dual-use goods.
- Investment Screening/Restrictions: Blocking foreign investments in strategic sectors on national security grounds.
- Withdrawal of Aid or Preferential Trade Status.
- Economic Coercion/Warfare (Extreme): Deliberate actions to damage another state's economy.

On the other side of the coin are restrictive or coercive instruments:

- Sanctions: These are perhaps the most discussed coercive tool.
 - Trade Sanctions or Embargoes aim to cut off a target country from international trade.
 - Financial Sanctions are often more potent, involving freezing assets of targeted entities or governments, and cutting off their access to international financial systems (e.g., SWIFT).

- Targeted or "Smart" Sanctions have become more common, aiming to minimize harm to civilian populations by focusing on specific individuals (oligarchs, government officials), companies, or sectors (like defence or energy) deemed complicit in undesirable behaviour.
- Tariffs and Non-Tariff Barriers (NTBs): While often used for domestic protection, tariffs can also be deployed strategically as a coercive measure in trade disputes, as seen in recent US-China tensions.
- Export Controls: Governments restrict the export of certain goods, particularly dual-use technologies (items with both civilian and military applications) and advanced weaponry, to prevent proliferation or to deny strategic capabilities to adversaries.
- Investment Screening: Many countries have strengthened mechanisms to review and potentially block foreign investments in critical infrastructure or sensitive technology sectors on national security grounds.
- Withdrawal of Aid or Preferential Trade Status: Removing previously granted benefits can be a way to signal disapproval or exert pressure.
- Economic Coercion/Warfare: In its most extreme form, this involves deliberate, aggressive actions aimed at significantly damaging another state's economy as a means of geopolitical leverage, blurring the lines with outright conflict.

The effectiveness and ethics of coercive tools, particularly broad sanctions, are subjects of ongoing debate, given their potential humanitarian impact and often uncertain outcomes.

Eighthly- Contemporary Arenas & Applications of Economic Diplomacy)

- Trade Liberalization vs. Protectionism: Navigating WTO rules, negotiating FTAs, managing trade disputes.
- Investment Facilitation & Regulation: Balancing attraction of FDI with national security and public interest concerns.
- Development Cooperation & SDGs: Aligning aid with Sustainable Development Goals, South-South cooperation.
- Energy Diplomacy: Securing energy supplies, promoting renewable energy transitions, pipeline politics.
- Climate Change Diplomacy: Carbon markets, green finance, technology transfer for mitigation and adaptation.
- Digital Economy Diplomacy: Data flows, e-commerce rules, AI governance, cybersecurity.
- Health Diplomacy: Access to medicines/vaccines, pandemic preparedness, global health security.
- Critical Minerals & Supply Chain Resilience: Securing access to materials vital for green and digital transitions.

Economic diplomacy is practiced across a vast array of contemporary issues:

- The perennial tension between Trade Liberalization and Protectionism remains central. This involves negotiations within the WTO, the pursuit of bilateral and regional FTAs, and the management of increasingly frequent trade disputes.
- Investment Facilitation and Regulation requires a delicate balance. Countries want to attract FDI but are also increasingly cautious about foreign ownership in strategic sectors, leading to more robust investment screening.
- Development Cooperation is increasingly framed by the UN's Sustainable Development Goals (SDGs). Beyond traditional North-South aid, South-South cooperation (e.g., from China, India, Brazil) has become a significant feature.
- Energy Diplomacy is critical. This includes securing traditional fossil fuel supplies, navigating the geopolitics of pipelines, and increasingly, promoting the transition to renewable energy sources and managing the supply chains for green technologies.
- Climate Change Diplomacy has a huge economic dimension, involving negotiations over emissions reductions, the development of carbon markets, mobilization of green finance, and technology transfer for climate mitigation and adaptation.
- The Digital Economy is a rapidly expanding frontier for economic diplomacy. Issues include rules for cross-border data flows, e-commerce frameworks, the governance of Artificial Intelligence, digital taxation, and cybersecurity norms.
- Health Diplomacy, highlighted by the COVID-19 pandemic, involves ensuring equitable access to essential medicines and vaccines, strengthening global health security architectures, and pandemic preparedness.
- Critical Minerals and Supply Chain Resilience has shot up the agenda. Securing reliable and diversified access to minerals like lithium, cobalt, and rare earth elements – essential for batteries, electronics, and green technologies – is now a key strategic priority for many nations.

Ninthly- Challenges and Criticisms of Economic Diplomacy)

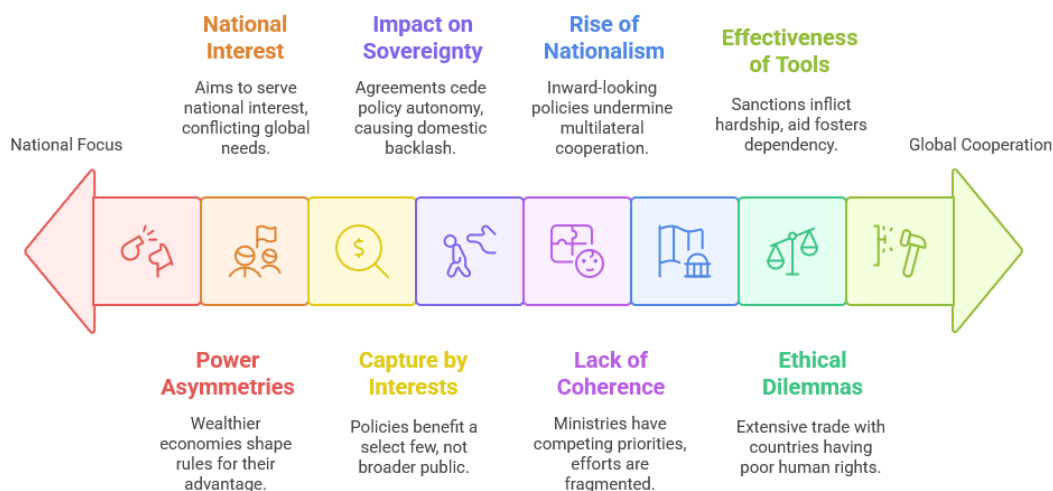
- Power Asymmetries: Developed vs. Developing countries; large vs. small economies. Larger economies often dictate terms.
- National Interest vs. Global Public Goods: Tension between pursuing narrow national gain and addressing collective challenges.
- Effectiveness of Tools: Sanctions often have unintended consequences or limited success. Aid can foster dependency or corruption.

- Capture by Special Interests: Corporate lobbying can unduly influence economic diplomacy objectives, prioritizing profit over public good.
- Ethical Dilemmas: Trading with or investing in autocratic regimes or countries with poor human rights records. "Weaponization" of interdependence.
- Impact on National Sovereignty: International agreements can constrain domestic policy space.
- Lack of Coherence: Different government agencies pursuing conflicting economic diplomacy goals.
- The Rise of Economic Nationalism: Undermining multilateral cooperation and leading to zero-sum thinking.

Despite its importance, economic diplomacy is fraught with challenges and criticisms:

- Power Asymmetries: The global economic system is not a level playing field. Larger, wealthier economies often have significantly more leverage than smaller, developing ones, enabling them to shape rules and outcomes to their advantage.
- National Interest vs. Global Public Goods: There's an inherent tension. While economic diplomacy aims to serve the national interest, this can sometimes conflict with the need to provide global public goods like climate stability or financial system integrity.
- Effectiveness of Tools: The instruments are not foolproof. Sanctions can inflict significant hardship on civilian populations without achieving their political objectives and can even entrench targeted regimes. Development aid, if poorly designed or managed, can foster dependency, corruption, or be ineffective.
- Capture by Special Interests: Economic diplomacy can be susceptible to lobbying by powerful corporate interests, potentially leading to policies that benefit a select few rather than the broader public.
- Ethical Dilemmas: Difficult choices abound. Should nations trade extensively with or invest in countries with poor human rights records or undemocratic governance? The "weaponization" of economic interdependence – using a country's reliance on another as a coercive tool – raises profound ethical questions.
- Impact on National Sovereignty: International economic agreements, by their nature, involve ceding some degree of policy autonomy. This can lead to domestic political backlash if perceived as undermining national sovereignty.
- Lack of Coherence: Within a single government, different ministries or agencies may have competing priorities or approaches to economic diplomacy, leading to fragmented or contradictory efforts.

- The Rise of Economic Nationalism: A resurgence of inward-looking, "me-first" economic policies can undermine the multilateral cooperation essential for tackling shared global challenges, fostering a zero-sum mentality.



Tenthly- The Future of Economic Diplomacy)

- Increased Geoeconomic Competition: Strategic use of economic tools as primary instruments of statecraft.
- Debates on Deglobalization/Reglobalization: Reshoring, friend-shoring, supply chain diversification.
- Reforming Multilateralism: Adapting institutions like WTO, IMF, World Bank to new realities and power distributions.
- The Imperative of Sustainability: Integrating climate, environmental, and social goals into all economic diplomacy.
- Technological Disruption: AI, big data, digital currencies will reshape economic interactions and the tools of diplomacy.
- Growing Role of Non-State Actors: MNCs, NGOs, and even cities will continue to gain influence.
- Focus on Resilience: Building robust national economies and supply chains capable of withstanding shocks.
- Need for "Minilateralism" and Issue-Specific Coalitions: Flexible groupings of states to address specific economic challenges.

Looking ahead, several trends will shape the future of economic diplomacy:

We are likely to see intensified geoeconomic competition, where economic instruments are not just adjuncts to traditional diplomacy but primary tools of statecraft and rivalry, particularly amongst major powers.

This will fuel ongoing debates about deglobalization or reglobalization. Rather than a full retreat from global interconnectedness, we may see a reconfiguration, with more emphasis on "reshoring" (bringing production home), "friend-shoring" (trading preferentially with allies), and diversifying supply chains for critical goods.

This necessitates a serious effort towards reforming multilateral institutions. The WTO, IMF, and World Bank need to adapt to reflect new economic power distributions and address 21st-century challenges more effectively, lest they become irrelevant.

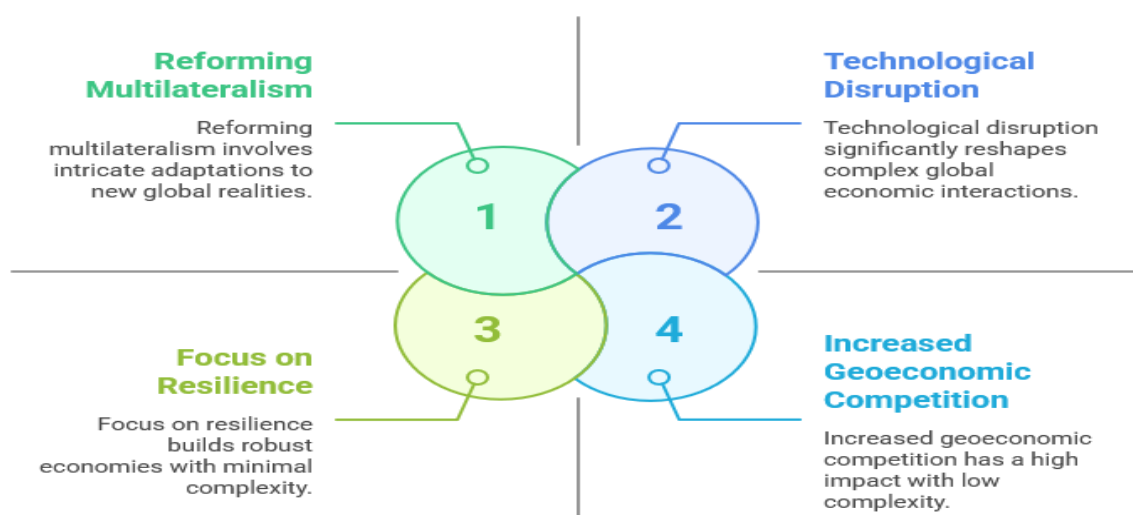
The imperative of sustainability will become even more pronounced. Integrating climate, environmental, and social considerations into trade agreements, investment decisions, and development aid will be non-negotiable.

Technological disruption – from Artificial Intelligence and Big Data analytics (which can inform economic intelligence) to digital currencies and blockchain – will profoundly alter economic interactions and create new domains for diplomatic engagement and potential friction.

The influence of non-state actors will likely continue to grow, requiring governments to engage more systematically with businesses, civil society, and even sub-national entities in formulating and executing economic diplomacy.

A core focus will be on building economic resilience – the ability of national economies and critical supply chains to withstand and recover from shocks, whether they are pandemics, geopolitical crises, or climate-related disasters.

Finally, alongside efforts to revitalize broad multilateralism, we may see more "minilateralism" – smaller, more agile coalitions of like-minded or affected states coming together to tackle specific economic challenges where broader consensus is elusive.



Eleventhly- Conclusion - The Indispensable Craft

- Economic diplomacy is no longer a niche subset of foreign policy but a central pillar of international relations.
- It demands a sophisticated understanding of economics, politics, law, and strategic thinking.
- Successfully navigating this complex landscape requires skilled diplomats, coherent national strategies, and a commitment to both national interest and responsible global citizenship.
- The interplay of wealth and power will continue to define the global order, making economic diplomacy an indispensable craft for the 21st century.

In conclusion, economic diplomacy has evolved from a secondary concern to a central, indispensable element of modern statecraft. It stands at the crucial intersection of national economic aspirations and broader foreign policy objectives. It is a complex, dynamic field that demands not only technical economic expertise but also astute political judgment, legal understanding, and strategic foresight.

Successfully practitioners of economic diplomacy – whether they are government officials, business leaders, or civil society advocates – must be able to navigate intricate negotiations, understand diverse cultural contexts, and anticipate the multifaceted consequences of economic policies.

As the global landscape continues to be shaped by economic competition, technological innovation, and pressing transnational challenges like climate change and pandemics, the ability to effectively wield the tools of economic diplomacy will be more critical than ever. It is about more than just wealth

creation; it is about shaping a stable, prosperous, and ideally, more equitable world. The intricate dance between wealth and power will continue, and economic diplomacy will be the music to which nations, and indeed the world, moves.

Twelfthly- Q&A / Further Reading Suggestions)

- Bayne, N., & Woolcock, S. (Eds.). (2017). *The New Economic Diplomacy: Decision-Making and Negotiation in International Economic Relations*. Ashgate.
- Aggarwal, V. K., & Reddie, A. (Eds.). (2021). *The Oxford Handbook of Economic Diplomacy*. Oxford University Press.
- Oatley, T. (2019). *International Political Economy*. Routledge.
- Journals: *Foreign Affairs*, *International Organization*, *World Economy*, *Review of International Political Economy*.

Chapter Two:

Fundamentals of the Art and Science of Negotiation

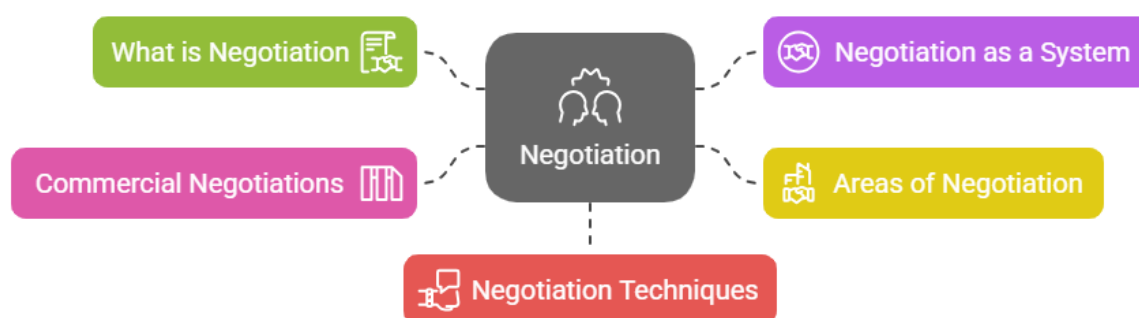
Firstly - What is Negotiation

Secondly - Negotiation as a System

Thirdly - Areas of Négociation

Fourthly - Commercial Négociations

Fifthly - Négociation Techniques



Firstly - What is Négociation

1- Definition of Négociation:

The word negotiations comes from the Latin word (Negotiatius), which means to continue working.

Negotiation is defined as: "A communication process between two or more persons studying alternatives to reach acceptable solutions or achieve satisfactory goals."¹

It is also defined as: "An expressive, dynamic situation occurring between two or more parties regarding an issue or issues from which offers and exchanges are made, perspectives are brought closer, aligned, and adapted, and all persuasion methods are used to maintain existing interests or gain new benefits by forcing the opponent to do something specific or refrain from doing something specific within the framework of the relationship between the parties to the negotiation process."²

Negotiation is also defined as: "An attempt between two or more parties to reach an agreed-upon formula (neither victorious nor defeated), which achieves mutual benefits for all parties that they feel and appreciate. It is an acceptable state as an alternative to the material and moral damage represented by stubbornness and excessive nervousness."

Who negotiates? Everyone who needs it.

Negotiation and Bargaining:

There may be great confusion, and often between the concepts of negotiation and bargaining, despite the great similarity between them:

So negotiation indicates the dynamic process through which a contentious issue between two parties is resolved, based on mutual respect, where each party considers the needs, interests, and goals of the other party, achieving gains for each party, and this does not come at the expense of the other party's loss.

Whereas bargaining is a purely utilitarian process, where each party seeks to achieve gains at the expense of the other party, so one benefits and the other loses.

¹ United Nations Development Programme: Local Community Guide to Conflict Resolution and Sensitive Development, United Nations, 2012, p. 33.

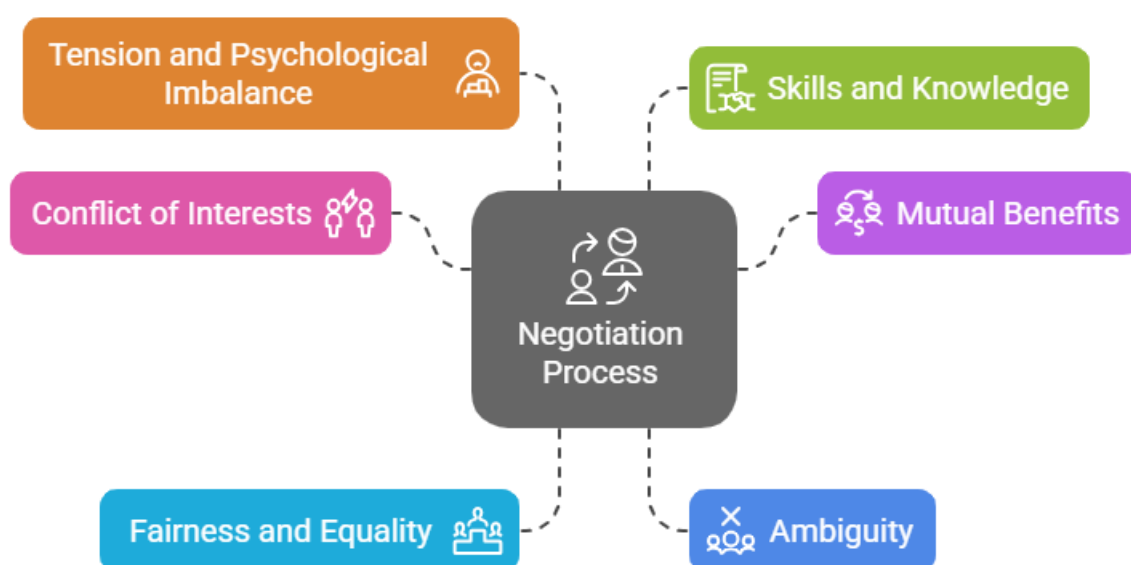
² Ibrahim El-Feki: The Art of Negotiation Strategies, Dar Al-Hayat, Country Not Mentioned, 2014, p. 2.

2 - Characteristics of the Negotiation Process:

The negotiation process is characterized by a set of characteristics, which we summarize as follows³:

- The presence of a type of **conflict** of interests or ambitions between the concerned parties.
- The presence of conviction or realization by the concerned parties that sitting at the negotiation table helps in achieving mutual benefits.
- The presence of a type of fairness and equality in presenting discussions and ideas (Give and Take principle) to reach solutions and a middle ground (agreement).
- The negotiation process is characterized by a kind of ambiguity, as each party resorts to giving a kind of secrecy and ambiguity to its deliberations in order to conceal its weak points or failures.
- The negotiation atmosphere is characterized by a degree of tension between the negotiating parties, in addition to psychological imbalance states that dominate the negotiation atmosphere when negotiations are difficult, especially since each party has hindering and other driving factors.
- Negotiation is considered one of the highest methods of resolving disputes and settling conflicts, so it requires knowledge and skill from the negotiator and the ability to persuade, which requires continuous planning, preparation, and learning to acquire these skills.

³ - Bashir Al-Allaq: Negotiation Management, Dar Al-Yazouri, Amman, 2010, pp. 18-19.



3- Determinants of the Negotiation Process:

The negotiation process is determined by three elements⁴:

3-1 Enabling factors: Enabling factors are indicators of the concerned parties' desire to avoid dangerous and costly confrontations, economically and politically (such as wars, retaliations, resorting to court and its consequences sometimes...), and resorting instead to peaceful methods, directing towards reason, logic, and wisdom, and the intervention of respected figures, dignitaries, and symbols in society.

3-2 Impeding factors: This means that there are disagreements or conflicts between the parties and that each individual has the desire to achieve the highest gains at the expense of the other party, which eliminates the possibility of middle ground and agreed-upon solutions.

3-3 Driving factors: The driving factors stem from each party's desire to reach an agreement that serves their mutual interest, otherwise there would be no need for negotiation. The driving factors include:

Achieving mutual benefits is in itself a gain for all parties involved in the negotiation.

Not reaching middle ground solutions means a loss for all parties.

⁴ The same reference, pp. 13-16 (with adaptation).

The comprehensiveness of the agreement reached means (no harm and no hurting), which is an acceptable principle by all parties involved in the negotiation process.

Stubbornness and nervousness and strict adherence to conditions do not mean practicing the best business practice.

Middle ground (agreed-upon) solutions guarantee the interests of all negotiating parties.

4- Negotiation Conditions:

To achieve or conduct a successful negotiation process, a set of conditions must be met, which have an impact on the negotiator's mental and psychological state, thus affecting the negotiation outcomes; we can summarize the negotiation performance in the following equation:

Excellent negotiation performance = Excellent negotiator ability * High negotiator desire (morale)

Here is an explanation of the negotiation conditions:

4-1 Negotiation Power:

It is related to the limits of authority and delegation granted to the negotiator, and the framework of movement allowed to him in relation to the negotiation topic or issue.

4-2 Negotiation Information:

Any successful negotiation requires a sufficient amount of data and information, whether about the negotiation issue or topic, and about the other party with whom the negotiation is taking place, the supporting forces, and the atmosphere in which the negotiation process is proceeding. The minimum information required for the negotiation team, which allows answering the following questions:

- Who are we?
- Who is our opponent?
- What do we want?
- How can we achieve what we want?
- Can we achieve what we want in one go?
- What do we need in terms of support, tools, means, and personnel to reach those goals?

- What is the proposed plan before and after the negotiation to obtain a guaranteed final document?

4-3 Negotiation Ability:

This condition is primarily related to the members of the negotiation team and their skills and mastery. It is necessary to pay attention to the negotiation ability of the negotiation team through the following⁵:

- The good selection of team members from individuals who possess the required ability, skill, desire, characteristics, and specifications.
- Achieving harmony, compatibility, cohesion, and continuous adaptation among team members to become a cohesive unit, with defined tasks, without any conflict or division in opinion, inclinations, or desires.
- Training, educating, and motivating team members to prepare them to a high standard by providing them with all detailed data and information related to the negotiation issue.
- Careful and continuous follow-up of the negotiation team's performance and any developments that occur to its members.
- Providing all material and non-material facilities that can ease the negotiation process.

4-4 Mutual Will:

This condition means the presence of a mutual desire among the negotiating parties to resolve their problems or disputes through negotiation, and convincing each of them that negotiation is the only or best way to resolve or set limits for it, and that any other way will be exhausting and costly to an extent that cannot be borne or continued with, as it depletes resources and time or effort.

4-5 Surrounding Environment:

The surrounding environment represents the political, economic, social, and technological variables that surround the negotiation system, and it interacts with them as it affects and is affected by them.

solutions through cooperative behavior to achieve balanced interests, and therefore the negotiation atmosphere is related to two basic aspects:

⁵ Mustafa Youssef Kafi: Marketing Communications Between Sales and Negotiation Skills, Dar Osama, Amman, 2016, p. 122.

* **The negotiation issue:** And its heat/severity, and the issue derives its heat from increased attention to it and the intensity of the conflict or dispute around it and the extent of its connection to the interests and interests of the negotiating parties.

* **Balancing negotiation interests:** Negotiation must take place within a framework of balance of interests and powers between the negotiating parties, so that the negotiation takes its course and its results are more acceptable and fair between these parties, and if this balance is not achieved, the negotiation loses its meaning, and will become a surrender, injustice, and submission to one of the parties who does not possess the necessary power to argue for their rights and force the other to accept.

5- Importance of Négociation:

Négociation derives its importance from its necessity and inevitability:

5-1 Its necessity: It highlights the necessity of negotiation and the extent of the importance it derives from the negotiation relationship between its parties, i.e., what relates to the negotiation issue being negotiated.

5-2 Its inevitability: Negotiation derives its inevitability from being the only possible exit or way to deal with the negotiation issue and reach a solution to the contested problem.

In addition, the aggravation of problems and disagreements, and the conflict of interests among people, push them to seek the best ways and means to resolve disputes, and to achieve and develop common interests and meet different needs with the lowest possible cost, where negotiation appears as an effective tool to resolve disputes and achieve interests.

And the importance of negotiation can be summarized as follows⁶:

- The frequency of occasions that require negotiation is increasing.
- Negotiations are part of the methods and tools of conflict management, even surrendering ends with negotiations on its actual or formal terms.
- Negotiation is a means for some to change an existing reality and create a new reality, and a precedent for the present and the future.
- Negotiation as a method of work cannot be accepted or rejected from a fundamental and absolute standpoint, it is rejected or accepted now or tomorrow for this or that reason, but not in principle.
- Negotiation leads to obtaining better results than those obtained without negotiation.
- Negotiation is a means to maximize gains and minimize losses to the lowest possible extent in both directions.
- Negotiation is a continuous human communication process, aiming to eliminate disagreements from their beginning, and it is a means to conclude alliances and obtain resources, and it is a means for investors to contract with others to open new markets or market a reputation or obtain it.

⁶ - Bashir Al-Allaq: Negotiation Management, Dar Al-Yazouri, Amman, 2010, pp. 49-51.

- Negotiation contributes to creating a safer world through negotiations at the level of international and regional organizations through preventive negotiations aimed at limiting armament or reducing nuclear weapons, or carrying out development projects in poor countries through specialized international organizations.

- 6 Principles of Negotiation:

- **6-1 Principle of self-capability:** This principle refers to the negotiator's abilities and skills in terms of understanding the negotiation issue and its dimensions, the surrounding environmental conditions of the negotiation process, understanding and recognizing the other party's patterns of thinking and behavior, communication and dialogue skills, persuasion, and adapting to situations.

- **6-2 Principle of Benefit:** Despite the existence of shared interests and concerns among the negotiating parties, each party naturally seeks to achieve certain advantages or benefits through the negotiation process, which represent the fruit that must be obtained from the negotiation.

- **6-3 Principle of Commitment:** Where each party commits to working to achieve the goals or specific benefits for the party it represents, and by implementing what is agreed upon with the other party and within the specified deadlines.

- **6-4 Principle of Mutual Relations:** This principle reflects the importance of mutual relations between the negotiating parties, especially in the case of repeated dealings between them, as this principle takes into account the common interests between the parties and preserving them in the future, as in the case of the seller and the buyer.

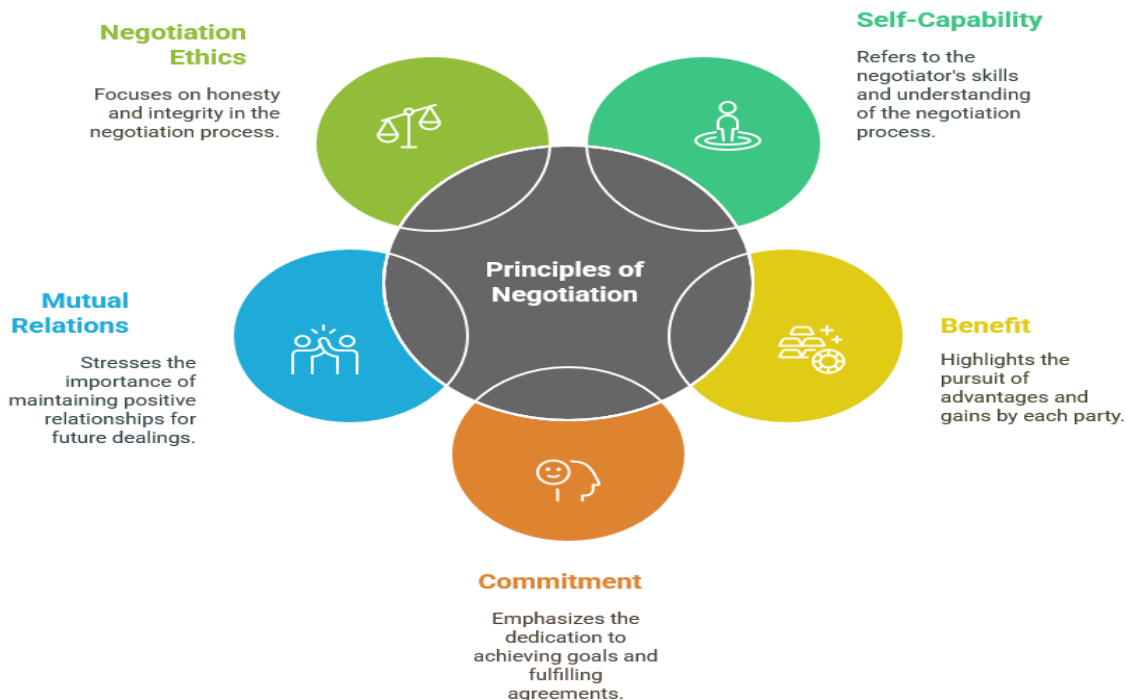
- **6-5 Principle of Negotiation Ethics:** This means adhering to the ethics of dealing in the negotiation process, as negotiation is a social human process that involves shared relationships and interests, and despite the legitimacy of maneuvers and bargaining, deliberate deception, cheating, or misleading should not be characteristics of the negotiation process.

And Al-Khodairi (23) mentions a principle, which he believes every successful negotiator must possess, and it is as follows⁷:

- Be always prepared to negotiate, at any time.
- Never negotiate without being prepared.
- Adhere to constant composure and calm.
- Do not underestimate the opponent or the other negotiating party.
- Do not rush into a decision - and gain time to think.
- Listen more than you speak, and if you speak, do not say anything that has value during the preliminary negotiations.
- There is no permanent friendship, but there are permanent interests.
- Belief in the truthfulness and fairness of the negotiation issue.
- Caution and care and not revealing what you have all at once.

⁷ Mohsen Ahmed Al-Khodairi: Principles of Negotiation, Nile Arab Group, Cairo, pp. 43-58.

- No one keeps your secrets except your lips.
- Your analyses and then your decisions should be based on facts and real events, and you should not build on wishes.
- Negotiate from a position of strength.
- Be convinced of the opinion before convincing others of it.
- Use indirect methods in negotiation and gain negotiation points as much as possible.
- The necessity of preparing the other party and preparing him psychologically to accept and be convinced of the opinion you adopt.
- Calmness, composure and a smile are the key to success in negotiation.
- Constant optimism and facing violent outbursts and unjust criticisms with calmness and rationality.
- Continuous renewal in methods and ways of dealing with negotiated topics and in the negotiation team's method of work.
- Do not start the negotiation dialogue with a provocative sentence or an aggressive look or a movement that expresses resentment and hostility.
- Show up with a neat, well-dressed, dignified appearance in all negotiation sessions and in all official sessions.
- Enjoy the negotiation work.
- Do not despair in negotiation, and there is no absolute, final, and permanent defeat in it.
- Do not be deceived by appearances and always be cautious of their opposite.



- 7 Negotiation Elements

- **7-1 Negotiation Situation:** Negotiation is a dynamic situation, based on movement, action, and reaction, positively and negatively, affecting and being affected, and it is an expressive situation in which words, movements, gestures, sentences, ... are used precisely and intelligently; and all intellectual skills and abilities and cunning of the human mind are also used in it, and it requires immense abilities for quick and continuous adaptation and full compatibility with the surrounding negotiation process variables.

The negotiation situation includes a set of elements, which are as follows⁸:

*** Interconnectedness**

This means that there is interconnectedness at the overall level of the elements of the issue being negotiated, i.e., the negotiation situation (as a whole) becomes interconnected and it becomes easy to reach its elements and parts.

*** Composition**

The negotiation situation must be composed of parts and elements, and it is divided into them, and it is easy to deal with them within its partial framework as it is easy to deal with them within its overall framework.

*** Recognizability and distinguishability**

The negotiation situation must be characterized by the possibility of recognizing and distinguishing it without any ambiguity or confusion, or without losing any of its parts or aspects or features.

*** Spatial and temporal scope**

This refers to the stage in which the negotiation takes place and the geographical location that the issue covers during the negotiation.

*** Complexity**

The negotiation situation is complex as a set of factors interacts within it and it has many dimensions and aspects that make up this situation, so that it is possible to deal with this situation with skill and success.

*** Ambiguity**

Some describe this situation as (doubt), as the negotiation situation must be surrounded by doubt and relative ambiguity, which pushes the negotiator to reduce the circle of uncertainty by gathering all information and data that ensures clarity of the negotiation, especially since doubt is always linked to the intentions, motives, and beliefs of the other negotiating party.

- 7-2 Negotiating Parties

Negotiation usually takes place between two or more parties, who may be individuals or groups; and the negotiating parties are divided into direct parties, who sit at the negotiation table and conduct the negotiation process and are directly concerned with the negotiation, and indirect parties, who are not directly concerned with the negotiation process, but are related - closely or remotely - to the negotiations and their results, and may constitute pressure groups due to considerations of interest.

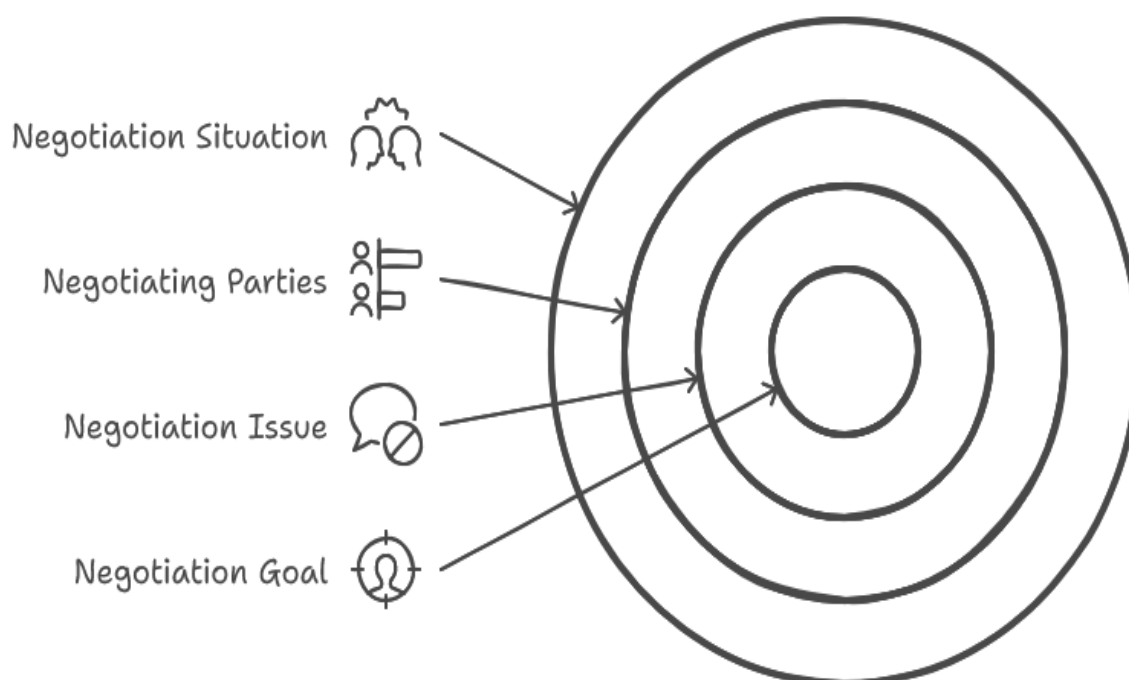
- 7-3 Negotiation Issue

⁸ Mustafa Youssef Kafi: Previous reference, p. 119.

This is the subject that represents the axis of the negotiation process, and the negotiation issue may be: commercial, economic, political, social, humanitarian, ... or other.

- **7-4 Negotiation Goal:** This is what the negotiating parties seek to achieve through the negotiation process, and the progress of negotiation efforts during negotiation sessions is measured by the extent of its achievement; it can be summarized as follows:

- Achieving mutual interest.
- Resolving an existing problem.
- Preventing a problem from occurring.



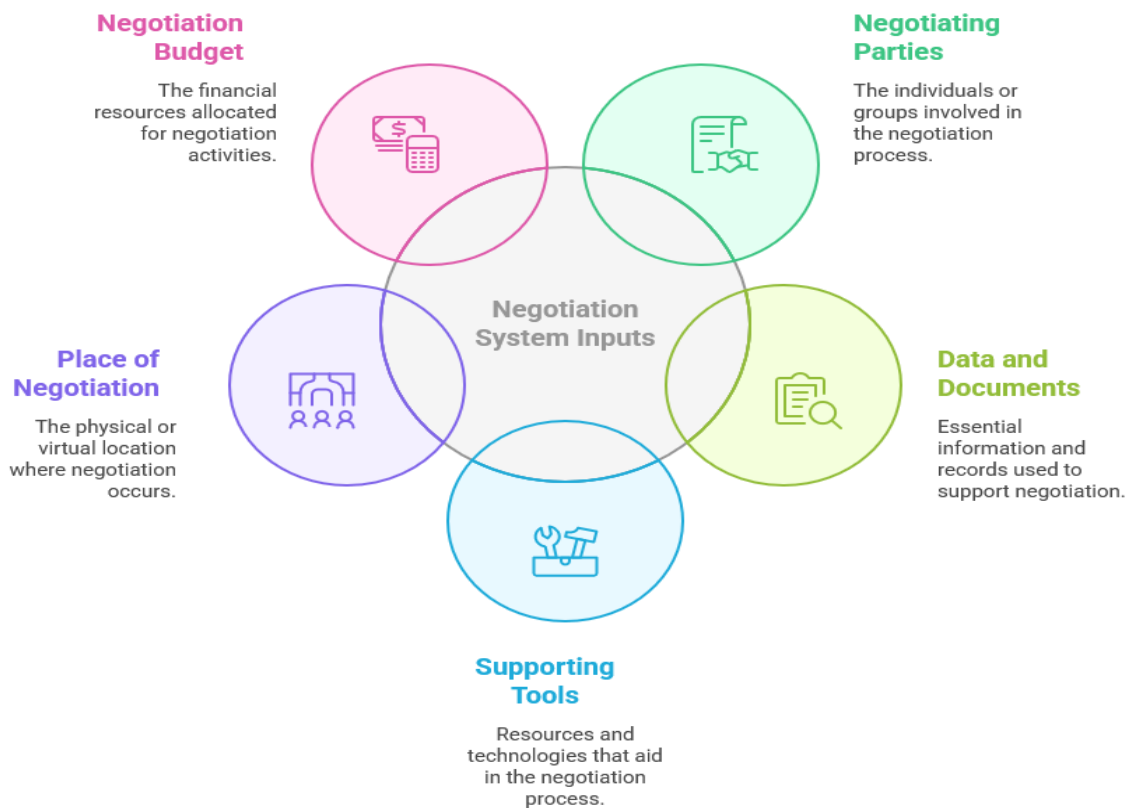
Secondly - Negotiation as a System

Negotiation is considered an integrated system composed of several subsystems. We find that every system is composed of inputs, processes, and outputs, and the efficiency of the negotiation system depends on its ability to convert inputs into outputs that serve the goals of the negotiating parties. Therefore, the negotiation performance and its results depend on the performance of every subsystem that makes up the overall negotiation system, and here is an explanation of that:

- 1 Negotiation System Inputs

Negotiation system inputs include the following elements:

- Negotiating parties.
- Data and documents.
- Supporting tools.
- Place of negotiation.
- Negotiation budget.



- 2 Transformation Processes

The transformation processes for the negotiation system include dialogue, discussion, exchange of opinions, used strategies, and what they include of tactics, as well as guidelines and instructions provided to the negotiators.



- 3 Negotiation System Outputs

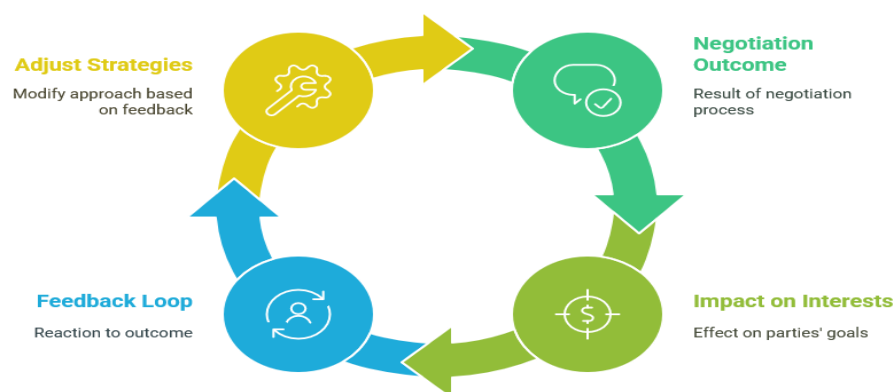
Negotiation system outputs include one of the following alternatives:

- Successful negotiation.
- Failed negotiation.
- Postponed negotiation.



- 4 Feedback

Feedback refers to the reaction of the negotiating parties resulting from the outputs of the negotiation system, such as success, failure, or postponement of negotiations, and its impact on their mutual interests.



- 5 Surrounding Environment

The surrounding environment represents the political, economic, social, and technological variables that surround the negotiation system, and it interacts with it because it affects and is affected by it.

Thirdly - Negotiation Areas

We raised a question at the beginning: Who negotiates? And the answer was: Everyone who needs it. This means that the areas of negotiation are multiple and varied depending on the need. The politician may practice it in his negotiation regarding political issues and problems, and the economist needs it in various aspects of economic activity and commercial transactions, whether among individuals, institutions, or states. We also find social negotiation, which deals with social issues and conflicts among individuals and groups; and these are some of the negotiation areas⁹:

- 1 Commercial and Economic Negotiations

Negotiation in commercial and economic fields is considered one of the most widespread types of negotiation because it covers the most essential aspects of human need. It includes all buying and selling activities, export and import, insurance, financing, and what is necessary to provide funds under the best terms, as well as construction and expansion activities for various economic and commercial projects.

In addition to other activities that fall under this field, such as individual activities and labor relations with workers, and what it includes in terms of providing trained and qualified labor capable of production, and every activity related to obtaining factors of production, commercial brand privileges, and patents, negotiation regarding

obtaining permits and government approvals, exploiting surplus production energy, joint work and cooperation activities in production fields and service delivery, granting credit and loans, and investment requirements and environmental protection.

- 2 Political Negotiations

Political negotiations relate to political work and what it includes of positive or negative relationships between different countries, and political work is characterized by change and instability, as it changes with governments, individuals, events, and circumstances. Negotiations in this field aim to create a

⁹ Mahmoud Ali wa Mohammed Awad Al-Hazaima: Introduction to the Art of Negotiation, Dar Al-Hamid, Amman, 2016, pp. 37-38.

form of appeasement and achieve goals, without resorting to violence, by committing to protecting rights in exchange for performing duties.

Among the most important political areas in which negotiation is used are: candidacy for elections, understanding relationships between parties, party-government relationships, understanding between governments and states, negotiation to form alliances and what relates to protecting interests between states and means of their care, agreements related to the political situation of any negotiating party... and others.

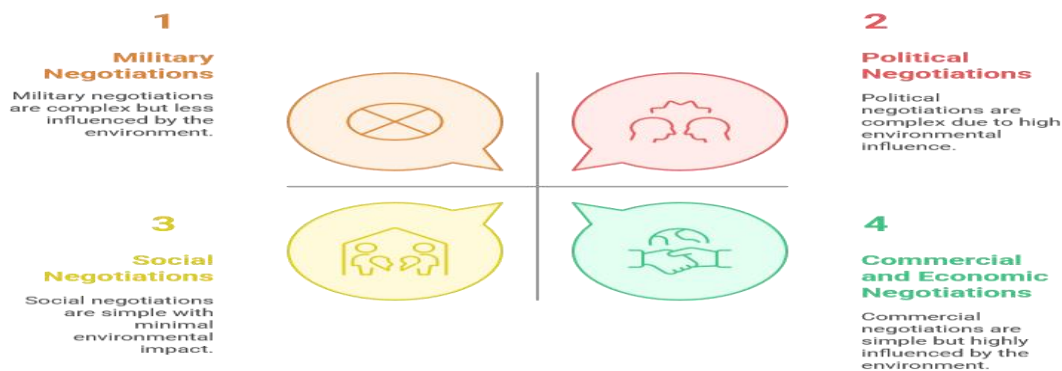
- 3 Military Negotiations

Wars and their causes are many, and the destruction, displacement, killing, and great pain resulting from them are also many. The conflicting parties in the battlefield may reach a conviction that requires ceasing fighting and resorting to negotiation to avoid unforeseen and undesirable outcomes that may harm the conflicting parties, preferring peaceful solutions through sitting at the negotiation table.

- 4 Social Negotiations

These are all discussions or attempts at understanding about any social phenomenon. This type of negotiation takes place within multiple frameworks: such as family or household, neighborly relations, club relations, marriage relations, and marital disputes...

And to succeed in social negotiations, adherence to the values prevailing in society, which are considered determinants of civilized behavior for the individual, family, and society, is necessary, as this type of negotiation is affected by religious beliefs and social customs.



Fourthly - Commercial Negotiations:

- 1 Definition of Commercial Negotiations

Commercial negotiations are considered among the most important negotiation areas from which humans have acquired their negotiation experience and skills, by practicing buying and selling through the exchange of goods and different benefits.

Commercial negotiations are defined as: "Communication between two parties, each using what they have in terms of skills for dialogue and persuasion, to achieve mutual gains in different commercial activities such as: buying, selling, financing, distribution..."

Commercial negotiation means vary with the multiplicity of types of trade, whether land or sea, through individuals, such as traders or representatives, or agents for commercial companies and institutions, and in all cases of buying and selling, negotiations deal with the following:

- Type of good and its specifications.
- Offer, demand, and price.
- Quantity and quality requested.
- Method of payment and opening credit.
- Period of delivery and insurance against transport risks and the proportion of responsibility for these risks between the buyer and seller.
- Determining the appropriate reference for settling disputes arising from applying the contract.

- 2 Types of Commercial Negotiations:

- 2-1 Negotiation with Customers: Negotiation with customers is considered one of the most common types of commercial negotiation used by businesses in practical life, and it is an essential part of the sales activity in these organizations. This negotiation takes the form of a relationship between the seller and the buyer to reach a satisfactory agreement for each of them regarding a specific deal for the products offered by the seller, which ends with signing the sales contract. Negotiation between the seller and the buyer covers various aspects such as: product specifications, quality level, packaging, detailing, transportation, storage, quantity, delivery dates, price...

- 2-2 Negotiation with Suppliers: Institutions resort to negotiating with suppliers to obtain the necessary needs of goods, services, equipment, and others. Negotiation takes place between the buyer and the supplier to reach an agreement on a deal for supplying the required needs of goods, services, raw materials, or operating supplies, or equipment and production... The agreement is finally reached through drafting a supply contract, which includes all contract clauses such as: quantity, price, delivery dates, and payment methods...

- 2-3 Negotiation with Competitors: This relates to resolving disputes or conflicts with competitors regarding specific market sectors, or a specific sales area, or advertising. The need for negotiation arises due to the concerned parties' conviction of the importance of resorting to negotiation to resolve their disputes instead of resorting to court.

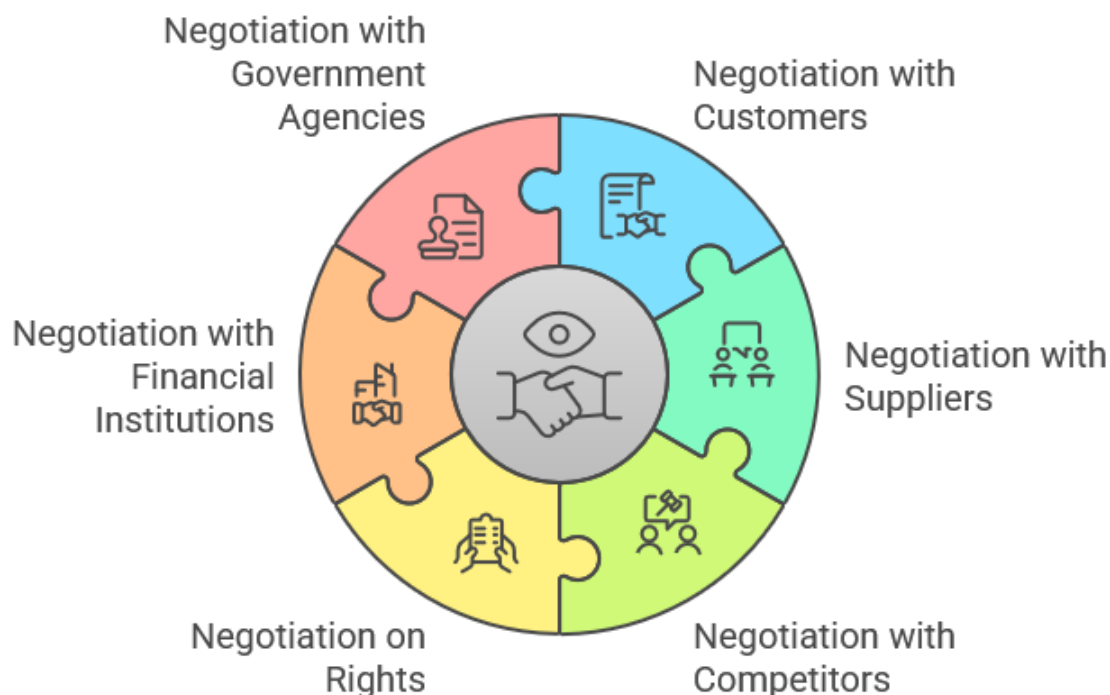
- 2-4 Negotiation on Rights: One party, a company, may enter into a contract such as a supply contract or a sales contract, and there may be a difference in interpreting or applying it, or one of the parties may violate some contract clauses or fail to fulfill the obligations arising from this contract: such as the obligation regarding the quantity, or the delivery time or

quality, and the violation of one of these clauses leads to a dispute regarding it, which necessitates the need for negotiation instead of resorting to court.

In addition to the previous types of negotiations that may occur in the business world, there are other types of negotiations that a businessman or economic institution can engage in, such as:

- 2-5 Negotiation with Financial Institutions: This occurs through negotiation regarding financing from banks and financial institutions for current and future projects. Negotiation may also occur regarding the value of loans and repayment methods and installments... As well as negotiation with insurance institutions to insure its assets and properties, and negotiation with various investment funds, etc.

- **2-6 Negotiation with Government Agencies:** Such as the tax administration, customs administration, chambers of commerce, or various government agencies related to the institution's activity.



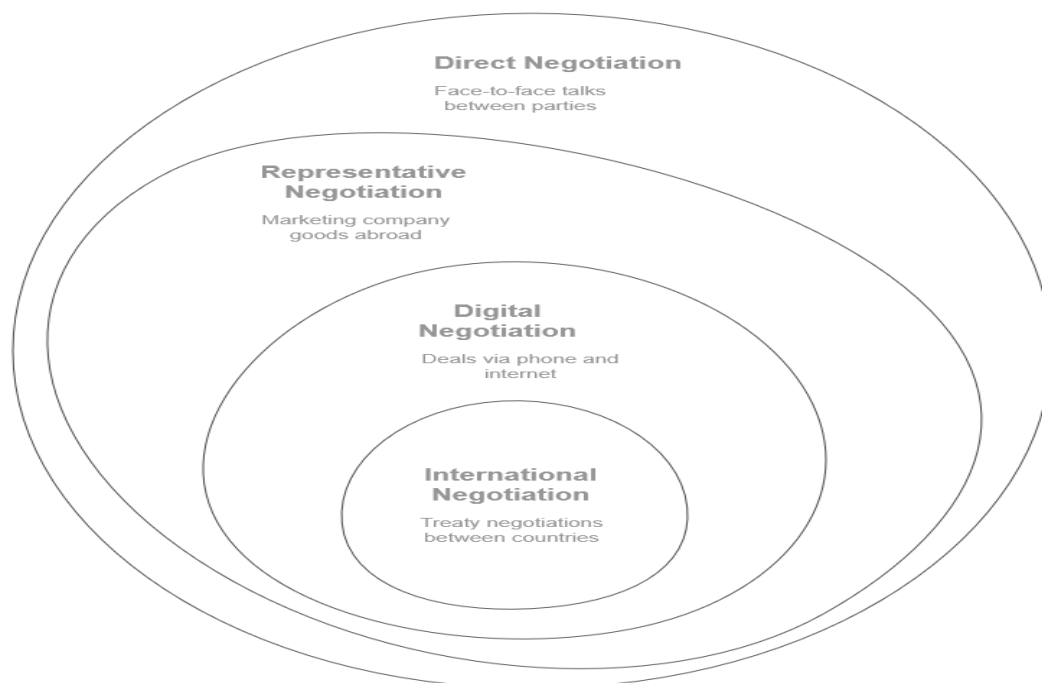
- 3 Methods of Commercial Negotiation

Commercial negotiation usually takes place through one of the following methods¹⁰:

- 3-1 Holding negotiations between negotiators (buyer and seller), and the place of negotiation is usually in the seller's country, and commercial negotiation meetings between international companies in different countries often occur based on the buyer's need to seek markets for his goods.
- 3-2 Negotiation between the commercial representative accredited to a commercial company residing in a country with another commercial company, to market his company's goods, and this negotiation takes place in the same manner as the previous one.
- 3-3 Commercial negotiation via mobile phone and the Internet, to conclude a deal or clarify a clause in a commercial agreement, or in issues related to the delivery of goods or changing the place of delivery.

¹⁰ Nabila Jaigej: Lectures on International Negotiation Techniques, Third Year International Trade, Department of Commercial Sciences, University of M'sila, 2016/2017, p. 33.

- 3-4 Commercial negotiation between two countries to conclude a general commercial treaty related to various types of goods (industrial, agricultural, or other), and international negotiations usually deal with the following topics: Import and export, commercial laws applicable in both countries, granted facilities, prices.



- 4 Basic Principles for Commercial Negotiation

The negotiating parties in commercial negotiations should adhere to the following principles¹¹:

- The seller in a sales contract is obligated to transfer ownership of the goods, and the buyer is obligated to pay the price, and the validity of the sale depends on the negotiations, which lead the parties to the final form of the contract, and the general terms and conditions required for the validity of the contract.
- Both the buyer and the seller must be legally competent to make the commitment.
- Negotiation does not allow the sale of things whose trade is prohibited, nor things that have no value that cannot be estimated, or that cannot be delivered due to their nature.
- It is not permissible to negotiate the sale of others' property.
- Negotiation must be based on the transfer of ownership between the buyer and seller, whereby ownership of the sold goods transfers to the buyer when the sale is complete, and the buyer has the right from the time the contract is concluded, even before delivery, to dispose of the sold goods, unless there is an agreement or a legal text to the contrary, and the seller has the right to dispose of his right to the price before receiving it.

¹¹ Ibrahim El-Feki: The Art of Negotiation Strategies, Dar Al-Hayat, Country Not Mentioned, 2014, p. 31.

- Commercial negotiations between the buyer and seller must include the following topics:
- Delivery of goods: Place, time, and expenses.
- Guarantee against defects that the seller guarantees, and what results from that.
- Terms of payment and credit.

Fifthly - Negotiation Techniques

The negotiator uses many techniques to achieve the desired goals of the negotiation process, and we can distinguish between two types of techniques in this regard: classical techniques and modern techniques, and here is a detail of that.

- 1 Classical Negotiation Techniques

This technique is called classical because the seller is the one who leads the stages of negotiation, he does not delve into the details and observations that the customer records about the product he offers, nor about his future expectations regarding the institution's product (the seller), but he focuses all his attention on one goal, which is how to finalize the deal and achieve the material return resulting from it; in this regard, two basic classical techniques can be mentioned:

- 1-1 AIDA Technique

STRONG proposed this technique to explain the stages of making a purchase decision, and its details are as follows:

- A. Attention: Attracting the customer's attention towards the product.
- I. Interest: As soon as the customer's attention is attracted, work is done to stimulate his interest and enthusiasm for the goods by presenting their benefits and advantages.
- D. Desire: After stimulating the customer's interest, the message works to create the desire to buy, by convincing him of the product's ability to satisfy his needs.
- A. Action: The message aims to bring the customer to the stage of making a purchase decision, or to form positive attitudes towards the product, and buy it in the future.

It is used in negotiation with the same philosophy by attracting the other party's attention to the negotiation topic, then arousing his interest, followed by stimulating desire and convincing him, to conclude the negotiation by moving towards action or finalizing the deal.

- 1-2 DIPADA Technique

This technique means¹²:

- D – définir: Knowing the needs of the negotiator (buyer).
- I – identifier: Identifying the product/service that satisfies that need.
- P – preuve: Proving that this product/service satisfies that need.
- A - Acceptation: Acceptance of proof and evidence.
- D - désir: Gaining the customer's desire.

¹² - [www.itev.fr/communique/technique de vente pour un besoin explicite](http://www.itev.fr/communique/technique-de-vente-pour-un-besoin-explicite). Consulté le: 26/12/20.

A - Action: The action, i.e., agreeing on the deal and ending the sale.

In this technique, the seller (negotiator) initially tries to understand and know what the customer wants, and this can be done in several ways, such as relying on the observation method by focusing his attention on the customer through his movements inside the store or at the point of sale... He can also rely on the method of asking direct and indirect questions to the customer, and after the seller learns about the customer's needs and interests, he informs him about the product that can meet these needs, and this can be done by providing a sample of the product and informing him about the available quantities and its price; after that, the seller (negotiator) tries to provide evidence and proofs of the product's ability to satisfy his need, such as quality and durability and its value compared to competitors... After this stage, the seller works to create a sense of trust in the buyer and create a desire for him to buy the product, to conclude the process by moving towards action and making a purchase decision from the buyer, and this is done.

agreeing by means of a documented contract between him and the customer, in which he undertakes to deliver the product at a specific time and place and in a specific quantity, recorded and documented in the agreement text, and in return, the customer undertakes to pay all dues upon completion of the deal¹³.

- 2 Modern Negotiation Techniques

In this type of technique, we assume that there is a balanced relationship between the two negotiating parties (buyer and seller), and both seek to satisfy their desires and needs, and this type of negotiation is called participatory negotiation, which aims to establish a permanent and continuous relationship between the negotiating parties, and it goes through six basic stages, which we summarize as follows¹⁴:

* Building Trust and Communication

In this stage, both parties (buyer and seller) wish to communicate with each other, whether the communication is direct or indirect, and the goal of creating an atmosphere of mutual trust between the negotiating parties is called the preparation stage for negotiations in the language of negotiation.

* Searching for Desires and Motivations

In this stage, the seller must make efforts to find out the customer's desires, and the customer must also understand what the seller wants; this stage takes place whether from the seller or the buyer through observation and then listening to what each party says, and then responding and trying to highlight the product's advantages, and how it meets the customer's needs, and how the material returns that the customer will pay will cover the cost of producing this product and give the seller a certain profit; in this case, both the seller and the buyer are motivated and have the desire to finalize the deal.

* The stage of persuasion with evidence and proofs

From the seller's perspective, this stage is focused on the advantages of the product offered to the customer, whether in terms of its components or quality. This stage can also include services related

¹³ - Mir Ahmed: Introduction to Commercial Negotiations, Arab Organization for Administrative Development, Cairo, 2018, pp. 55-56.

¹⁴ Mir Ahmed: Previous reference, pp. 58-59.

to finalizing the deal, such as delivery and storage costs... From the customer's perspective, this stage focuses specifically on having enough money to finalize the deal, and also focuses on the possibility of repeating the purchase from the same product in the future.

* Responding to Complaints and Objections

This stage, like other stages of negotiation, requires a kind of astuteness and intelligence from the negotiating parties. From the seller's perspective, the seller must respond to customer complaints and objections according to the following classifications:

- Real and serious objections: This type of objection requires an immediate response from the seller and a kind of persuasion, and if necessary, request an apology and bear the costs of errors.

- Unreal and unserious objections: The customer may use some methods and tactics that suggest to the seller that the customer objects to some clauses in finalizing the deal, as if he pretends that some customers have complained about the lack of quality of the products purchased from the institution. This type of objection requires astuteness and vigilance from the seller and not being lenient with this type of customer, thereby forcing him to pay the dues of the concluded deal between them.

- Serious objections, but not affecting the finalization of the deal: For example, the customer may object to the high price compared to the prices of competing products, even though he realizes the difference between the institution's product and competing products; from the buyer's perspective, he must also respond to the seller's objections, especially regarding objections related to non-payment.

within the agreed-upon deadlines, arguing that his customers' orders have changed, and the seller may object to the customer's lack of commitment to the continuous relationship with him and his tendency to deal with competitors...

* Concluding the deal or cancelling it (Result)

* As soon as the seller receives a sign of acceptance from the customer, and as soon as the customer notices that the seller has agreed to the proposed amount, the deal is concluded, and in this stage, we are in what is known as the success of the negotiation process.

The result is the most important and influential stage in negotiations, as it is the future image of the negotiating parties in the eyes of each other. The sign of acceptance from the customer can be in the form of a question about: quality, delivery, payment methods, after-sales services... The sign of acceptance for the seller can be in the form of a question as follows: When are the dues paid? When do you receive your product? ...

* Follow-up Stage

This stage is considered one of the most important stages in modern negotiations, as the institution follows up its product with its customers after the delivery process, and also sends a technical team to install and test the product, and also contacts the customer several times to check on his satisfaction with the product... This is from the perspective of the selling institution, and the customer also has interests in following up, as he communicates with the institution on how to obtain products of the same type in the future and how to do that.



**Chapter Three:
Steps of Negotiation**

Firstly - Preparation

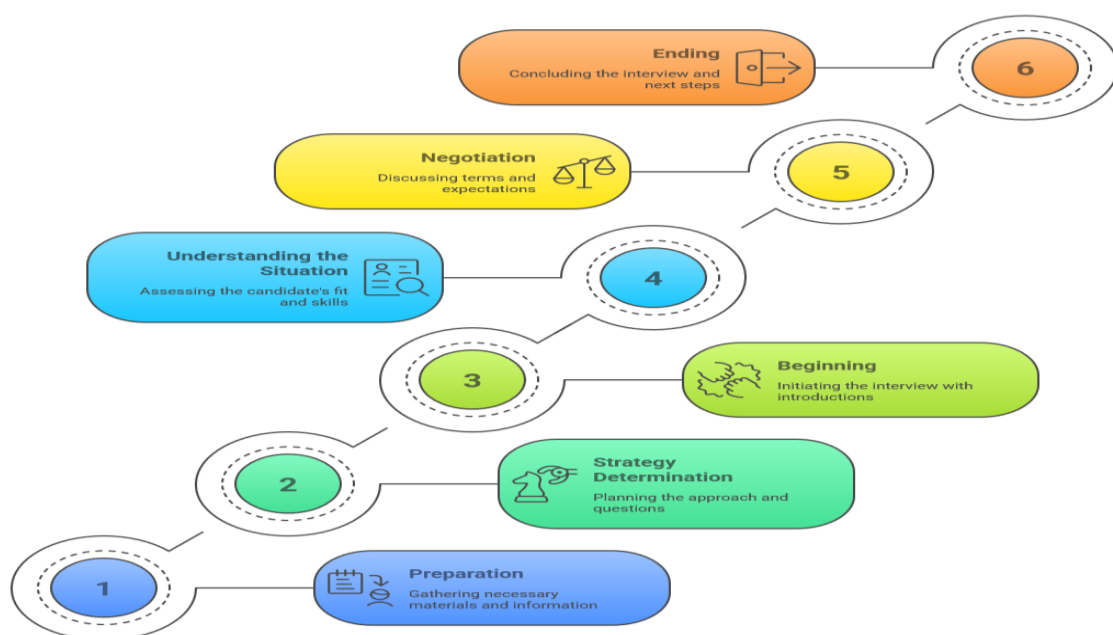
Secondly - Strategy Determination

Thirdly - Beginning

Fourthly - Understanding the Situation

Fifthly - Negotiation

Sixthly - Ending

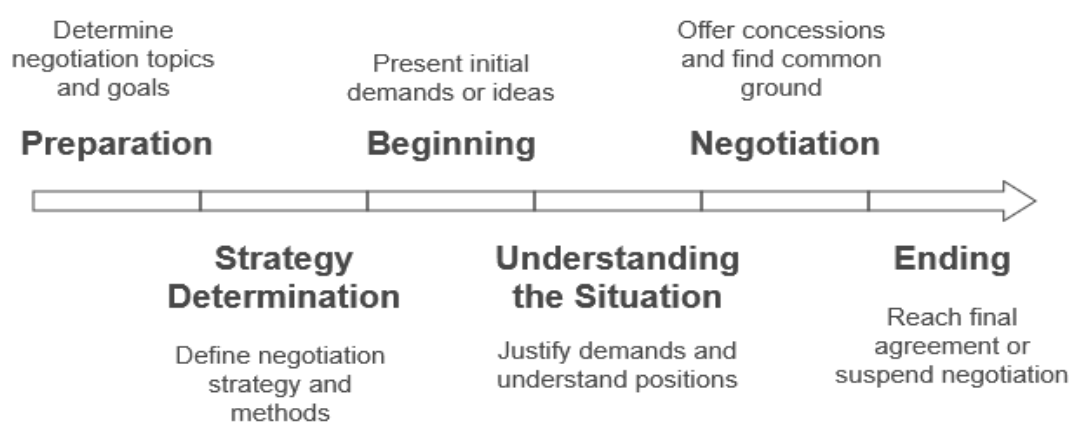


Steps Negotiation

Negotiation passes through stages that can be summarized in six steps, which are as follows¹⁵:

¹⁵ Ahmed Maher: Negotiation Skills, University House, Alexandria, Year Not Mentioned, p. 27.

- **1 Preparation:** In this stage, the negotiation topics are determined, and the goals to be achieved for each topic are determined.
- **2 Strategy Determination:** In this stage, each party determines a negotiation strategy and the methods it will follow in the negotiation.
- **3 Beginning:** In this stage, each party presents its initial demands to the other party, or presents its ideas.
- **4 Understanding the Situation:** In this stage, each party justifies its initial demands to the other party, and tries to understand the other party's position.
- **5 Negotiation:** In this stage, individuals try to offer concessions.
- **6 Ending:** In this stage, a final agreement is reached, or negotiation is temporarily suspended.



Firstly - Preparation

During this step, the following takes place:

- Determining goals
- Evaluating the other party
- Assessing your strengths and weaknesses

A- Determining Goals: It is necessary to determine your goals, as without goals, the end will be to reach something and somewhere else, and this is done through three dimensions for goals:

- * Maximum Limit: Which means the best that can be reached.
- * Minimum Limit: Which means the least that can be accepted.
- * Practical Limit: Which means the most likely and realistic level.

Best Alternative to a Negotiated Agreement:

Which means the minimum that can be accepted, and it is not possible to accept less than that, otherwise the negotiations will fail, and you must determine the following:

- * What is the maximum amount of concessions you can offer?

- * What is the minimum you should stop at in the negotiation?
- * What happens if the negotiation stops or fails?
- * Does the other party need you after the negotiation?
- * Do you need the other party after the negotiation?

B- Understand the Other Party:

- * Know the topics (clauses) that the other party will discuss, and place them in the agenda.
- * Refute the other party's claims about each clause.
- * Know what the other party is trying to reach in each clause.
- * Gauge the other party's pulse in his claims, as it may guide you to another, more important problem.
- * Gather conclusive information about the topic before starting the negotiation.
- * Try to know the facts that the other party uses, as well as the evidence that supports his demands.
- * Anticipate something behind the curtain during the negotiation (i.e., a hidden and undeclared agenda).
- * Know where the other party's strength and weakness lie.
- * Know how he organizes and sequences his topics.
- * Know the limits of the authority and permissions available to the other party.

C- Know your strengths and weaknesses:

- * Authority to make decisions
- * Financial limits.
- * Amount of information
- * Time limits
- * Ethical aspects of the topic
- * Perseverance and determination of the negotiator
- * Prior preparation and analysis.
- * Negotiator's experience and expertise

Secondly - Strategy Determination:

In this stage, each party determines a negotiation strategy, and the methods it will follow in the negotiation (strategies will be discussed in detail later).

Thirdly - Start the first session

What you say in the opening session determines the degree of negotiation success afterwards, and there are two topics in this step:

- Starting the opening session

- Determining the agenda

1- Determining the opening session

The steps of negotiation are influenced by the opening session for several reasons, which we list as follows:

- The opening session determines what information, psychological orientations, values, and expectations are available to the parties.
- The opening session represents a kind of gauging the pulse.
- The opening session determines the atmosphere in which the work will take place.

Who will speak in the opening session?

- If you are stronger, clearer, and better prepared, start first.
- Present the team members, define the purpose of the negotiation, the duration it will take, suggest specific procedures for who will speak, and what the topics are.
- If the two sides are equal, you can politely invite the other party (and provide a good presentation) to start presenting his point of view, and this allows you to reconsider some calculations, and to gauge his pulse or reject his requests.

Raise your requests high:

- Raise your main request high to give yourself room for concessions.
- A number of your requests, the more you request, the more you get.

What is your reaction to the other party's opening statement?

- Politely refuse his main request.
- Politely refuse his other requests.

2- Agenda:

- Negotiation topics
- Purpose of each topic
- Limits of each topic
- This must be done in writing
- The time limits must be clarified.

Fourthly - Understanding the Situation

This means that you can understand the other party's position, and that you can justify your position, and understanding the situation fully requires three steps:

- Obtaining information.
- Testing and evaluating the other party's position.
- Using time and withdrawal.

First: Obtaining Information: Information is the strongest weapon, and with it you can negotiate, and without it you lose everything in negotiation, so how do you obtain it:

Question: It is the basic tool for obtaining information, so whoever asks must, and the quality and quantity of information depend on the efficiency of the questions, and you can use different types of questions to collect the largest and best amount of information.

* Open questions: These give the other party complete freedom to explain the topic in detail:

- . What... What do you think is appropriate?
- . Why... Why do we see that our offer is inappropriate?
- . How... How can that be justified?

* Closed questions: These do not give the other party freedom to elaborate on the answer, because you limit him to answering a certain type of question:

Yes... No... Number... Word... like:

- . Do you agree?
- . What is the currency exchange rate?
- . Did you receive our offer?

* Exploratory questions: With these, you can understand the direction and type of information, and you resort to this in case of insufficient information, or to get more information, such as:

- . Can you explain to me more what you mean?
- . Can you give me more information about...?
- . I want you to explain more about...?

* Hypothetical questions: And you resort to these to learn more about the missing aspects, or to learn how events will unfold in light of the current situation; and they take the form: Assume that... changes to... What can happen?

And like the following questions:

- . If the quantity increases by 25%, what can happen to the price?
- . What is the situation if we pay in cash?
- . What happens in case of delayed delivery?

How can you encourage the other party to give you more information?

* Nodding: Like head movements, ... raising the eyebrows, ... surprise, ... frowning, ... returning the head backward ... all indicate attention to speech, and asking for more.

* Comparison: Like: What is the difference between your current offer and the previous one? What's new in the situation? What if it changes?

* Silence: A few seconds of silence means things like: (We have heard enough), (We don't like this offer), (We are discouraged)

* Bridge (Pont): It requires changing the conversation to another topic through phrases that express moving from one topic to another, such as: (I think we have discussed enough about... and we should now discuss topic...)

Since we have reached... Isn't it necessary to touch upon...?

* Repetition: To ensure the accuracy of the information and the associated feelings, you can try to repeat what the other party says, meaning act like a mirror of what he says, for example:

(It seems what you are saying is...)

(Meaning that your intention is...)

(What you mean then is...)

* Summary: It requires ending the discussion or reaching facts after long discussions, and it requires using the phrase:

(What we have reached...)

(You can summarize all this discussion in...)

(What we have discussed can be summarized in...)

Testing the other party's position

If you have gathered complete information from the other party, then you must use it to verify the truthfulness of the other party's position and the soundness of his discussion. You can verify this by looking for the following gaps:

- False facts and information
- Mentioned facts and information
- Illogical results reached
- Using some information provided by the other party.

And if the other party asks you to provide information, you must do the following:

- Do not object to his request for information, until you know what he wants from you.
- Just say what is necessary, and do not volunteer information they did not ask for.
- Any offer to you with a question, such as, do you understand? Is this enough?
- Avoid deviating from the main topic.
- Do not give information unless you feel it will benefit the negotiation, and unless it will benefit you.

Using Rest and Pausing in Negotiation

You should give more attention to the duration of the negotiation session, and the number of sessions and breaks between sessions. Experience shows that a negotiation session should not last more than two hours, and sessions usually start with each party's head giving an official announcement (10-15 minutes) about the development, or summarizing what happened, or announcing intentions, or presenting the official offer of the negotiation group. After two hours, it is preferable to take a break, otherwise, the result will be that the parties go in circles and fail to reach a decisive result.

How can you pause?

Use your right to pause (or rest), especially in circumstances where you see that continuing will not be beneficial, or will weaken your position, and here are some situations:

- You need more time to think and consider what you have received of information or offers from the other party, and you do not want to rush into reacting during the session.
- The negotiation circumstances have changed in terms of feelings, or the tactic used by others, or the weapons used by the other party.
- What you used of weapons in negotiation has failed and you want to change them.
- You want to calm things down, because the negotiation has intensified.
- You want to get a consensus or reinforcement from the negotiation team on something new.
- The negotiation has gone too far and there is no point in continuing.
- The negotiation team is tired or hungry.
- You want to conduct some unofficial discussions with the other team between sessions.

Fifthly - Negotiation

In this step, the negotiator tries to obtain concessions from the other party and bring him closer to his goals, and there are three stages in this step:

- Obtaining concessions from the other party.
- Failure of negotiation
- Moving towards agreement
- **1 Obtaining concessions:** Concession is moving from one position to a lesser position, from both parties, and it is a normal thing in negotiation and should not be viewed negatively, and it is a good prelude to reaching an agreement.

What are the problems with concessions?

- Should I concede now?
- What is the size of the concession I should offer?
- What will I get in return for the concession?

The answer to these questions can be as follows:

- When you offer a concession, let it be conditional on getting something in return.
- When you offer a concession, let it be as little as possible, but in a way that encourages the other party.
- Do not offer a concession except under pressure and request from the other party.
- Never consider that you will not concede.
- You can put your concession (or ask for a concession) in a package.
- Press the other party and encourage him to offer a concession, as follows:

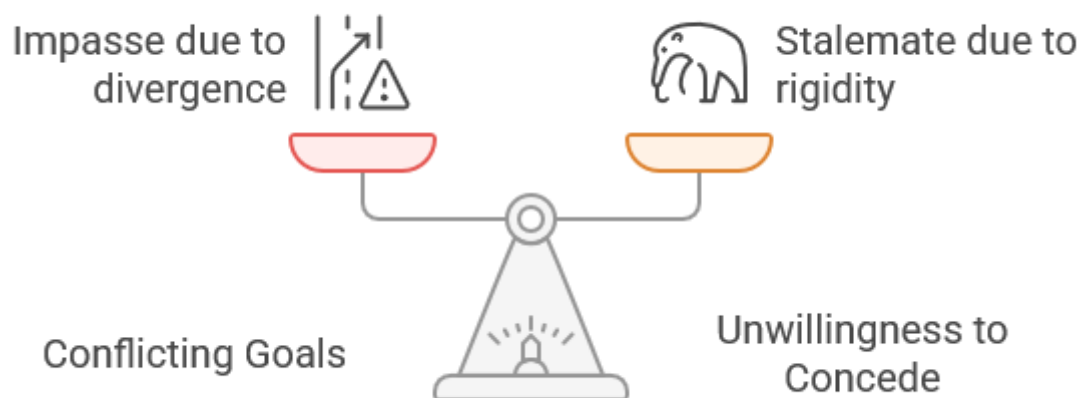
- Convince him that your relationship with him may be affected.
- Convince him that the concession will not embarrass him or cost him face.
- Convince him that the concession will be from both sides.

- 2 Negotiation Failure:

You should plan (as part of the negotiation) for what might happen if the negotiation process fails.

Causes of Negotiation Failure:

- The goals of both parties are conflicting and far apart.
- One or both parties do not want to concede.
- Using it as a weapon to impose opinion on the other party



How to deal with negotiation failure:

It is not wise to let the negotiation fail, and your attempt to persuade the other party to move the situation is better than stopping negotiations, or a third party intervening, and you can offer promises to discuss other related topics, or offer a conditional concession.

If he does not find this, put a final and decisive solution to the situation, and if he does not find what he asked for, a third party intervention to settle the dispute.

Dispute Settlement: It is a type of unofficial commitment to accept a bilateral settlement by a third party, and this is usually a person acceptable to both parties, but there is no legal authority to impose their opinion on them.

Arbitration: It is a type of commitment on both parties to accept the intervention of a third party in what he offers as a solution to the dispute and the failure of negotiation.

- 3 Moving towards Agreement:

The ultimate goal of any negotiation is to reach a definitive agreement on what has been agreed upon in all clauses and negotiation topics, and as negotiation begins to reach an agreement, the discussions become more sensitive and difficult, and it requires a type of weapon that helps reach an agreement, including:

- Advice: Such as saying: "You can reach that through..." or "The way to that is..."
- Promise: That is, promise to offer something desirable if the other party does something.
- Threat: That is, show the problems that the other party will face if he does not agree or concede, such as saying: "If you do ..., we will find that there is no escape from..." or (If you do not ..., then we will be forced to...)

Sixthly - The Final Agreement

Any agreement has no legal value unless it is signed in the form of a signed and binding agreement for both negotiating parties. Attention must be paid to ensure that the agreement is comprehensive and detailed, covering all aspects and taking into account the form and content, in terms of the quality, correctness, and accuracy of the chosen words and expressions that do not create any obstacles during the actual execution of the negotiation.

A final agreement is reached after ensuring that it is not possible to improve the situation further, and this is evident through:

- The conviction of the negotiating parties with what has been reached.
- The inability to move the other party to offer further concessions, along with the unwillingness to concede.
- The other party announcing that what they have offered is their last offer, and you believe that.
- The other party's agreement to your last offer.

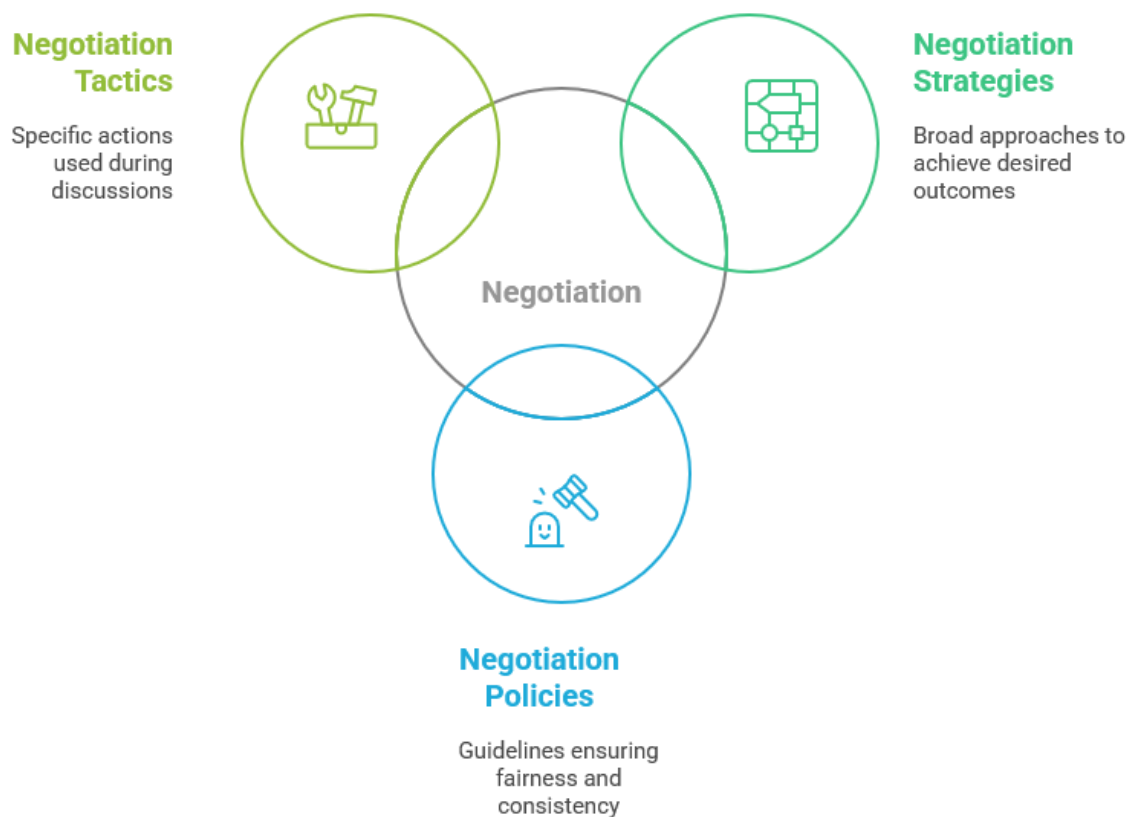
Chapter Four:

Strategies, Policies, and Tactics of Negotiation

Firstly - Negotiation Strategies

Secondly - Negotiation Policies

Thirdly - Negotiation Tactics



Firstly - Negotiation Strategies

Negotiation strategy means: "The method of movement and the method of dealing with the other party, and the method of internal dealing with the team," and there are two negotiation strategies:

- 1 Cooperation Strategy (Joint Interest Approach):

This strategy is based on a cooperative relationship between two or more parties, where each party works to strengthen and increase this cooperation and value it for the benefit of all parties; this strategy includes a set of alternatives, which we mention as follows:

1-1 Integration Strategy:

According to this approach, integration means developing the relationship between the two negotiating parties to the point where each complements the other in everything, and it may even reach the point where they become one entity with merged interests and benefits, with the aim of maximizing the benefit from the available opportunities for each of them, whether material or non-material; and integration takes one of the alternatives: backward integration, forward integration, horizontal integration.

- 1-2 Strategy of Developing Current Cooperation

This strategy is based on reaching a set of higher goals that work to develop the joint interest between the two negotiating parties and consolidate aspects of cooperation between them, and this is done through one of the available strategic alternatives regarding this, which are:

- Expanding cooperation areas
- Raising the level of cooperation

- 1-3 Strategy of Deepening the Existing Relationship:

This strategy is based on reaching a greater extent of cooperation between two or more parties that share a common interest, where each of them deepens the relationship with the other party, for example, in the automotive industry, it is agreed upon to assemble vehicle components, then manufacture some of its parts, then manufacture it completely and market it locally, then benefit from the marketing services of the parent company in marketing the locally produced vehicle internationally.

- 1-4 Strategy of Expanding the Scope of Cooperation by Extending it to New Areas:

This can be done through:

Extending the scope of cooperation to a new time frame

Extending the scope of cooperation to a new geographical area

- 2 Conflict Strategy:

Despite the fact that everyone practices the conflict strategy in their negotiations and relies on it in negotiation, they practice it secretly and hidden, rather, in their negotiation practices according to the conflict approach, they declare that they wish to deepen mutual interests, as a large part of the components of this strategy depends on deception and misrepresentation.

This strategy includes the following alternatives:

- 2-1 Attrition Strategy

This strategy is based on the presence of a conflict of interest between the negotiating parties, and the negotiator proceeds to deplete the other party's resources, and this can be achieved by prolonging

negotiation time and entering into the maze of minor issues and manipulating words to exhaust time, and the depletion of the other party's financial resources can also be a strategy, and this strategy is used more in the political field than in the business field.

- 2-2 Control and Subjugation Strategy:

According to this strategy, one of the negotiators seeks to control and dominate the negotiation atmosphere and makes proposals based on his interests and draws the other party into them, and the other party hardly agrees to anything before the negotiator draws him to agree to something else, and this strategy is used more in the political field.

- 2-3 Distraction Strategy:

This strategy is based on distracting the other party by dividing the representative group for the other party, and the other party can be distracted by a full agenda filled with details and minor matters that cause the other party to lose focus.

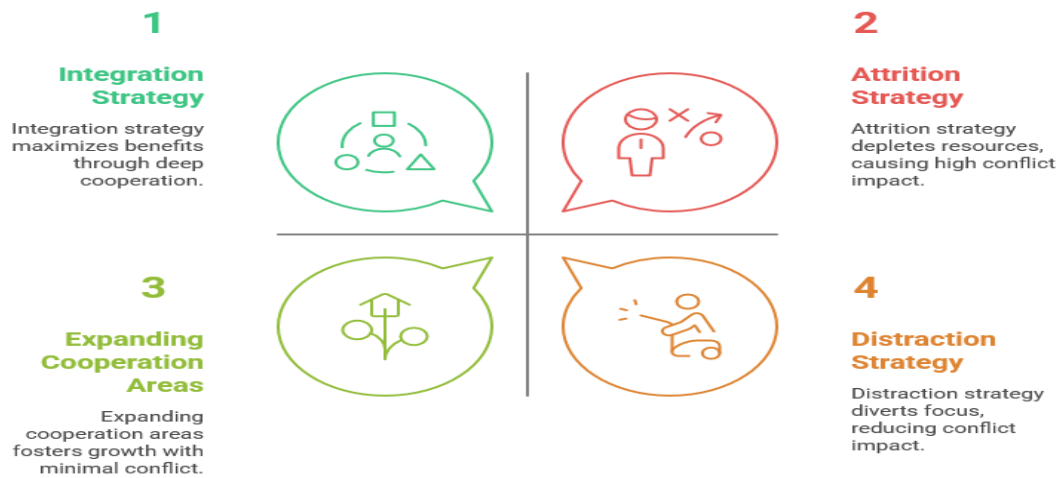
- 2-4 Self-Destruction Strategy (Suicide):

Each negotiating party has goals, hopes, dreams, and aspirations, all of which face limitations, obstacles, problems, and difficulties, and the more severe these obstacles are, the greater the despair of this party and his feeling of the impossibility of reaching them, and that no matter how much effort he makes, he will not reach them, and here he must choose between two alternatives:

- Disregarding these ambitions and goals and settling for what can be achieved and considering it the final goal.

- Seeking other new means that are not visible or apparent currently, which enable him to achieve these goals in the future.

According to these two alternatives, the other party's behavior is known and monitored, and this is either despair of achieving goals, or perseverance and the necessity of determination to deal with these problems and difficulties and crush them and eliminate them until he reaches these goals and dreams, and this is a dangerous matter and a threat to the existing interests of one of the parties, because the gain that any party achieves according to this strategy is a certain loss for the other party.



Secondly - Negotiation Policies

The negotiator uses many negotiation policies and opposing policies, which we present briefly as follows¹⁶:

- 1 Penetration Policy / Iron Wall Policy

- 1-1 Penetration Policy

Penetration policy is used effectively and extensively in the case of negotiation with someone who has not been negotiated with before, and in this case, he represents an unknown person, and it is necessary to know him and try to penetrate him and obtain more information, despite the possibility of having prior information, but it may be insufficient or incorrect and has been leaked with the aim of guiding convictions towards a specific position or policy that facilitates winning during the negotiation.

What is worth noting is the initial or preliminary impression that is formed during the first negotiation, which is often inaccurate, through adding some misleading attributes about oneself, or an attempt to present an unreal image, however, the multiplicity of sessions allows the negotiating parties to learn about each other better and deeper;

This policy depends on gathering information about the other party to reduce the state of uncertainty, such as:

- Who is he? His name, address, position, age, family information, personal behaviors...
- What does he want? Knowing the goals and ambitions of the other negotiator,
- What does he possess? Knowing his power to exert pressure, or the size of the benefits we can obtain from him.

¹⁶ Mohsen Ahmed Al-Khodairi: Principles of Negotiation, Nile Arab Group, Cairo, 2013, p. 100.

- What are the limits of his authority? Knowing the allowed limits of his movement, and whether his decision is final or dependent on a higher authority? And who is that authority? And how to reach and influence it? And what is the nature of this relationship?

- How can he be influenced? Meaning, what are the means of pressure, or the means of attraction that, if used with him, can convince or force him to behave in a specific way or refrain from this behavior.

We can obtain this information to influence the negotiator and win the negotiation rounds.

-1-2 Iron Wall Policy

This policy is used to counter the other negotiating party's attempt to use penetration policy, and this requires the negotiation team to maintain its cohesion, which obliges them to give up any opportunity for the other party to obtain information that he can benefit from, as the members of the negotiation team are chosen from among those who are able to maintain their secrets, and it is difficult to influence them, emotionally or morally, and they are people with calm appearances who hide their feelings and emotions. And if so, then it is difficult to influence them and penetrate them and know their psychological makeup and influence on their decision-making unity or cohesion as a negotiation team, in addition to the supervision over them and protecting them from any penetration by the other party by planting listening devices or sending spies or others who threaten the safety of their negotiation work in the best way.

- 2 Deepening Policy / Obscuring Policy

- 2-1 Deepening Policy

This policy works to develop the level of information obtained from the other party, whether during or before the negotiation sessions, and to discuss areas in more detail and depth than the areas that were discussed in previous sessions, especially since we have become more aware and knowledgeable about the other party, and therefore it is necessary to know the areas on which the focus will be more intensified to maximize the negotiation return and gains, and therefore these areas are chosen as priority research points, and attention is focused on them significantly.

And in terms of raising the level of negotiation processing and moving it from dealing with formal issues and aspects to dealing with essential and real or main issues related to the negotiated issue, and this policy is only used after ensuring full knowledge of everything about the other party, especially since some negotiators refer to this policy as the confirmation policy, meaning confirming the level of negotiation relations with the other party by following the same previous direction but more specifically and assertively.

- 2-2 Obscuring Policy (Doubt)

This policy is used to confront the deepening policy, where the negotiation team must confront the other team's attempts to infiltrate and thwart these areas by using shrewd and skillful policy to obscure, relying on the value of the information obtained, and the extent of its relevance.

This obscuring policy is also called marginalization or flattening policy, as it works to make the negotiation process a mere superficial marginal operation that does not go beyond the formal aspects of the issue.

- 3 Expansion (Spread) Negotiation Policy / Narrowing (Siege) Negotiation Policy

- 3-1 Expansion Policy (Spread)

This policy is based on expanding the negotiation points that are constantly discussed and adding new points to the negotiation, so that the scope of negotiation expands to include several elements from the issue's elements in a single session, with speed of presentation and dealing with each of them, which represents a burden on the other party, making him weak in concentration, and thus gaining many important negotiation points without the other party realizing the details or parts that it contains and that have the ability to win the entire issue.

This policy is considered one of the most important and intelligent negotiation policies that always keep its sessions hot, and make the other party exhausted and tired.

- 3-2 Narrowing Policy (Siege)

This policy is based on allowing the other party to move from one point to another before completely emptying the point that we are dealing with, and not expanding in discussing more than one negotiation point, especially if

the other party is cunning, and we do not have enough time to cover all elements of the negotiation issue.

- 4 Tension Policy / Relaxation Policy

- 4-1 Tension Policy

The negotiation tension strategy is based on creating a kind of anxiety and instability in the negotiation situation, and confusing the other party to win over him, and introducing several negotiation variables at once to create confusion for the other party in terms of difficulty in dealing with them at once, in addition to what each of them needs in terms of special treatment, and what it requires in terms of having specialists and information about each of them, and it is also a means at the same time to increase the state of "anxiety" for the other party and sow discord in the opinion among its members, which increases the chances of tension and makes the field ready to win over the negotiating team that is affected by anxiety, whether in terms of time or the cost that the negotiation process will bear.

- 4-2 Relaxation Policy

This policy is sometimes called the policy of ignoring, and the policy of long breath, and it is based on ignoring everything that the other party asks for, and not being carried away by the pressures exerted by him, but rather pausing until we realize the importance of what is presented to us and what its aspects are that the other party tried to conceal.

And in the relaxation policy, patience factors are used, and leaving matters to time to resolve most issues, and time in this case will be the most influential factor on the course of the negotiation issue and on managing its sessions.

- 5 Attack Policy / Defense Policy

- 5-1 Attack Policy

This policy is based on using aggressive pressure tactics on the other party strongly to force him to concede to our point of view and demands in the negotiation process and not to leave the field open for him to retreat or withdraw from the negotiation process, and this policy is used when there is a sufficient amount of advantages that make it in a distinct strong position that allows us to impose our conditions on the other party, or due to the insignificance of negotiations with this party, who has no value, and therefore we must be strict in negotiating with him, and it is also used in case of pressure on the other party to concede his ambitions and goals in the negotiation process.

- 5-2 Defense Policy

This defense policy is based on working to reduce the negotiation pressure exerted by the other party, and not allowing him to continue gaining benefits which means losses for the negotiator, and then working to reduce those losses as much as possible, and this is done by receiving all the opponent's offensive initiatives, studying them deeply to reach their real goals, and fragmenting those initiatives to identify the false ones to exclude them and deal with them with a counterattack that focuses on facts, evidence, and documents that support our position and reinforce our demands and support our negotiation efforts with the other party.

This policy is based on maintaining the heated negotiation position and gathering the elements of negotiation power and mobilizing its different factors to start a successful round of negotiations during the negotiation sessions.

- 6 Gradual Approach Policy / One Deal Policy**- 6-1 Gradual Approach Policy**

This policy is based on arranging the elements and parts of the negotiation issue gradually, starting with the basic rules of the issue and proceeding until it reaches its peak or final form; this policy relies on moving step by step from one element to another, and thus moving to a new element only after the agreement and completion of the first element, and this policy provides a full opportunity to deal with all aspects of the negotiation elements, and it also facilitates the negotiation process and prepares a comfortable psychological environment for both parties, but its drawback is that it requires a lot of time and high cost, which is not easy to provide for every negotiation process.

- 6-2 One Deal Policy

The use of this policy is linked to the availability of a suitable opportunity that may not be available in the future, and therefore we must seize this opportunity as quickly as possible, and no new developments should occur regarding the elements of the existing situation that change its nature and the suitability of the negotiation conditions offered or available as a result of this negotiation situation.

- 7 Direct Confrontation Policy (Frank) / Evasion Policy (Circumvention)**- 7-1 Direct Confrontation Policy (Frank)**

The negotiation process according to this policy is based on openness, frankness, and dealing with the elements of the negotiation issue in a direct and frank manner, especially if the existing joint interest between the two negotiating parties requires full knowledge of the circumstances and capabilities of the other party, and any deception between the two parties will negatively affect the implementation of what each of them is committed to towards the other.

- 7-2 Evasion Policy (Circumvention)

Often, the common interest is not the decisive factor in the negotiation process, but rather the conflict and dispute express the nature of the issue being negotiated, and based on this, the policy of evasion and circumvention around the elements and parts of the negotiation issue is used, and the reality of the negotiation goals is not revealed, but rather relying on deception, evasion, and circumvention around the issues and their elements in a way that does not raise suspicion, but reaches the peak of success in it by complete deception of the other party and leading him to sign an agreement in which he believes he has achieved a victory, while in reality it is a complete defeat.

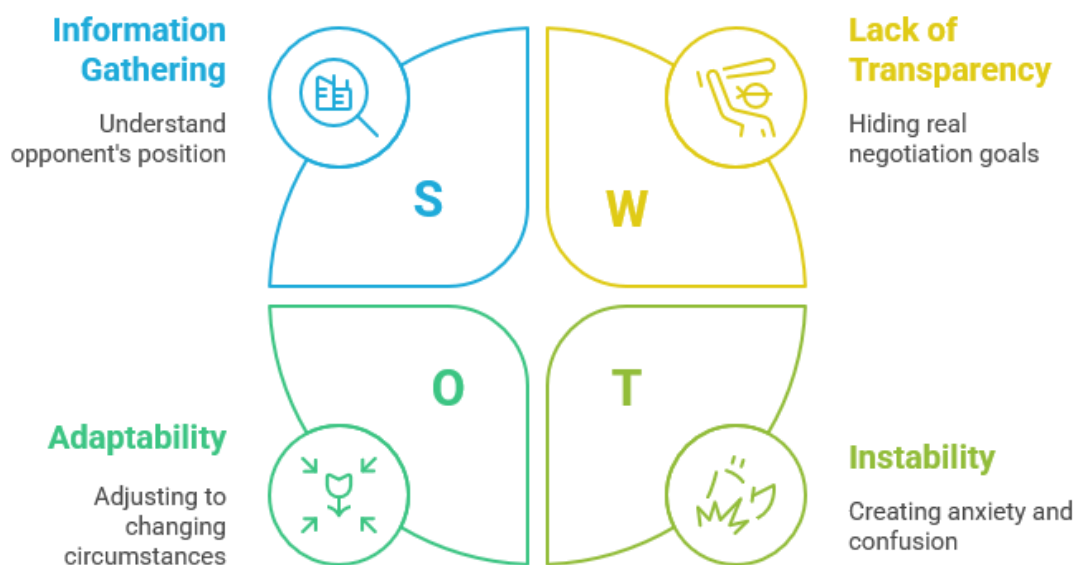
- 8 Development Policy / Freezing Policy

- 8-1 Development Policy

This policy is based on the principle that any negotiation issue is fundamentally a changing issue as long as it is related to factors of movement and time, and therefore it is subject to the influence of these factors in one way or another, and to achieve and continue the mutual interest that connects the negotiating parties, it is necessary to develop and improve this interest by strengthening relations and ties between the parties and reaching a higher, deeper, and more comprehensive level of cooperation.

- 8-2 Freezing Policy

This policy is based on maintaining the current situation as it is, and keeping the existing negotiation situation without any change or modification, whether negative or positive, and freezing it to the point of death due to the lack of point in moving it or dealing with it again with new given facts.



Thirdly - Negotiation Tactics

The negotiator converts negotiation strategies into a form of executable performance that is compatible with the negotiation situation and capabilities, thus achieving the goal of the negotiation process¹⁷, which is known as "negotiation tactics".

The term tactic refers to the minor elements or partial components that the negotiator uses and moves with within the strategy to achieve the main goals of the negotiation process, meaning that tactics are represented in the activities that the negotiator performs or the behaviors he adopts or the methods

¹⁷ Mustafa Mahmoud Abu Bakr: Previous reference, p. 336.

he uses for the strategy's benefit and to increase its effectiveness in achieving the intended results of the negotiation process¹⁸.

For the negotiation process to be successful, the negotiating parties must know the appropriate tactics for each strategy and how to employ them and move from one tactic to another during the negotiation process, and a single tactic can also be adopted in the negotiation process, and this depends on the nature of the issue being negotiated and the strength or weakness of the other party; specialists have divided negotiation tactics into five main groups, which we mention as follows¹⁹:

- **1 Initiatives Taking Tactics:** This type of tactics requires strength of personality and courage in taking the initiative, and it is divided into sub-tactics as follows:

* **False Praise:** This tactic is used in case the negotiator discovers that his opponent lacks experience and expertise, and therefore he values all his interventions and ideas and praises him with flattering phrases, provided that

the negotiator is able to control his facial expressions and words of praise to emphasize the interventions, and thus lead the other party to believe that he is right and thus attack him at the appropriate time.

* **Coercion:** This tactic can be used against a junior member of the opponent's team, such as saying that dealing with Mr. X before did not take this approach at all, so are you sure of his support in this matter?

* **Contradiction Between Partners (Within the Same Delegation):** This is done by making the opponent believe that the negotiation delegation members are not in agreement on one of the negotiation clauses, and even more, the other party is made to believe that one of the delegation members is defending the opponent's interest.

* **Presenting the Opponent as Irrational:** This is done with strong facial expressions that indicate that the opponent's idea is irrational and that he is asking for the impossible, and this will make the opponent concede even if what he proposes is a normal matter.

- **2 Pressure Tactics:** The negotiation delegation resorts to this type of tactics to force and compel the other party to concede to their demands or at least reduce the ceiling of their demands, and this is done by using a set of tools such as threatening to withdraw from negotiations, casting doubt on the opponent's integrity, demoralizing him, using the phrase "yes... but", ... exaggerated demands, showing the negotiator's inability to make a decision and thus threatening him to contact his superior...

- **3 Expectation Tactics:** This type of tactics requires great skill, and that is by being able to read the opponent's thoughts and thus expect what the opponent will ask for, and thus surprise him by saying: We knew you would say this and that.

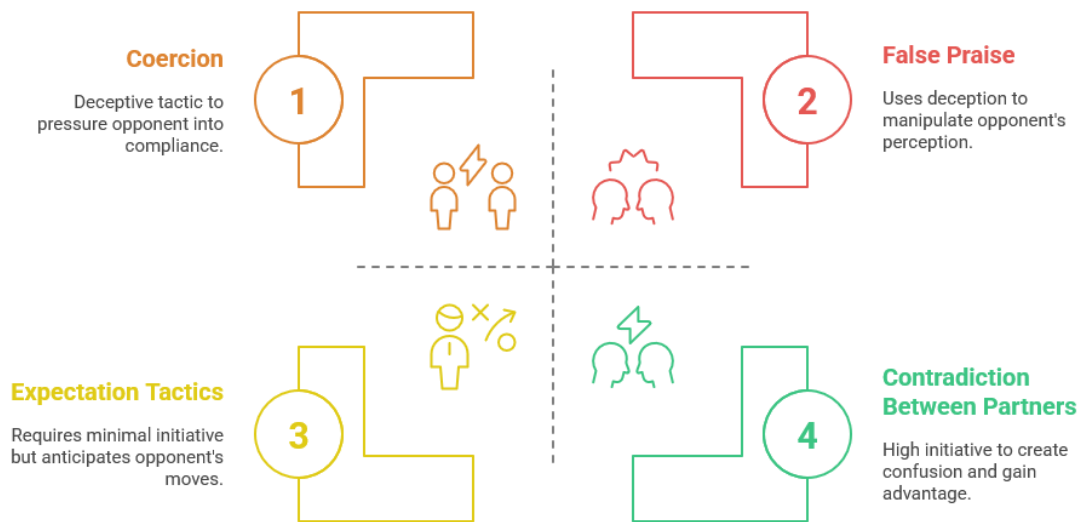
- **4 Siege Tactics:** This tactic is based on the policy of closing all avenues against the other party, and thus forcing him to concede, but this type of tactics requires a very deep and precise preparation for negotiations.

- **5 Deception Tactics:** This tactic is used to deceive the opponent by making him believe that the negotiations are in his favor, and that the negotiation delegation has conceded everything, and this

¹⁸ Sadiq Muhammad Afifi and Mustafa Mahmoud Abu Bakr: Previous reference, p. 266.

¹⁹ - Mir Ahmed: Previous reference, pp. 53-54.

tactic is used by following the method of exaggerating demands or expanding the negotiation margin to the extent that the negotiation delegation can concede in a way that makes the opponent believe that he has conceded a lot, and thus he should accept the points that the negotiation delegation considers to be the point of non-concession afterwards.



Chapter five:

Communication, Dialogue, and Persuasion in Negotiation

Firstly - Communication

Secondly - Dialogue

Thirdly - Persuasion



Firstly – Communication

- 1 Definition of Communication

Communication is defined as: "The exchange of information and ideas between two or more people,"²⁰ it is a means of conveying ideas, opinions, facts, feelings, and values to others²¹.

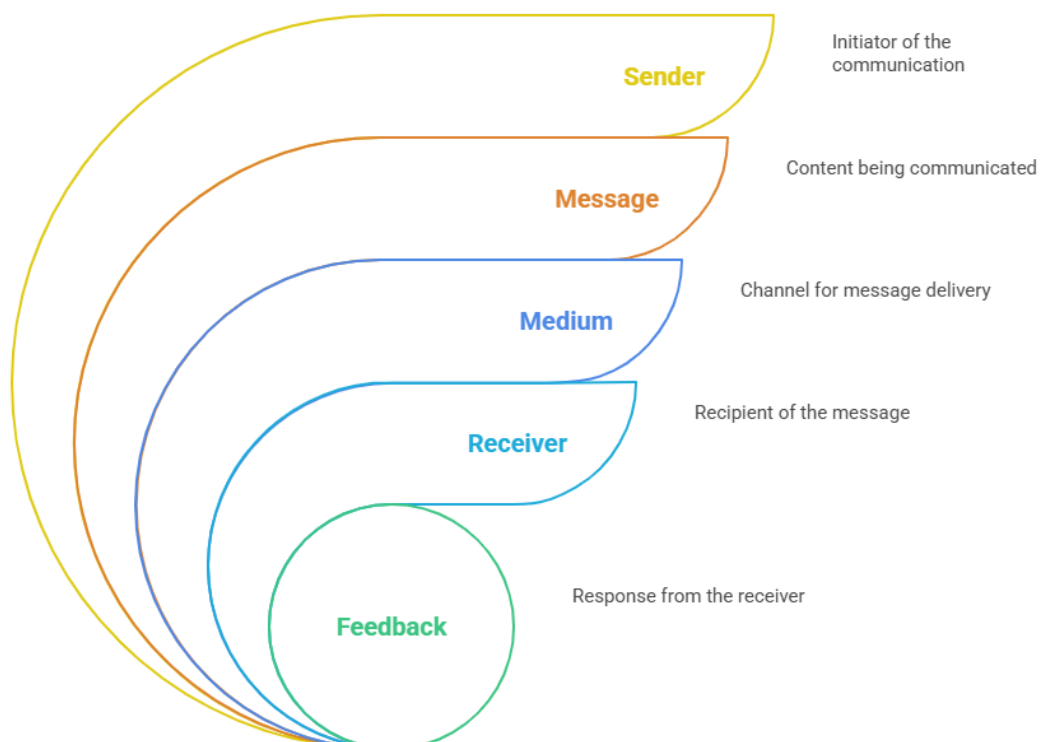
It is also defined as: "The process through which information is exchanged and understood by two or more people with the aim of creating motivation and influencing behavior"²².

Communication is considered the core of the negotiation process, as without good communication, there can be no successful negotiation. Through communication, ideas, concepts, facts, opinions, and attitudes are expressed and exchanged between the negotiating parties by using various communication skills such as speaking, listening, gestures, persuasion, and other skills that contribute to the success of the negotiation process.

- 2 Elements of Communication

The communication process consists of the following elements, according to the model shown below:

Figure : Elements of Communication



²⁰ - Ali Muhammad Mansour: Principles of Management, Nile Arab Group, Cairo, 1999, p. 222.

²¹ Hussein Harim: Organizational Behavior, Dar Al-Hamid, Amman, 2014, p. 245.

²² Mustafa Youssef Kafi: Previous reference, p. 13.

source

Sender: The source of the message to be conveyed to the receiver, and it is the negotiating party who wants to convey meanings, information, and ideas to the other negotiating party.

Message: It is the set of meanings to be sent, its content is determined after studying the motives and tendencies of the sender.

For the message to be effective, it must achieve the following:

- Attract the receiver's attention, through referring to his needs and desires and suggesting the appropriate way to satisfy them.
- Simplicity and clarity so that it is understood by the receiver;

Medium: It is the means of communication through which the desired message is transmitted, including spoken and written.

Receiver: It is the recipient of the message, and it refers to the other negotiating party, or the target audience.

- 3 Forms of Communication

Communication takes three forms, which we explain as follows:

Verbal Communication: This is direct conversation between two parties using a specific or no medium, and through using sound to convey ideas through the communication process, which takes various forms such as: personal meetings, gatherings, discussions, negotiations, conferences, speeches, phone calls, radio, television...

Non-verbal Communication: These are all communications used by the individual without using sound in that process, which take various forms such as: hand gestures, eye movements, facial expressions, sitting and standing posture, smoking method, head and shoulder movements, looking from behind glasses, walking method...

Written Communication: It is influenced by all the means and tools that can be used in writing to express the ideas that the sender carries and intends to convey to others, and it takes various forms.

such as: letters, memos, books, reports, maps, graphs, newspapers, magazines, pictures...



Secondly - Persuasion

- 1 Definition of Persuasion

Persuasion is considered one of the most important skills that a negotiator must acquire, due to the latter's need to influence the thoughts and attitudes and convictions of those he negotiates with, in order to achieve gains from the negotiation process.

Harry Mills defines persuasion as: "The process of changing or reinforcing positions, beliefs, or behavior"²³. It is a result reached by adopting a communication method that uses tools of influence.

It is also defined as: "The organized, studied effort that uses various means to influence the opinions and ideas of others, so that they accept and agree with a specific point of view, and that is through psychological and social knowledge of that target audience"²⁴.

It is also defined as: "Intellectual and formal processes in which one party tries to influence the other and subdue him to an idea"²⁵.

- 2 Types of Persuasion

The types of persuasion can be identified as follows²⁶:

- 2-1 Persuasion by encouragement and persuasion by intimidation:

Persuasion by encouragement is done by offering material and moral incentives to the other party in negotiations, with the aim of encouraging him to accept new ideas and practices.

As for persuasion by intimidation, it is done through coercion of the other party by various social, economic, political, and intellectual means that make him accept the presented ideas and opinions.

- 2-2 Direct persuasion and indirect persuasion:

Direct persuasion occurs when the other party is persuaded spontaneously without influence or pressure on him.

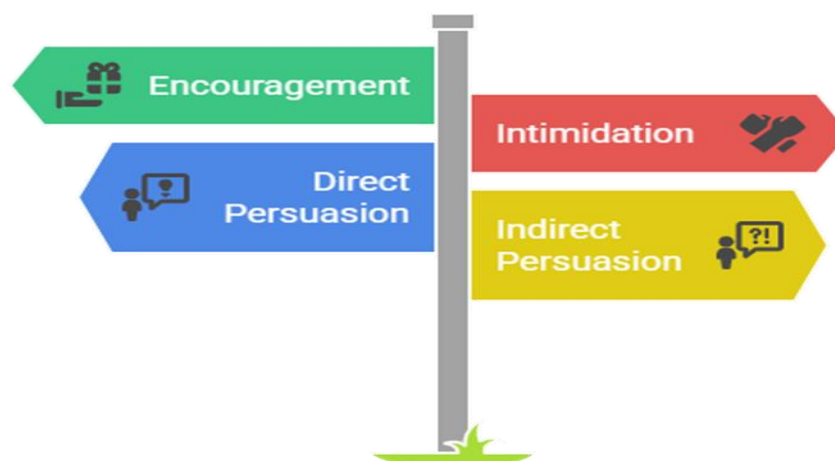
As for indirect persuasion, it is through hinting or referring to the other party about the importance of the new ideas and the acquired benefits resulting from persuasion by those ideas, leaving him the freedom to make decisions regarding accepting those ideas or rejecting them without direct influence.

²³ Harry Mills: *The Art of Persuasion*, Translated by Jarir Bookstore, Riyadh, 2001, p. 24.

²⁴ - Mustafa Youssef Kafi: Previous reference, p. 117

²⁵ - The same reference, p. 118

²⁶ Kaili Rima: *Negotiation and its Role in Activating the Sales Process*, Master's Thesis in Commercial Sciences, University of Boumerdes, 2013/2014, p. 72.



- 3 Principles of Persuasion and Their Uses

- 3-1 Principles of Persuasion

In his book "The Psychology of Persuasion", Robert Cialdini presented the necessary ways for a successful marketing process, by addressing the psychological aspects of the persuasion process, and pointed out that humans have a responsive behavior, and are driven by stimuli and incentives, such as advertising. Here he raised a question: Why are those who work in advertising and marketing successful and influential? The answer: Because they understand well the motives that drive humans, they understand well the principles of persuasion, which are used during negotiation to influence others. The following summarizes these principles²⁷:

- 3-1-1 Principle of Reciprocity

Humans generally try to reciprocate with those around them, he wants to get things he doesn't have while others have them, and he wants others to get some things he has. Therefore, he must understand the reciprocal process, he needs people and people need him. If someone gave you some things you need, he wants to get some things he needs in return.

- 3-1-2 Commitment and Consistency Principle

People prefer to commit to their thoughts, feelings, and actions and remain consistent, so a person tries to have a position, he tries to act in a certain way to modify his previous decisions. So if you are committed to what you do, you will have something with which you can convince others, and this is a clear fact, and you can prove its truth through your commitment to a specific preferred point of view, so you will make every effort to convince others of this point of view, and you will see this clearly in the selling process. The seller, if he believes in the reputation he has, even if it is below the level, you will see him convince the customer with it and that it is necessary, and it has many advantages that are not found in others.

²⁷ Gary Karrass: Effective Negotiating Skills, Translated by Ali Ramadan Fadl, Dar Al Jazeera, Algeria, 2014, pp. 16-22.

- 3-1-3 Connection Principle (Association)

When you love someone or believe in what they believe in, you are usually inclined to satisfy them and work to make them happy. In the selling process, you find the successful seller initially tries to establish a human relationship through which he convinces the buyer of what he wants.

- 3-1-4 Scarcity Principle

If you are not sure that some of these things are necessary for you, or that you want to buy them, then think carefully before making a purchase decision, and offer alternatives to these goods; persuasion is driven by scarcity, and if the seller perceives with his intuition and astuteness that the buyer needs these goods, then convincing him will be easy.

- 3-1-5 Authority and Influence Principle

If a person has authority and influence, and can give others the impression that he does not care about something, then he will be able to persuade them easily, and you see this in fraudulent and manipulative operations,

So the imposter makes people believe and gives them the impression that he doesn't care about what they have, and through this authority and influence, he persuades people with what he wants.

- 3-1-6 Social Proof Principle

The principle of social proof makes people more inclined to persuasion, even if it is not in their favor, but because society approves of what he does, you find people convinced by it. For example, you find some people buying a certain brand, or acting in a certain way without conviction, but social custom, tradition, and approval make them act that way.

- 3-2 Using Persuasion Principles in Negotiation

We mentioned earlier that in any negotiation process, we find that each party seeks to reach a result that makes him feel that he has obtained the best offers, especially if these offers or the result are satisfactory to both negotiating parties;

So for each of the parties, there are specific criteria for accepting or rejecting the negotiation result, and for each party, there are strengths and weaknesses that he is aware of, and he is also aware of the strengths and weaknesses of the other party, so it becomes clear to the negotiator when to use this strength, and when to force the opponent to give up the weakness.

And when the negotiator knows that the other party is using some persuasion principles, he notices that, and he also uses more persuasion principles that we mentioned earlier, and here are their uses in negotiation:

- 3-2-1 Reciprocity Principle

This principle is considered one of the important principles in negotiation, as it is based on give and take, and negotiation in its essence is give and take.

- 3-2-2 Commitment and Consistency Principle

This principle is used in negotiation, by showing the other party the extent of the negotiator's commitment and consistency in his positions, and his conviction with them.

- 3-2-3 Connection Principle

If the negotiator clearly understands the other negotiating party's strengths, he can present the aspects that make the opponent realize that he also has negotiation weapons that he can use to obtain what he wants, and force the opponent to give up some of his gains, so the negotiation process is a game of maneuvering and evasion.

- 3-2-4 Scarcity Principle

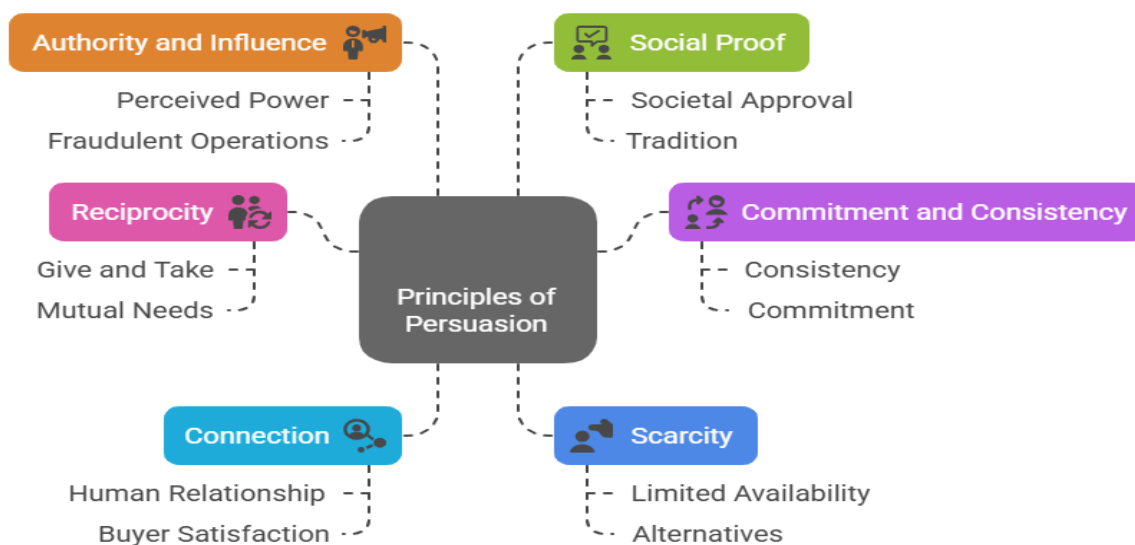
In many cases, the seller has a strong commitment to finalizing this deal, which makes him try hard to convince the person he is negotiating with to finalize it, and if the other party realizes this point, he can use the weapon of time and pressure.

- 3-2-5 Authority and Influence Principle

If the seller realizes that his reputation has no equal in the market, he will know that he has authority, and he will use it in the negotiation process; on the other hand, if the other party does not need it or has alternatives, then his decision to acquire this brand will be slow, which forces the seller to enter into a negotiation process.

- 3-2-6 Social Proof Principle

This principle can be used in negotiation to satisfy and persuade the customer that this brand is in line with customs or tradition, so if most people are comfortable with a certain product, it is easy to persuade others with it, as well as ideas and beliefs.



- 4 Persuasion Strategies

There are many strategies used in persuasion, among them are²⁸:

- 4-1 Relying on Emotion or Logic in Appeal

In reality, there is no fixed rule that we can confirm about relying on it in this field, except that the degree of influence of emotional appeal increases when persuading the target audience logically, and this relies in this case on appealing to the individual's motives to some extent, and there is no way to determine the extent of emotional or logical appeals except by studying the individual differences of

²⁸ Mustafa Youssef Kafi: Previous reference, pp. 111-112.

the target audience. When there is prior experience between the sender and the target audience, this will help to recognize each individual individually or in small groups and the optimal method to use with them.

- 4-2 Relying on a Degree of Fear to Achieve Appeal

Experiments confirm that a large percentage of groups exposed to a moderate degree of fear are affected by the advice they hear, and this percentage decreases as the degree of fear increases. The message that works to arouse fear becomes less effective as the fear increases or decreases, and the reason for this is that the target audience becomes more tense as a result of intense fear, and this leads to minimizing the threat or its importance, or may lead to avoiding the message instead of learning from it or thinking about its content.

- 4-3 Starting with the Existing Needs and Attitudes of the Receiver

The speaker who addresses the target audience regarding their needs and helps them identify the means that will achieve them, has a greater chance of persuading them instead of trying to create new needs for them, and the discourse or message is more effective in persuading the target audience when it appears to them as a means to achieve a goal.

was already there; persuading any individual to do a specific job requires starting from the individual's feeling that this job is a means to achieve a goal that he already had or that he started thinking about beforehand at least.

- 4-4 Presenting and Analyzing Conflicting Opinions on the Topic

Presenting the side supporting the opinion of the target audience leads to strengthening their opinion and interaction with the speaker, because a message that presents only one side of the topic is capable of persuading individuals and pushing them to adopt the presented point of view when it is emphasized by the target audience. Experiments have proven the general effectiveness of presenting both supporting and opposing opinions to the expert individual; when the speaker presents his point of view neutrally, the influence and persuasion can be stronger on the receiver for a higher level of conviction from the opposing points of view afterwards.

- 4-5 Linking the Content to the Source or Reference

The sender or speaker sometimes attributes the information and opinions they express to specific sources or references, and it is noticed that the target audience remembers the content after some time without remembering the source, except for religious sources such as heavenly books or hadiths, and sources that the target audience considers fixed and true, which facilitate the process of persuasion, while other sources will lead to a negative view that may form an obstacle to persuasion.

- 4-6 Degree of Ambiguity and Clarity in the Message

The degree of clarity in the message is of great importance in persuasion, the clearer the message is and the less effort it requires to interpret and extract conclusions, the more persuasive it becomes; however, the clarity of the goal of the message may give the opposing attitudes of the target audience an opportunity to become active in resisting that message, while the implicit goal allows the target audience the opportunity to use their mind and deduce the goal without feeling guided towards it.

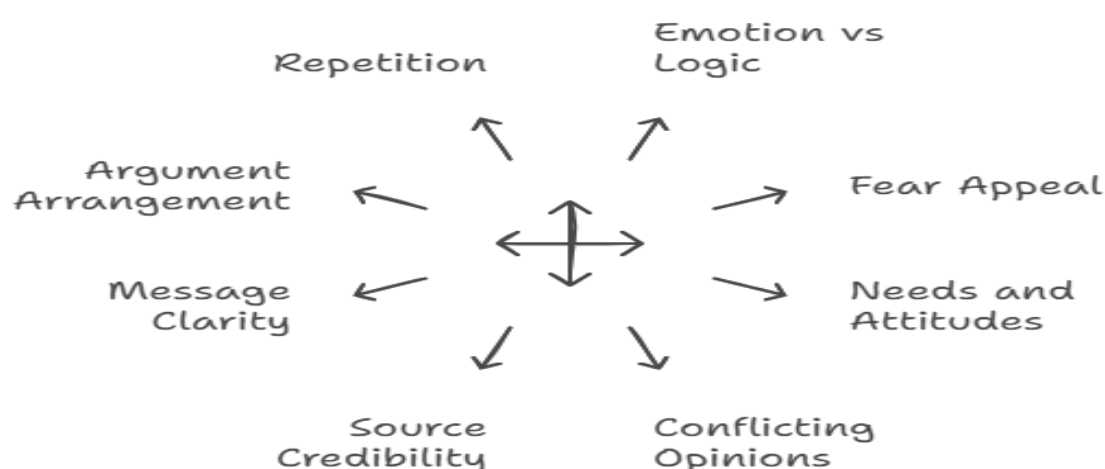
- 4-7 Logical Arrangement of Message Ideas

If the speaker presents varying arguments in his message, the strong arguments are more influential on the listeners, and therefore it is preferable to start with the strong arguments, then the weaker

ones, then the appeals, and finally presenting the message that satisfies those needs is more influential than presenting the convincing content first. After that, the speaker should present the supporting arguments first, as this will strengthen his position and prepare him to reject the opposing arguments that will come after persuasion with the supporting arguments.

- 4-8 Cumulative Effect and Repetition

Repetition is one of the factors that help persuasion, and repeating the opinion or message may lead to a change in general attitudes towards or an issue or topic, however, repetition may sometimes cause boredom and discomfort, and this requires that repetition be with variety, and it has been shown that individuals who were presented with more than one reason or justification were more willing to be persuaded than those who were presented with one reason or justification; moreover, the persuasion resulting from cumulative exposure to the topic is greater than that resulting from one-time exposure.



- 5 How to Persuade Others?

The process of persuasion requires a set of elements, which we summarize as follows²⁹:

- The negotiator or speaker must be convinced of the idea he seeks to spread, or to persuade others with it,

Because any level of hesitation may prevent the idea from reaching the other negotiating party.

- Using words with specific and limited meanings such as: Given that, therefore, if... these are phrases that limit the meaning and specify the idea, and avoiding brilliant expressions that are not understood or do not carry broad meanings.

- Giving up futile arguments, maintaining a friendly spirit, and avoiding engaging in disputes that may alienate others.

- Analyzing the dialogue into two basic elements:

²⁹ - Muhammad Mahmoud Mustafa: The Science of Negotiation Between Theory and Practice, Dar Al-Bedaya, Amman, 2012, p. 85.

- . Logical premises: These are the data, facts, or reasons on which the result is based and leads to it.
- . Result: This is what the debater or arguer aims to reach. For example: The citizens who contributed their money to the establishment of the association are the ones who have the right to vote, and you did not contribute to the association, and therefore you cannot vote.
- Choosing soft, gentle phrases, and avoiding harshness, intimidation, pressure, and imposing opinion.
- Being keen to link the beginning of the other party's conversation to its end, as this makes him feel the importance of his words to the negotiator and that he respects him and pays attention to his words, then the negotiator presents the facts and figures that make the other party feel the strength of his information, its importance, and the realism of his conversation and its credibility.
- Showing interest - not fake - in the correctness of the other party's position, because trying to refute apparent facts makes the other party feel that the negotiator is seeking argument and victory for himself.

- 6 Means of Developing Persuasion Skills

The success of the negotiation process depends to a large extent on the skills of influence and persuasion, which are one of the verbal, behavioral, and cognitive skills that enable organizing ideas and formulating phrases and selecting words in a way that allows presenting issues, arguments, and evidence in a convincing manner; and the skills of influence and persuasion can be developed through a set of means and tools³⁰:

- The availability of information and data on negotiation topics and issues leads to strengthening the negotiation position by being able to influence and persuade.
- Through good perception resulting from mental alertness and continuous listening, you can improve expression of your goals and be influential when dealing with negotiation topics, and you have the ability to persuade others of your point of view.
- Mental flexibility and the ability to identify alternatives lead to developing the ability to infer, and increasing linguistic fluency in expressing yourself and your issue and your goals by influencing and persuading others.
- The degree of your conviction in your goals, your belief in them, and your confidence in them are reflected in your facial expressions and your method of dialogue and your way of thinking and presenting topics and choosing words, and then your ability to influence and persuade.
- Your keenness to achieve your goals from the negotiation process and your enjoyment of it leads to developing your ability to employ all means of expression and all languages of the face, hands, and body, and others, which is reflected in your skills of influence and persuasion.

Thirdly - Dialogue

- 1 Definition of Dialogue

³⁰ Sadiq Muhammad Afifi and Mustafa Mahmoud Abu Bakr: Negotiation in Life and Business, University House, Alexandria, 2000, pp. 163-164.

Dialogue is defined as: "The process of exchanging ideas and opinions between two or more participants with the aim of clarifying a confirmed fact, or a specific opinion that the other may accept or reject. If they accept it, the dialogue will be short, but if they disagree with it, the dialogue between them may continue to convince the first party of the other party, and the other party may not be convinced, and then the issue of disagreement remains between them, which leads to the continuation of the dialogue to other times"³¹.

- 2 Importance of Dialogue

Dialogue gains its importance from being a window for exchanging and discussing ideas, it is one of the best means for persuasion and changing attitudes, ideas, and behaviors towards the better, and taming souls to accept criticism and respect the opinions of others.

- 3 Benefits of Dialogue:

Dialogue achieves a set of benefits that can be summarized as follows³²:

- Gaining new knowledge and information about the topic of dialogue and learning about different cultures and thinking styles.
- Gaining experience and skills in presentation, persuasion, listening, and communication methods.
- Knowing the weaknesses of the debater, whether regarding the background of the dialogue topic, or in communication and dialogue skills, and working to strengthen weak points and correct weaknesses.
- Explaining the topic of dialogue and clarifying it and removing ambiguity about it, and bringing viewpoints closer and harmonizing them.
- Enriching the topic and developing it as a result of different ideas and mixing them.
- Attracting supporters and mobilizing opinions to support the topic and gain conviction.

- 4 Essential Rules for Effective Dialogue

For the dialogue to be effective, it is important to follow the following rules³³:

- Positive listening: This is an effective way to encourage the continuation of the dialogue positively, and it develops the relationship between the participants. Positive listening requires a genuine desire to listen to serve the dialogue, and this requires learning patience and self-control, and treating impulsivity and purifying the heart from individual selfishness. Positive listening leads to understanding the other party's point of view, appreciating it, and giving more space to understand others.
- Good explanation: The debater needs eloquence with clear and simple words, and explanation without lengthy discourse or repetition, so that the phrases are clear and supported by what is confirmed by words, evidence, and figures, and presenting examples; and from explanation, simplifying the idea and wanting to convince with the supporting evidence to stimulate interest and continue the dialogue until the goal is achieved.

³¹ Jamal Ibrahim: The Art of Successful Dialogue, Dar Al-Hurriya, Cairo, 2015, p. 19-20.

³² Jamal Ibrahim: The Art of Successful Dialogue, Dar Al-Hurriya, Cairo, 2015, pp. 19-20

³³ Muhammad Mahmoud Mustafa: Previous reference, pp. 75-78.

And from explanation, also not rushing to present ideas, because this will make it difficult for the other party to focus and follow, and not being slow so as not to bore him, in addition to arranging ideas so that they do not crowd the debater's mind, causing confusion in his perception; and the debater should not be preoccupied with the next idea until he finishes the previous idea, and the debater should know when to speak and when to listen and when to respond with gestures. He should use a comfortable and calm tone of voice, and he should control his emotions, and lower his voice, and always remember that a weak argument is not supported by a loud voice, and the debater should not rush to respond before understanding, and there is no harm in some humor and eloquent jokes and rare anecdotes that attract the debater, while weighing the word before speaking, and also being cautious of digression.

- Charisma: The debater needs charisma and offering greetings before starting the dialogue, and starting with points of agreement such as established facts and obvious points, and making the beginning calm and smooth, and appreciating the feelings of the other parties to the dialogue, which contributes to building a bridge of affection, trust, and understanding, making the dialogue positive and effective.

- The debater needs the opening paragraph to attract the debater's attention, and he should try to make the conversation natural and based on understanding, and he should be aware of the intended goal to be reached through their dialogue.

- The debater should not use the word "no" especially at the beginning of the dialogue, and should not use the first-person pronoun "I", nor the phrase "you must do this..." nor the phrase "you are wrong, and I will prove to you..."

- The debater should use the specific tangible and intangible means and methods that help him convey what he wants, such as numbers, arguments, evidence, and popular proverbs, along with summarizing ideas and focusing on the most important ones.

- Controlling emotions, the debater should be wise and observe himself with the same degree of vigilance with which he observes his interlocutor, and he should rephrase his interlocutor's ideas and perceptions and the expressions on his face and the messages in his eyes, and he should not get angry if his interlocutor disagrees with his opinion.

- Not declaring hostility towards the interlocutor so that the dialogue does not turn into argument and enmity.

- Addressing the interlocutor by his name, title, or nickname that he likes, without exaggeration.

- Answering with "I don't know" or "I am not aware" if the debater is asked about an issue he doesn't know, and in this there is psychological courage by not concealing ignorance of something.

- Acknowledging the mistake and thanking the interlocutor for the alert.

- The debater should remember at every moment that he is debating and not arguing, and he should avoid overlapping ideas and prevent digression that is not useful during the dialogue, and he should not mix between the idea or the topic of the dialogue and the person of the debater, so that the dialogue does not turn into a futile argument that harms both parties and does not achieve the goal of the dialogue.

- Do not be arrogant and show contempt for the other debater with a word, gesture, or look.

- 5 Means of Developing Effective Dialogue Skills

Effective dialogue is considered one of the most important skills that help in establishing fruitful negotiations for the negotiating parties, and this depends on the ability to understand the cultural, social, and psychological structure of the other party, to manage the dialogue with him effectively to achieve the goals of dialogue and negotiation, and effective dialogue skills can be developed through the following³⁴:

- Understanding the negotiation approach of the other party.
- Deeply understanding the other party's strengths and weaknesses.
- Using appropriate and effective phrases and words.
- Avoiding reducing the value of ideas or proposals presented by the other party.
- Being keen on good listening and accepting the other's opinion.
- Avoiding taking the opposing side or counter-opinion.
- Avoiding clarity in adopting a position of rejection.
- Do not appear as a desperate defender of your opinions and ideas.
- Focus your reservations on the topic itself, and be careful not to make your reservations or criticisms personal towards the other debater.
- Seize the appropriate opportunity, and ask the other party for opinion and advice.
- Use questions effectively.
- Learn how to use the language of silence in managing dialogue effectively.

³⁴ Sadiq Muhammad Afifi and Mustafa Mahmoud Abu Bakr: Previous reference, pp. 162-163.

Foundations of Effective Dialogue

Emotional Control

Stresses the need for managing emotions during dialogue.



Positive Listening

Encourages understanding and connection through active listening.



Effective Dialogue

Charisma

Highlights the importance of building rapport and trust.



Good Explanation

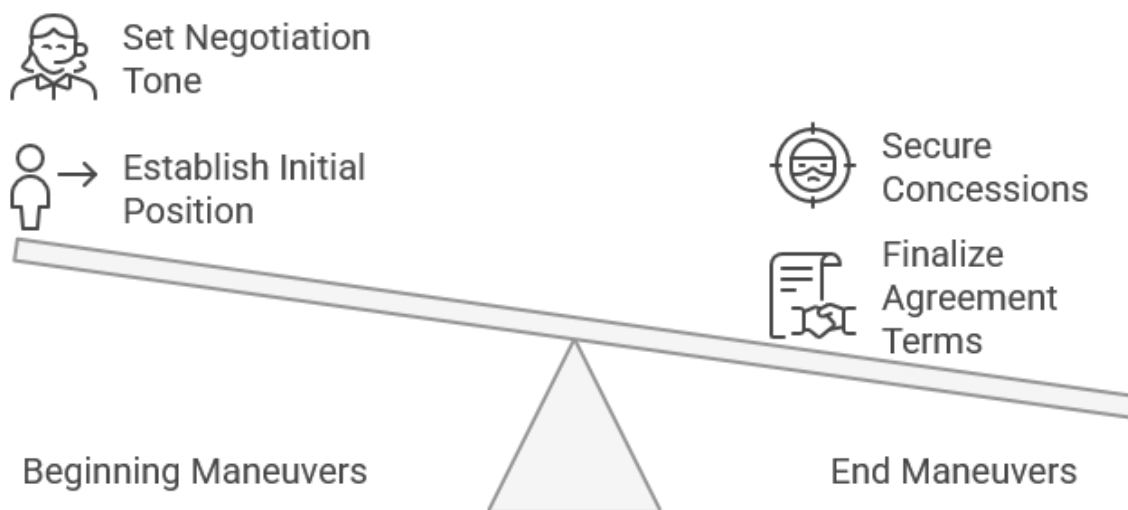
Emphasizes clarity and simplicity in communication.



Maneuvers at the Beginning and End of Negotiation

Firstly - Maneuvers at the Beginning of Negotiation

Secondly - Maneuvers at the End of Negotiation



Balancing Negotiation Strategies

Firstly - Maneuvers at the Beginning of Negotiation

Or they can be called opening maneuvers, where Roger Dawson suggests several maneuvers that can be performed during the beginning of the negotiation process, and they are as follows:

- 1 Ask for More Than You Expect

The great diplomat Henry Kissinger says: "Effectiveness at the negotiation table depends on exaggeration in presenting demands."

If you ask - only - for what you hope to reach, then you will be given a wider field for negotiation, and here the circumstances will not be favorable for you to win, because if you stick to what you decided to get, you will face a situation that allows only acceptance or rejection, and thus you put the other party in a position of unavoidable loss; and thus if you ask for more than you expect, you keep both parties away from the feeling of loss, and among the important reasons that encourage you to ask for more than you expect is that you may actually get what you want; in addition, asking for more than you expect may raise the apparent value of what you offer, and when you are forced to offer concessions, or begin by pretending to offer concessions, you can ask for something in return.

So ask for more than you expect for the following reasons:

- Perhaps you can reach what you want to achieve.
- Asking for a lot gives you more room for negotiation.
- It enhances the value of the offer you present.
- It prevents you from reaching a deadlock.
- It creates an atmosphere for you that makes the other party feel that he has achieved a victory.

Roger Dawson asks a question and says: What is the amount of increase you should ask for? To answer this question, you must first define your goal, then present an offer that exceeds your goal by the extent to which the other party's offer deviates from this goal.

For example, consider a car dealer who is asking for one hundred and fifty thousand dollars for a new car, and you don't want to pay more than one hundred and thirty thousand. Here you should offer one hundred and ten thousand dollars, and thus you leave room for negotiation without deviating from the goal, and you contribute to creating favorable conditions for the parties to win.

- 2 Never Say "Yes" to the First Offer

If you accept the first offer, you will surely raise suspicions with the other party, and he may assume that what he got is not a losing deal. Imagine - for example - that you ask for a bonus, and your boss agrees to what you offered quickly and enthusiastically, will you be happy? Perhaps you will tell yourself: Why didn't I ask for more?

One of the reasons for accepting the first offer is that you have prior ideas of what you can get, and if the offer exceeds what you expected, you will then find something that tempts you to accept it,

- Avoid temptation,
- Do not have prior ideas,
- Reject the other party's proposals and offers, showing your surprise.

Let avoidance and surprise be your reaction to the other party's proposals always, and the other party will notice this avoidance, and will be ready to offer concessions, and if you do not show your surprise and you are satisfied, the other party will become less flexible, and he may think that you are about to accept his proposals.

- 3 The Reluctant Seller and the Reluctant Buyer

Always be a reluctant seller and a reluctant buyer, as buyers, if they see you enthusiastic about selling, will lower their offers. But if you appear as a reluctant seller, buyers will assume that the higher offers are necessary to finalize the deal, and thus you become capable of expanding the scope of negotiation before you start.

Secondly - Maneuvers at the End of Negotiation

- 1 Pressure Without Confrontation

The effective negotiator is able to pressure the other party to obtain concessions without resorting to confrontation, and among the methods used in this regard is the maneuver of higher authority; you must reach the maximum possible in negotiations, then refrain from agreeing, claiming that you must refer the matter to a higher authority, and this higher authority may actually exist or not, and it usually consists of a vague entity such as a board of directors or a legal department. Then you return the next day to the negotiation table with sad news that the higher authority insists on more concessions from the other party, and this maneuver pressures those you face from the other party's negotiation team.

so that they make greater efforts to improve the deal, and the reason is that your persuasion alone is not enough, and their offer must be good enough to allow you to present it to the higher authority.

The higher authority enables you to exert more pressure without confrontation by implementing the "Good Cop, Bad Cop" tactic; the Good Cop is you, who appear willing to sign the agreement, but the Bad Cop is the higher authority, which is the one who can say no.

So you are the "Good Cop" who makes every effort to support the other party's position, but the "Bad Cop" says no; in this case, the higher authority plays the role of the Bad Cop.

The Bad Cop can also become a partner in negotiations in an aggressive manner, then the Good Cop appears on the scene to apologize to the other party, saying: "Please, if you could offer a small concession." And thus you can restart the negotiations.

How to avoid falling into the trap of higher authority?

Roger Dawson believes that to prevent deception through the trap of higher authority, you should clarify from the beginning that the other party must be the decision-maker in the final agreement, and if that is not successful, resort to the absent conscience, and evoke the spirit of selfishness in the other party and try to provoke them so that they claim or pretend that they are capable of agreeing. Tell them in a decisive tone: they - meaning the higher authority - will agree to what you agree to, won't they? Or make the other party commit to recommending the agreement to the higher authority when presenting it to them, and you can verify the necessary conditions for the higher authority's agreement so that it is based on specific reasons when rejecting your proposals instead of vague rejection from the higher authority; as for the Good Cop, Bad Cop method, tell the other party in a polite way that you fully understand what they are striving for, and that it will not bear fruit.

- 2 Seizure Maneuver

This means requesting concessions in the final moments of the negotiation process, and its timing is the most critical aspect, as the negotiators have completely let down their guard and caution, and the seizure maneuver is used in the best way to present matters that the other party does not have prepared to agree to in the final stages of negotiation. If you present them to him, you must smile and say: You see the agreement is very fair, and there is no need to ask for more concessions.

- 3 Concession Sizing

The way you present concessions can greatly affect the other party's expectations and performance in negotiation. When you are about to end the negotiations, do not give a larger concession than your previous one or equal to it, because that will encourage the other party to continue imposing conditions and asking for more concessions without offering anything in return.

- 4 Feigning Weakness (Pretending Ignorance)

Negotiation ignorance or pretending ignorance is the height of effectiveness and intelligence; some individuals think that effective negotiation means aggression and excessive self-confidence, but what they are doing in reality is putting themselves in a difficult position, as they are excluding many of the previously mentioned maneuvers. For example, how can you benefit from the higher authority maneuver or the Good Cop, Bad Cop method if you have already bragged and shown off to the other party that you are the one with the final say, or that senior management always accepts all your requests.

Pretending to be deaf, weak, or ignorant is clever, as it gives you an opportunity to maneuver; you can claim, for example, that you do not understand and need more information before making a decision, and pretending ignorance also removes the atmosphere of competition from the negotiation field.

- 5 Relative Value:

Always remember that the value of the negotiated item is relative and varies from person to person, and money is not more important. Sometimes the negotiated item may be more important than money. Some negotiators may pay more money for something that is of added value to them, such as scarcity or the quality of a particular product. You should know that the price is not always the most important thing for the other party; sometimes the brand is more important to him than money.

- 6 Ability to Withdraw

One of the most powerful negotiation weapons is to be able to withdraw, and your position will become stronger than before when the other party realizes that you can withdraw at any time, and the opposite is also true. Do not let the negotiations reach a stage where you cannot withdraw, but how do you make the other person feel this kind of pressure and try to fear your withdrawal from the negotiations?

You can also achieve this if you make the contract important to him and instill in him the belief that this agreement is important to him or his business, and at the same time show that the agreement is not important to you, whether this agreement happens or not.

If the agreement is not important to him, he may allow you to withdraw or he may not care about your ability to withdraw.

And here you must look for several offers to choose from, and if not, how do you withdraw?

Gradual Offering of Concessions

During negotiation, you should consider whether you will offer concessions one after the other, or whether you will try to reach an agreement by combining concessions at once and offering a lump sum. Offering concessions one after the other indicates that you will get the maximum value in return

for the concessions you offer, and it also removes the fear of conceding without a reason during the negotiations.

Roger Dawson suggests paying attention to the following points during negotiation:

- The way you offer concessions may give the other party an opportunity to discover what is on your mind.
- Do not offer concessions of equal value, as this pushes the other party to continue exerting pressure on you.
- Your last concession should not be of high value, as this may create resentment in the other party.
- Do not give up your negotiation space all at once just because the other party seeks to hear a "final offer" or claims that he "does not like negotiation".
- Reduce the value of the concession gradually until you suggest to the other party that he has obtained the best possible deal.

Chapter Seven: Power in Negotiation

Firstly - Legitimate Power

Secondly - Power of Benefit

Thirdly - Coercive Power (Power of Compulsion)

Fourthly - Situational Power

Fifthly - Personality and Experience Power

Sixthly - Information Power



Power in Negotiation

Power refers to the ability to influence the other party, and your negotiation skills, if mastered and polished, can be a source of your negotiation strength to support your negotiation position, as well as your knowledge and possession of information. The sources of power in negotiation are numerous, including: Legitimate Power, Coercive Power, Power of Benefit, Situational Power, Personality and Experience Power, and Information Power.. And here is a detail of that³⁵:

Firstly - Legitimate Power

This is the power that comes with those in authority, such as senior officials at the highest level of authority, or possessing certain advantages such as negotiating from your luxurious office that impresses the other party, or using titles, or ordering your secretary to block calls during the negotiation meeting... This may give you outward legitimate power; the source of legitimate power is the negotiator's official position, which makes him in control and dominating in an indirect way.

³⁵ See:

-Omar Al-Tarawneh: Purchasing and Negotiation Strategies, Dar Al-Bedaya, Amman, 2011, p.117.

-Hind Rushdi: Communication and Negotiation Skills and Persuasion, Dar Khattat, Amman, 2017, pp. 391-392.

Secondly - Power of Benefit

The enthusiasm of the other party or the party you are negotiating with to conclude a certain deal with you increases if they realize that they will benefit from it, let alone if you grant it to them. When the other party tries to give you a feeling or suggestion that his negotiation with you is merely a favor from him, do not get annoyed or bored by that, but be very calm and do not deceive his attempts, especially if you are confident in yourself and in what you will offer him, and he is the one who will make you in control of the negotiation.

Thirdly - Coercive Power (Power of Compulsion)

This is the opposite of the power of benefit, meaning the use of punishment. If you do not reach an agreement, the other party will lose gains, depending on the type of negotiated material. This type of power, when mixed with the power of benefit, forms an effective force that supports your negotiation position.

Fourthly - Situational Power

This is the power that gives one party unlimited power over the other party. An example of this is when you buy a certain brand and return it, and the seller asks you for the invoice or receipt to return it and get a refund, and you have lost the invoice. Here your position will be very weak, and the seller will be in a position of strength.

It is worth noting some situations in which the buyer is in a position of negotiation power, such as:

- Surplus in supply that the seller wants to sell.
- Buying in large quantities.
- Products are standard and not differentiated.
- The product purchased represents a large percentage of the total cost borne by the buyer, which leads him to look for lower prices.

And the seller may be in a position of negotiation power, we mention situations such as:

- Control (monopoly) by a limited number of suppliers in the industry.
- Weakness of alternative products and their inability to replace original products.
- Possibility of forward integration with suppliers and direct competition with current customers.

Fifthly - Personality and Experience Power

Personality power refers to the traits that the negotiator possesses, such as firmness, control, seriousness... and they are considered sources of power that support the negotiation position.

It is important in negotiation to understand the negotiator's style, in addition to understanding the negotiator himself's strengths and style so that he can benefit from employing them in achieving gains from the negotiation process.

Sixthly - Information Power

In practical application, the target areas of influence on the other party are numerous, and this depends on the negotiator's level of knowledge of the required information to achieve the desired

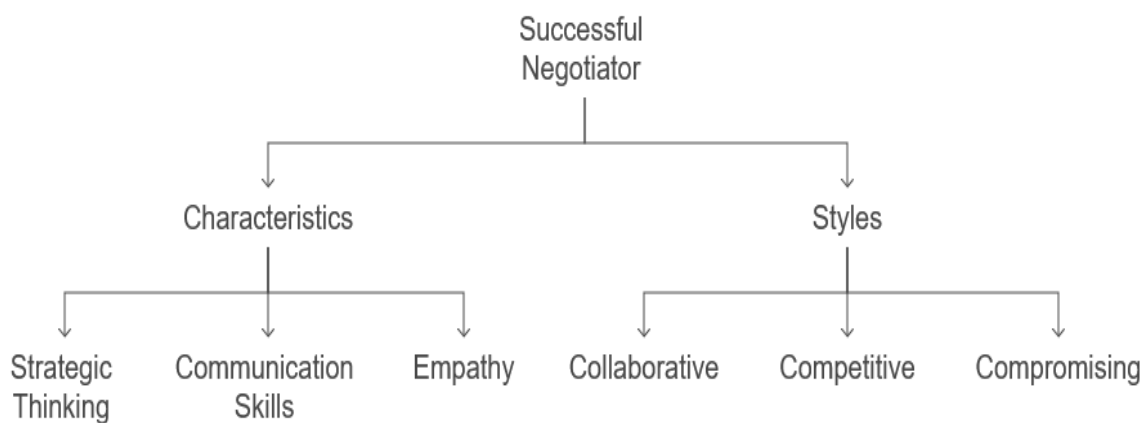
benefit from the negotiation process, where this information includes: prices, delivery dates, payment methods, training, credit, quality, and specifications...

Chapter Eight:

Characteristics of the Successful Negotiator and Negotiation Styles

Firstly - Characteristics of the Successful Negotiator

Secondly - Negotiator Styles



Firstly - Characteristics of the Successful Negotiator

The successful negotiator is characterized by a set of characteristics, which he must possess to achieve his goals from the negotiation process. We present them as follows³⁶:

- 1 Emotional Balance and Psychological Harmony

Successful negotiation requires the negotiator to be calm, to have the ability to control his anger and emotions, and this quality can be developed through:

- Objectivity in studying and analyzing events and facts.
- Avoiding falling into attempts to provoke and excite the other party, especially when you realize that the other party is planning to trap you in a snare of tension and excitement.
- Confirm that you are convinced that uncontrolled anger and emotions result in tension in the negotiation atmosphere and leave negative effects on the other party.
- Confirm that you realize that lack of control over your nerves and uncontrolled anger will put you in a psychological position where the other party can exploit any opportunity to obtain confidential information that you do not want to reveal to the other party.
- Avoid interrupting the other party when he is emotional, remain calm, and avoid looking at him with surprise or contempt. Make sure that leaving him alone until he finishes his emotional state will yield positive results, including:
 - . Earning the other party's respect.
 - . Preparing the other party to listen to you.
 - . Convincing the other party of your keenness to continue negotiating and reach an agreement with him.
 - . The other party may reveal information and data to you that he would not have revealed if he were not emotional or angry.

³⁶ Mustafa Mahmoud Abu Bakr: Previous reference, pp. 233-238.

- 2 Logic and Objectivity

Successful negotiation requires the negotiator to be logical in his thinking and objective in dealing with negotiation topics and issues.

The characteristic of adherence to logic and objectivity can be supported through the following:

- Accurately understanding the needs, hopes, desires, and fears of the other party, then taking them into account in all stages of the negotiation process.
- Pay attention to identifying and presenting facts, especially those that are accepted by the other party and serve the negotiation process.
- Focus in the dialogue on issues and topics, not on people, unless you mention positive aspects that serve negotiation goals.
- Highlighting logical evidence, arguments, and mental justifications when discussing negotiation topics or presenting specific proposals and alternatives.
- Deal with the other party considering him a partner who seeks to reach an agreement that serves the interests of both parties.
- Commit yourself to acknowledge - at least - the minimum goals and interests of the other party.
- Ensure realism and avoid exaggeration in setting your goals, as this will make the other party less able to adhere to these goals.
- It is appropriate in some cases to acknowledge the difficulties and problems faced by the other party.
- It is necessary to distinguish between negotiation positions that may appear to conflict with the real interests of the parties to the negotiation and those positions where the interests are one or shared.
- Seek objective solutions acceptable to the other parties for any problems or disagreements that arise during the negotiation stages.
- Offer logical alternatives to conflict situations and do not insist on a sharp discussion or unfair bargaining.
- You must be sure of the soundness and objectivity of what you adhere to in terms of ethics, values, and principles, and you must be sure that others, like you, have what they believe in, and it may be to a greater extent, and that they also have a set of ethics, values, and principles that they adhere to and are keen on.

- 3 Subjective Trust

Trust does not only relate to self-confidence as one of the requirements for successful negotiation, but it also includes your trust in the other parties, as trust in yourself and in others among the negotiating parties contributes to creating a friendly and balanced atmosphere for the negotiation process, which facilitates cooperation and agreement between them, and subjective trust is linked to credibility in dealing through previous practices that confirm it from

through sufficient accurate information, commitment to agreements and fulfillment of promises, and generally you can develop your trust in yourself and in others through:

- Building relationships of friendliness and understanding with the negotiating parties through informal personal communication.

- Providing historical data related to agreements, activities, and practices and analyzing them deeply to confirm the existence and continuity and growth of the commitment behavior and respect for covenants.
- Studying the material and technical capabilities of the negotiating parties and identifying the attitudes of the human elements participating in the negotiation process to confirm the availability of the requirements of trust and credibility.
- Achieving an adequate level of studied balance between trust and assuming good intentions and the soundness of intentions on the one hand, and adopting a policy of anticipation, caution, and prudence on the other hand.
- Try hard to prove that you have both the desire and the ability to understand the problems, constraints, and difficulties facing the negotiation process, and to present logical alternatives that achieve the interests of all negotiating parties.
- Avoid using the tactic of threat, pressure methods, or exaggeration and inflation as much as possible.
- Avoid lying, as it is one of the factors that remove trust and credibility between the negotiating parties.
- Following the step-by-step policy, especially at the beginning of the negotiation position and in its initial rounds or in the case of negotiation with new parties for the first time, supports trust, as this policy enables the negotiating parties to get to know each other and provides the necessary data and information to confirm the credibility of the negotiating parties.
- Your initiative to offer studied concessions, or to present calculated and even limited commitments to the other party, without linking them to clear and direct counterparts, leads to creating an atmosphere of trust and reassurance, and psychological preparation for starting negotiations smoothly and successfully.
- Your clarification of the reservations or impediments that hinder your commitment to what has been concluded by the negotiation process supports your confidence, and also supports the trust of the other party in you, and confirms your objectivity.
- The existence of relations of connection and interdependence between the implementation of commitments to achieve the interests of the negotiating parties strengthens the degree of trust and achieves objectivity in the negotiation process, and this is achieved when the agreement is formulated in a way that makes the achievement of one party's interest dependent on the implementation of a specific commitment and the achievement of a previous interest for another party from the negotiating parties, which achieves interdependence between the achievement of the interests of the negotiating parties and the existence of a strong motive for each party from the negotiating parties to continue implementing the agreement and confirm the commitment of each party.
- Translating what has been agreed upon from the negotiation process into a time plan that clarifies the duration and time of implementation of what has been agreed upon and the person responsible for the implementation and the requirements for the speed and quality of this implementation, contributes to increasing trust and objectivity among the negotiating parties.
- Trust and objectivity can be increased among the negotiating parties by setting a set of penal clauses that guarantee the commitment of the negotiating parties to what has been agreed upon between them.

Secondly - Negotiator Styles

Each negotiator is characterized by a specific style and approach in negotiation, so it is important to understand these styles and approaches, and how to deal with them, which helps in achieving success in negotiation; here is a presentation of the most prominent negotiator styles:

- 1 The Realistic Negotiator (Practical)

The realistic negotiator is characterized by high sensitivity towards time; they want information directly and nothing else, they are not inclined to sideline conversations, and they are organized and formal, they do not negotiate to win for the parties, they do not care about the needs of the other party, but they want to win for themselves and get the best deal at the best price; when you negotiate with realists, do not waste their time on trivialities and tedious details, but rather proceed by making quick decisions based on direct information and facts.

- 2 The Open Negotiator

In contrast to the realist, we find the open-minded and cooperative who prefer to avoid the work atmosphere to enjoy a little humor, they are emotional and capable of making decisions immediately at work; and as negotiators they turn into a nurturing mother figure with sensitive feelings, and they are greatly emotional towards some matters.

When negotiating with an open person, try to stimulate their enthusiasm towards the project you are offering, and make them ready to make a quick decision based on their enthusiasm.

- 3 The Friendly Negotiator

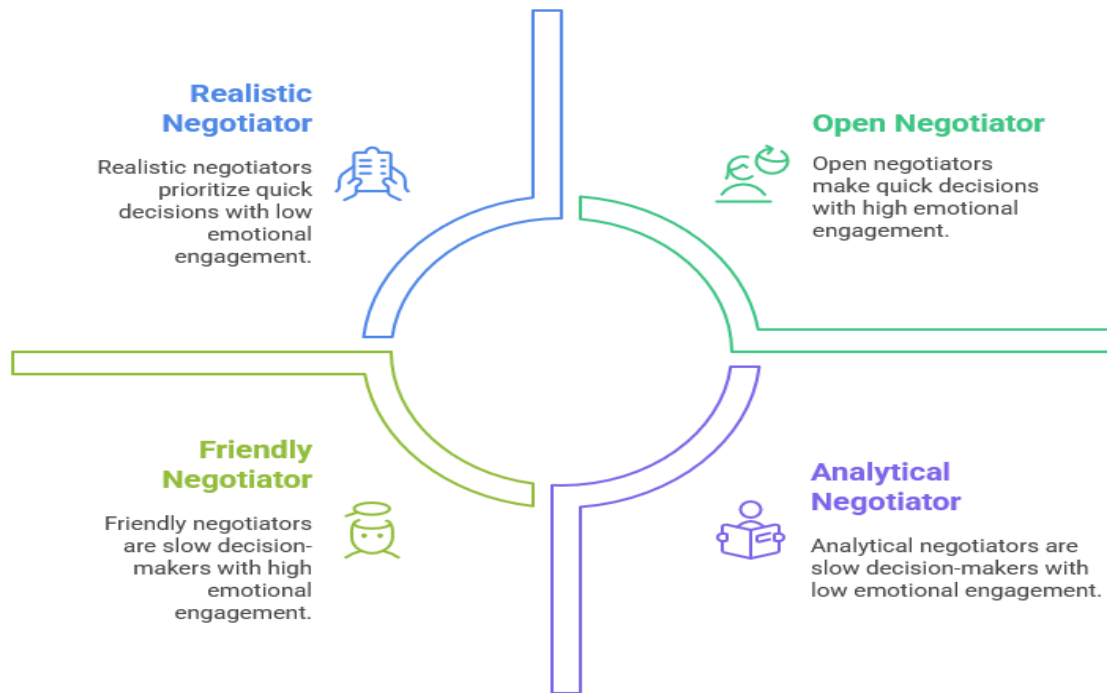
The friendly negotiator is characterized by his love for people and his emotional behavior towards them, they need reassurance before acting, so they are slow in making decisions, they hate buying and selling under pressure, and in case of negotiation, friendly people turn into calming elements, they strive to please all parties.

If you negotiate with a friendly person, you must accept the slow pace of negotiation, you must gain their trust before making any decision, and if you try to pressure them, you will move away from the right direction.

- 4 The Analytical Negotiator

The analytical negotiator is not convinced by your offer until he knows all the details, and as a result, analytical people are very slow in making decisions, they analyze everything, and they do not like pressure or pushing in their negotiations, but they want something specific in its place.

When negotiating with an analytical person, be careful to provide as few details as possible about the process so that you can have room to respond to their analyses and many questions later.



Chapter Nine:

International Negotiation

Firstly - Principles and Guidelines for International Negotiations

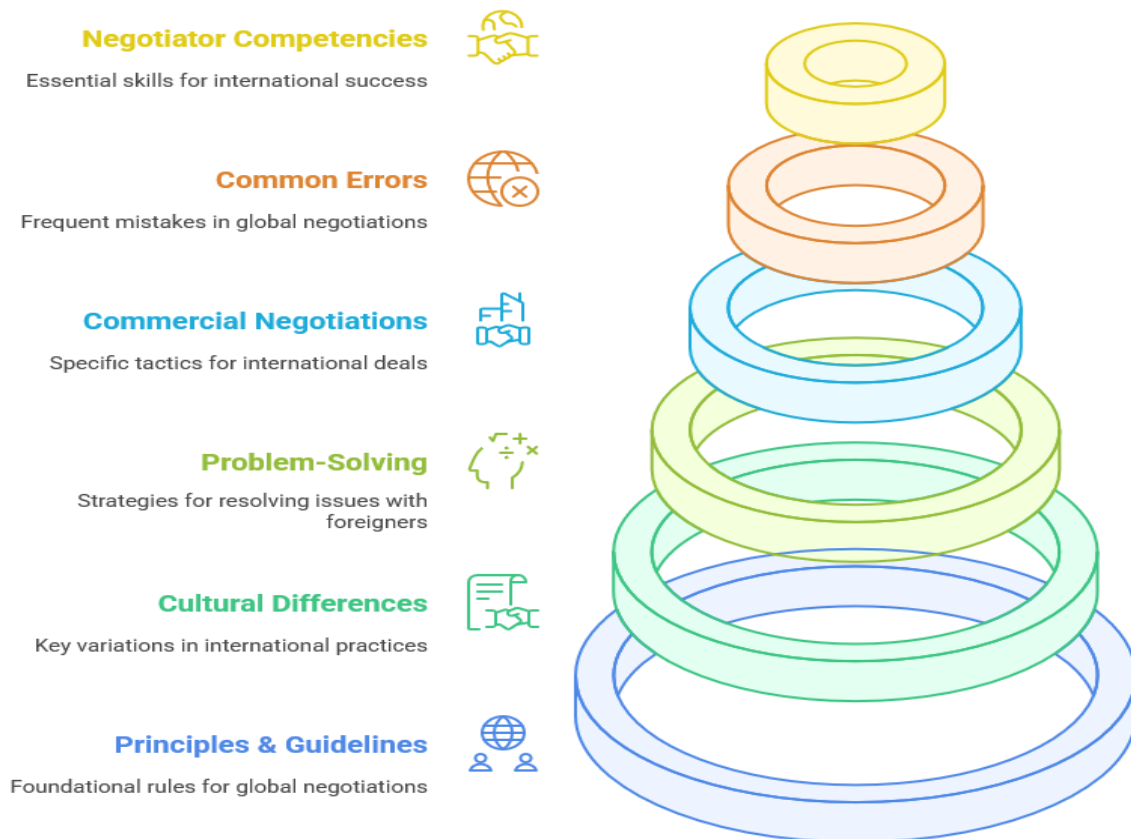
Secondly - Most Important Differences in Practicing International Negotiation

Thirdly - Guidelines for Overcoming International Negotiation Problems with Foreigners

Fourthly - Commercial Negotiations in Different International Cultures

Fifthly - Errors in International Commercial Negotiations

Sixthly - Competencies of the International Negotiator



Firstly - Principles and Guidelines for International Negotiations

Despite the many similarities between local and international negotiations, the difference in the international environments in which negotiations are conducted will affect the negotiation process, and among the most important differences are:

- International negotiations are conducted outside the geographical boundaries of the home country, which means differences in prevailing laws, language, values...
- The barrier of trust that can be strong between the parties, due to the fears each party carries about the other.
- The barrier of cultural differences, sovereignty issues, and prevailing laws in different countries.
- Often the interested parties are not the negotiating individuals, and this is what distinguishes international negotiation. Therefore, the effects of negotiation extend beyond the negotiation situation; therefore, there is a set of general principles and rules that should be followed in this regard, which are as follows³⁷:

- 1 Closing the Trust Gap

Among the most important considerations to be taken into account in international negotiation is gaining trust (the trust of each party in the other), and this can be achieved by:

- Frankness and clarity, and avoiding methods of evasion.
- Showing willingness to cooperate and desire to help.
- Building personal relationships, but without exaggeration.
- Promoting the idea, not promoting yourself.

- 2 Understanding and Confirming the Direct and Indirect Impacts of the Project or Situation

Focus is usually placed on the direct variables and services related to them in international dealings, such as: price, delivery, quality, advertising methods, and product advertising. However, the project or agreement usually has other impacts that go beyond the direct economic impacts, such as: establishing relationships with other projects, and exchanges with new markets, which is reflected in employment and job creation, and the level of quality of the factory in both markets.

- 3 Understanding Cultural Differences and Prevailing Social and Economic Values

The cultures of countries and their social values differ, and this is what is sensitive in international negotiations between countries of unequal power. Here, it is recommended not to underestimate the culture, but rather to understand and respect the negotiation position, and not to judge, while it is possible to benefit by understanding the cultural heritage and awareness by borrowing what benefits the negotiation position.

- 4 Language as a Decisive Element in Negotiation Success

³⁷ Rebhi Abdel Kader Moussa Al-Jadili: Negotiation Management, Arab Open Academy, Denmark, 2010, p. 87.

Language is very important in negotiation, and therefore any language used should be taken into account, as well as when the translator is used, and what the translator's role is, and it is recommended not to negotiate in a language you do not master.

- 5 Avoiding Rush

Among the principles that should be observed is not rushing to change the course of negotiations and not making the other party feel pressured, or rushing to end negotiations and reach an agreement. Rather, it is useful

to allocate a relatively long time for each party to understand the characteristics of the other party and how to deal with them.

- 6 Do not assume stability and continuation of the agreement without change, definitively.

- 7 Choosing the appropriate level for negotiators.

- 8 The appropriate quantity and type of hospitality.

- 9 Not forgetting quick and continuous communication methods.

- 10 Using time wisely.

Secondly - Most Important Differences in Practicing International Negotiation

There are many differences that characterize international negotiations from local negotiations, the most prominent of which³⁸ are:

- Difficulty in building a common ground: The more common ground there is, the greater the opportunity to reduce problems and differences. The international negotiator must ensure that the differences with the other party can be attributed to essential issues and not to cultural reasons.

- Building trust: The process of building trust in the field of international negotiation takes a longer time. For example, do not expect to start your negotiations on the same day you arrive in an Arab country, as Arabs naturally start with greetings and social conversations to determine if they trust the other party.

- Clarity of communication: It is wrong to assume the foreign negotiator's ability to speak and understand your language, so you should avoid using general examples, as the foreign negotiator may understand them differently.

- Language differences in negotiation: Considering the suitability of languages for negotiation, French is considered one of the best languages used in negotiation for its precision and clarity, it has been used for many years as a diplomatic language, unlike Japanese. It is known that translation from one language to another may distort the meaning. The agreement on principles in English means a common understanding of the basic principles, and this requires only setting some details; as for the Russian language, this term means that it requires a lot of work before agreeing on the basic principles, and therefore when using translators in negotiations, they must be knowledgeable about the terms related to the negotiation topic, with the need to guide them that their work is limited to translation and has nothing to do with the negotiation process.

³⁸ Arab Planning Institute: International Commercial Negotiation Methods, Kuwait, 2006, p. 07.

Despite some objections to using translators for fear of slowing down the negotiation process, their use can be considered an advantage that gives negotiators some time for deliberate thinking.

- Differences in thinking style: Differences in language lead to differences in thinking style. For example, it is difficult for Japanese to speak English, and this is due to the differences between the Japanese and English languages in terms of the sequence of sentence words, not to mention the absence of some concepts in all languages as is the case with the word "concession" in the Russian language.

- Differences in attention to time: The view of time varies with cultures and countries. The time taken to produce a car in Britain is twice the time required to produce the same car in Germany, and late arrival after the specified time is considered a misuse of

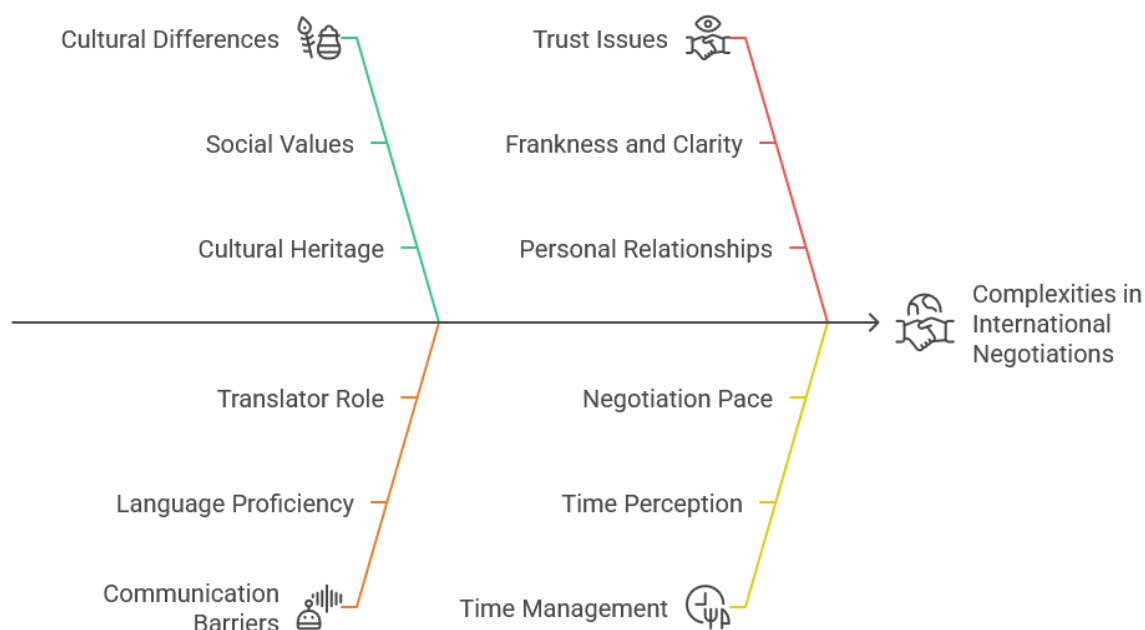
time for the American negotiator, while it is natural for the Arab or Latin negotiator. Similarly, the interests of individuals in the past, present, and future also vary with cultural differences; Americans are interested in the present and future, while the English and Egyptians are interested in the past due to the great heritage they have through centuries.

- Sound work behavior: Inappropriate work behavior from the perspective of the other party has led to the failure of many negotiations, so the skillful negotiator must observe the behavior of the host negotiator, and try to estimate the reasons and motives for this behavior, which usually stem from prevailing cultural aspects.

- Ethical and legal considerations: Ethical and non-ethical business practices are influenced by the local cultural environment. For example, it is observed that some countries prefer oral contracts over written contracts, as they consider this an insult and a sign of mistrust in the negotiator. Religion also influences the negotiation process, as interest rates are considered forbidden based on being a form of usury in Islamic countries.

- Identifying the decision-maker: The decision-making process may be concentrated in the hands of one person or distributed among many individuals, and since identifying the person responsible for making decisions greatly influences the resolution of the main negotiation issues, the negotiator must take into account the influential individuals in the negotiation process.

- Expecting the use of a third party: The third party may include the government, labor unions, and the press, and therefore the foreign negotiator must take into account the strength of each party, including the hidden parties.



Thirdly - Guidelines for Overcoming International Negotiation Problems with Foreigners

The most important guidelines for dealing with a foreign negotiator are summarized as follows³⁹:

- Psychological planning for dealing with foreign environments, in order to reduce the impact of surprises that may arise from encountering unknown facts.
- Readiness to continue negotiations for a longer time, and the necessity of having patience to achieve the desired goals of negotiation, and benefiting from previous personal experiences as well as the experiences of others, without accepting any issue as a given.
- Using clarification methods extensively, in order to overcome communication problems arising from language differences, it is necessary to ask for additional information, and to ensure understanding from the other party, and to summarize what has been negotiated.
- Spending more time researching alternatives before announcing non-agreement on a proposal.
- Avoiding any aggressive or defensive behavior as much as possible, in order to avoid undesirable occurrences considering cultural differences.
- Paying attention to the methods and strategies that direct negotiations towards a shared solution for problems.
- The necessity of knowing the general characteristics of foreign negotiators in the other party, their cultures, customs, traditions, and behaviors;

There are many references that deal with the social and cultural characteristics of individuals according to their nationalities, which affect negotiation styles, and this is what we will discuss in the next section.

Fourthly - Commercial Negotiations in Different International Cultures

³⁹ Arab Planning Institute: International Commercial Negotiation Methods, Kuwait, 2006, p. 07.

Culture has a deep impact on commercial negotiations, just as values, thinking methods, communication systems, language, and beliefs affect it. It is considered the key to understanding the foreign negotiator; here we will list the most prominent characteristics of some negotiators from different nationalities⁴⁰:

- 1 Japanese Negotiator Characteristics

- He plans negotiation using a brainstorming method, where the negotiation team gathers and presents potential paths for negotiation and objections that the other party may raise, and asks each member of the team to imagine the appropriate reaction to each path, and each possibility is a strategy and tactic that the other party follows; and the meeting usually ends with predicting all possible situations and what should be done regarding each situation, and this is the secret behind the success of the Japanese negotiator.
- He takes a long time in discussion and clarification until he adopts a negotiation position.
- He pays attention to minute details and gathering data about everything related to the negotiation situation.
- He is interested in long-term relationships and does not care much about transient deals.
- The negotiation team adopts a unified position in a democratic manner.
- He appreciates seniority within his negotiation team.
- He is strict in negotiations.

- 2 American Negotiator Characteristics

- He pays close attention to legal aspects in negotiations, and during the drafting of contracts and agreements.
- He is inclined to negotiate from a position of strength and impose what he wants on others.
- He is highly sensitive to deals that affect public opinion.
- He seeks a quick settlement based on realistic principles.
- He studies the other party's psychological aspect well.
- He concedes early if he feels the other party is rigid.
- He is inclined to compromise.

- 3 Chinese Negotiator Characteristics

⁴⁰ See:

- Yahya Eid: International Marketing and the Successful Exporter, Dar Al-Amin, Cairo, 1997, p. 18.
- Hind Rushdi: Previous reference, pp. 354-363 with adaptation.
- Gary Karrass: Previous reference, pp. 143-145.
- Charles Mitchell: Russia, Translated by Shwikar Zaki, Nile Arab Group, Egypt, 2002, pp. 93-94.

- He adopts strategies that ensure freedom of movement and evaluation of the negotiation position, and include the use of available pressure means.
- He does not take a final position, but leaves the door open for follow-up of what has been reached and continuous consultation for long periods.
- He prefers gradual negotiation that develops mutual trust with the other party.
- Patient, hates legalistic negotiations.
- Strict in negotiation positions.

- 4 Indian Negotiator Characteristics

- Seeks to accumulate wealth and his behavior is dominated by a competitive nature.
- Has a high drive for self-achievement and accomplishment.
- Tends to prolong negotiations, especially among senior negotiators.

- 5 French Negotiator Characteristics

- The model of Mediterranean countries applies to him, which is characterized by sociability and warmth in relationships. He is also quick to reach a negotiation position, but this position remains subject to modification. This model is the opposite of the Japanese model, which takes a long time in discussion until it adopts a negotiation position that it adheres to and does not accept modification.
- He is inclined to informal negotiations to avoid circumstances that may force him to offer concessions.
- He adheres to firm positions based on ethical, legal, political, or logical justifications.
- He is interested in appearance, reputation, and independence, especially in times of weakness.
- He is inclined to explain historical philosophical concepts as background to his negotiation strategy.
- His feeling of weakness may push him to either reject negotiations or offer concessions.

- 6 German Negotiator Characteristics (Including German-Speaking Swiss)

- Germans, including German-speaking Swiss, fall under the category of low-context cultures, meaning they focus their attention on the deal rather than on the relationship between the parties, or the prevailing atmosphere when signing the contract.
- Germans are characterized by precision in preparing for negotiations, and defining the topics of discussion accurately, and preparing reasonable and comprehensive data that covers all aspects of the deal or issue.
- Germans are characterized by their inflexibility in offering concessions during negotiation, with clear rigidity and stubbornness.
- Germans pay great attention to titles, and prefer to be addressed by their family name rather than their first name, unless they allow it.

- 7 English Negotiator Characteristics

- The English rely on an amateur approach in negotiation, not professionals like Americans.
- They do not put much effort into preparing for negotiations like the Germans.

- They are more friendly and amiable, and more accepting of others than the French.
- They are more flexible and responsive to the other party's requests than the Germans.
- It is very important to know the national origin of the English during negotiation, as they are proud of their nationality, since not all British are English.
- The English are more polite and diplomatic, but they do not like personal questions.

- 8 Middle Eastern Negotiator Characteristics

- Middle Eastern people pay less attention to time, unlike Americans or Europeans, who pay great attention to time and appointments.
- They pay attention to human relationships, and exaggerate in friendliness and hospitality.
- They consider the contract merely the beginning of negotiations, not their end, meaning that the contract is signed, and then negotiations begin.

- 9 Russian Negotiator Characteristics

- The Russian negotiator is characterized by secrecy, and they may not be trusted.
- The Russian negotiator is characterized by his ability to quickly identify the extent of strength and weakness in his opponents, and they exploit any opportunity for their advantage.
- The Russian negotiator may suddenly stop the deal and leave the meeting room.
- Russians may tell you that your institution or a similar institution has deceived them in the past, and they did not abide by the final deadlines, and included them in the contract clauses, and this is to stir up feelings of guilt or regret and push you to be lenient in the severity of your position.
- Russians do not reveal everything about their institutions, their financial situation, or their employees or competitors.
- When they say that the matter is uncomfortable, it means that it is impossible.
- They are primarily concerned with rights and obligations.

Fifthly - Errors in International Commercial Negotiations

There are some important errors that are repeated in international commercial negotiations, especially those related to the governments of host countries, and it is useful to shed light on those errors related to the overall framework of negotiations, and these main errors can be divided into four groups which we review as follows⁴¹:

- 1 Beliefs

The reason for some errors in negotiations is the inability of each party to understand the other party and the different environment for each of them, and this is reflected in the following:

- Failure to put yourself in the other party's place.

⁴¹ Arab Planning Institute: Previous reference, pp. 11-19.

- Lack of understanding of different thinking styles.
- Lack of attention to preserving the other party's dignity.
- Insufficient information about host countries.

- 2 Role of Government

The role of government is increasing in many countries of the world, and in many countries, such as Japan, the government plays a major role in planning, organizing, and participating in economic operations, and the lack of knowledge of the role of host governments in economic matters results in serious errors in these countries, and these errors can be summarized as follows:

- Lack of sufficient knowledge of the role of governments in planned economies, where the government in these economies plays a major role, and influences and participates in many decisions at different levels and sectors of the economy.
- Lack of sufficient knowledge of the role of businessmen in some societies, who are only interested in profit and do not care about national aspirations.
- In India, the community of businessmen is viewed as being more connected to the British colonialists for the sake of achieving gains, and a large number of businessmen in Indonesia are of Chinese origin, which leads to a lack of trust and suspicion in Chinese businessmen. Therefore, the negotiator who negotiates in these countries and others must understand the environmental factors resulting from such tendencies and plan his negotiations accordingly.
- Lack of sufficient understanding of the impact of the host government on negotiations, as negotiations in developing countries have a tripartite nature that includes the local organization, the host government, in addition to the foreign party, and this is necessary for the government to approve the conditions on which the foreign investor is allowed to invest in the country. Therefore, organizations that want to work in these countries must understand the situation of this tripartite group (local organization, host government, foreign party).

- 3 Role of Governments to Which International Organizations Belong

The governments of host countries believe that foreign organizations use the power of their countries in their negotiations with host countries, and this belief is explained by the historical heritage and comprehensive environmental context in many developing countries, where foreign businessmen during the colonial period sought the protection of their governments to achieve more gains.

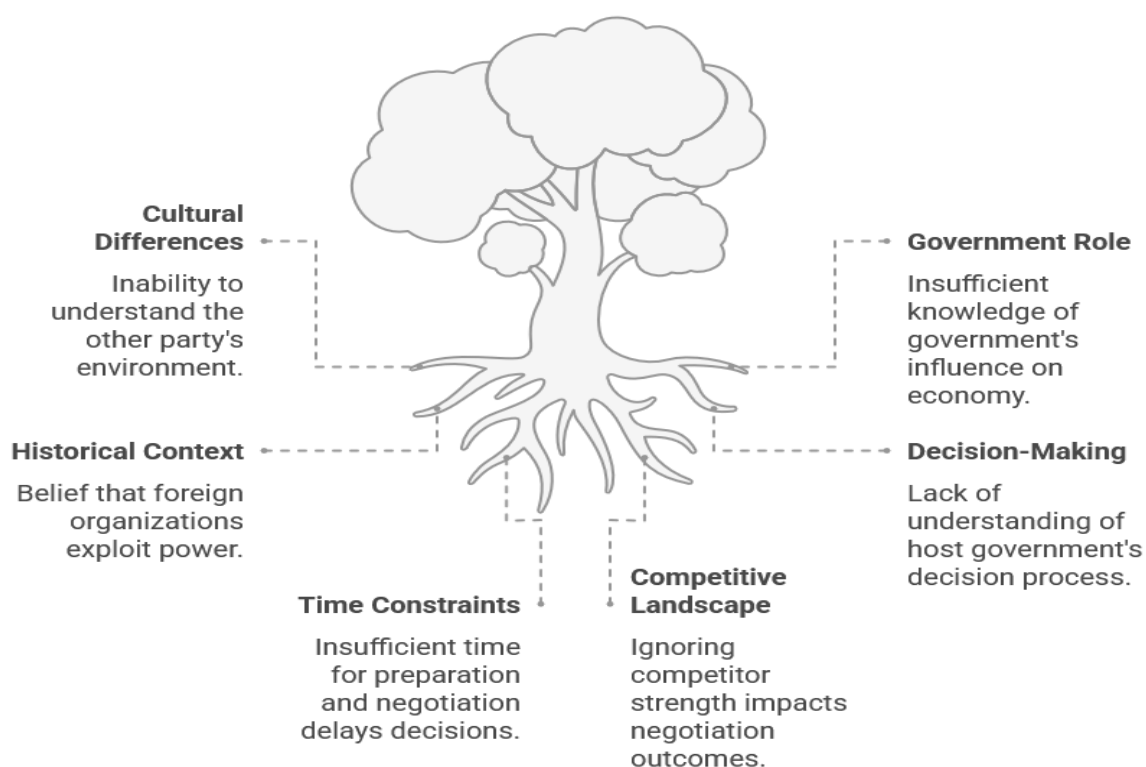
- 4 Decision Making

Lack of sufficient understanding of the characteristics of decision-making leads to errors in host governments:

- Lack of sufficient understanding of economic and political criteria in decision-making: Government officials and decision-makers weigh economic and political criteria, and they focus on political considerations in evaluating investments offered by foreign businessmen.
- Lack of sufficient understanding of the difference between approval at the first level and its implementation at other levels: Obtaining government approval for investment does not mean that other government departments will automatically implement the approval. Internal organizational problems represent internal conflicts, especially at the lower administrative levels, some of the reasons

for delay and differences between approval and implementation, which must be understood by the foreign negotiator when dealing with host governments.

- Lack of understanding of the role of personal relationships in decision-making in the host government: Therefore, the foreign negotiator in some countries must develop his personal relationships with some officials at influential levels in negotiation areas.
- Not starting negotiations before their scheduled time: The skilled negotiator is the one who moves quickly to seize the appropriate opportunity at the right time, and starting negotiations before preparation must be refused, and there are many wrong decisions made by negotiators under the pressure of insufficient time for preparation and analysis.
- Insufficient time allocated for negotiations, as some countries follow the consensus approach in decision-making, which leads to delay in decision-making.
- Lack of sufficient understanding of the strength of competitors. The strength of competitors is fundamental, and must be taken into account when conducting international commercial negotiations, given its importance in negotiation with any party in the international arena.



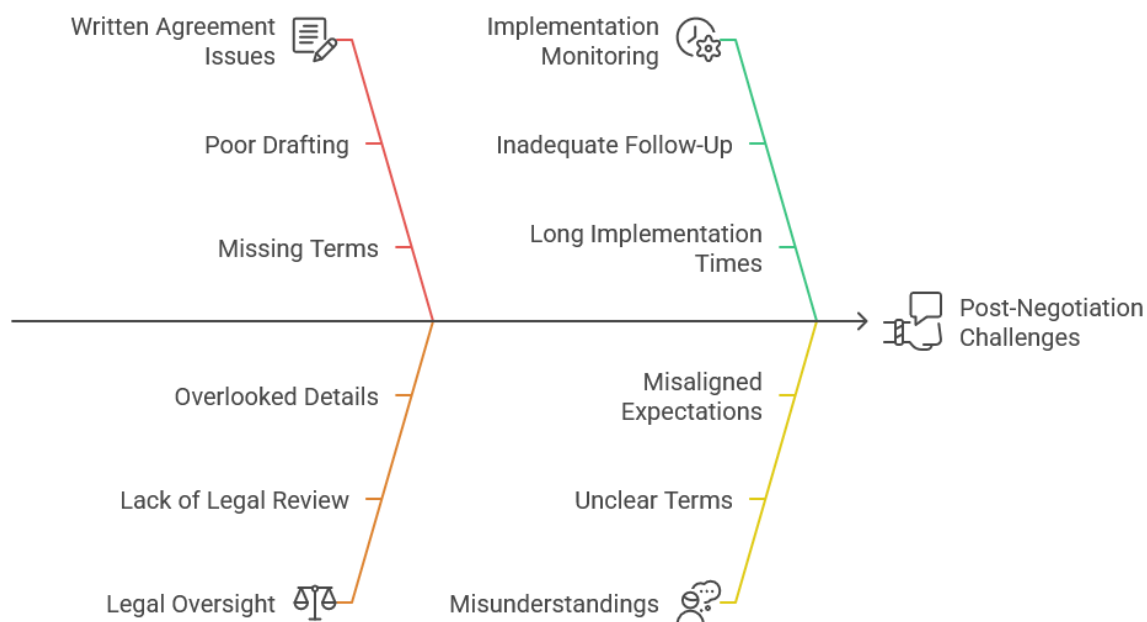
Sixthly - Competencies of the International Negotiator

The international negotiator must possess a set of competencies that enable him to achieve negotiation goals effectively, and these can be summarized as follows⁴²:

⁴² Saleh Safi Khalis: International Commercial Negotiations, University Publications Bureau, Algeria, 2011, p. 148.

- He must be able to explain and clarify his ideas and goals that he seeks to achieve accurately, so that the second party can understand what is in his mind and imagination.
- He must be aware and understand the positions he takes, and also understand the positions of others, and have the ability to understand the behaviors of others.
- He must be able to present and clarify the advantages and benefits of the offers he presents in a way that prompts the other party to change his position and accept these presented offers.
- He must realize his goals sought by the other party, and endure the pressures he exerts, and control the situation and circumstances that are shrouded in ambiguity and unexpected matters.
- He must have the ability to sense in advance, and understand and know the intellectual backgrounds of the other party.
- He must be equipped with a set of skills, expertise, and shrewdness necessary in negotiations, and be able to reconcile difficulties and his proposals at the appropriate moment.

Chapter Ten: Post-Negotiation Strategy



Post-Negotiation Strategy

What do you do after reaching an agreement?⁴³

A handshake after a tiring negotiation session may indicate that an agreement has been reached, even if it is a preliminary agreement, but it is certainly not the end of your concerns. Frequent agreements - especially when carelessness occurs during negotiations - can lead to more disagreements and conflicts, rather they may lead to another round of negotiations. Therefore, you must be proficient in preparing written agreements that adequately protect your interests.

Even then, your job will not be over, as in some cases, as soon as the negotiations seem to be concluded, amateurs will emerge from your company. As a result, it is useful to be prepared to deal with these troublesome individuals.

Moreover, agreements that require a long time to be implemented will require careful monitoring to ensure that commitments are carried out on the negotiation table.

In reality, not everything goes smoothly - always - as planned, and this may mean that some events that justify negotiating the agreement may occur later. And these negotiations may be more exhausting than the original negotiations. But in any case, it is useful to know how to restart work on any agreement quickly if the need arises. Here we will try to cover these aspects of the negotiation process.

- After the handshake: Implementing the agreements:

When the negotiating parties finally succeed in reaching an agreement, despite reaching an agreement being a sufficient reason to take "a deep breath" and feel relief, it does not justify falling into the clutches of negligence and indifference. After all, it will take days or weeks, or even months, to prepare and conduct the negotiations, and then everything will collapse due to the failure to implement what was agreed upon properly. To implement the agreement properly, follow the following steps:

- * Summarizing what has been agreed upon.
- * Providing any required reviews or approvals.

⁴³ Ziad Khalil Qabalan: Negotiation – Science, Experience and Ethics, pp. 137-142, www.noor-book.com.

* Writing the agreement.

* Carrying out periodic follow-up processes to ensure the implementation of the agreement (this procedure is required only if the work will take a long time).

We will discuss these topics in some detail, but there is an aspect of the agreements that requires emphasis, which is the need for a form of legal review for anything "other than highly routine business transactions."

It is relatively easy to say "I will use legal consultants later if any errors occur" or to say "this agreement is comprehensive and clear, and therefore there is no need for legal review." But there are several problems that arise from such a situation (ignored).

First and foremost, if the agreement fails and there is a need to seek help from legal consultants, it may become clear that the required treatment could have been prevented earlier, and the cost of treatment may be much higher than any costs or troubles you would have incurred if you had your legal consultant review the agreement before signing it. Furthermore, negotiations require a higher level of personal interaction, sometimes to the point where getting too close to the situation may lead to overlooking issues that seem simple. Therefore, your legal consultant, *away from the technical legal details,* may identify potential problems you had not considered. As a result, you will become more capable of navigating the agreement after it has been reviewed by him.

- Converting promises into commitments:

Before confirming your commitment to the agreement that has been reached, which has been reached by both parties who agree to the same "musical notation", it is important to ensure that they are aware of this. This applies particularly when negotiations involve complex issues and counteroffers, in addition to significant changes in positions before reaching a preliminary agreement.

In such a situation, it is necessary for one party to assume that an issue has been settled in a certain way, while the other party believes something different. But when this matter is not discovered "at the time" - and it often happens during the review of the written agreement - a significant degree of friction can arise. At the very least, one or both parties will end up with "egg on their face", while the agreement may collapse due to a misjudgment caused by the disagreement over what was negotiated.

Such a predicament can be easily avoided if you dedicate time at the end of negotiations to summarize the settlement terms that were agreed upon. Therefore, you should take the initiative and insist on reviewing the negotiation results, even if the other party does not see the need for it. In terms of procedure, you might want to pause briefly to review your notes and summarize what was agreed upon.

It is common to review the agreed terms after the negotiation session, but before preparing the written agreement. This is often done over the phone for convenience, especially if the parties are close to each other. However, unless circumstances dictate otherwise, it is better to do this summarization task at the end of the meeting. If there is any major disagreement, it can be resolved through this method immediately, but regardless of how it is handled procedurally, the summarization must be done before preparing the written agreement.

- Writing the Agreement:

There is only one reason why you should try to write the agreement yourself. Simply put, this reason is to ensure that you, and not your opponent, control what is included in the agreement. It is easy for it to end up with the person writing the agreement not making a difference, *as long as you paid

attention to summarizing the basic terms of the agreement.* But often, many minor details that will be included in the agreement will not be thought of by anyone - and will not be discussed by anyone - until the written agreement is reviewed. As a result, the person who prepares the written agreement will control what is included in it to a large extent.

Furthermore, the other party's agreement may include very important obligations. If there is something in an official document, there will be significant opposition to making any exceptions to it. As a result, even if the other party prefers to write a term differently, it is "likely" that he will not object if it is written down. And in the end, when the negotiations reach the point where there is only signing the agreement, if someone wishes to prolong matters beyond this point, he will.

The final outcome is this: what is put on paper and signed is important, not what one believes was agreed upon at the negotiation table. If you write the agreement, your interpretation of what was agreed upon at the negotiation table is what will enter the agreement. And naturally, this does not mean that you can change the essence of the agreement, but "certainly" it gives you freedom to interpret the negotiation results and put them in their final form. And for this reason alone, it is useful to do the writing work.

- A trap that written agreements implicitly contain badly:

In the worst-case scenario, a badly written scenario could lead to a costly case before the courts. At the very least, it can lead to heated disputes about the interpretation of the terms included in the document. This is not fatal in itself, but it also presents an obstacle to establishing a new working relationship between the parties. Therefore, it is wise to dedicate time to ensure that the agreement is prepared correctly.

Here are some signs of conventional failure in written agreements due to negligence:

- * Absence of some terms from the agreement.
- * Poor drafting of terms, which leads to disputes over their interpretation.
- * Writing some terms vaguely, which leads to much procrastination in their implementation.
- * Including "unimportant" terms that are unrelated to the agreement.
- * Including reference documents without reviewing their content carefully.
- * Including contradictory terms without any clarification of the governing terms in case of conflict.

The complexity of the agreement will affect the length of the written agreement. Naturally, the longer the document, the higher the chances of errors. But the solution is not to write a short document, as the main focus should be on including all necessary matters to implement everything agreed upon by the parties. Therefore, you must avoid being overly concise.

On the other hand, agreements should not be written in a way that causes chaos and confusion. This is a common problem resulting from using vague phrases that sometimes seem to clarify the document into a difficult puzzle. As a result, the person who writes the written agreement controls what is included in it to a large extent.

And besides that, the other party's agreement may include very important obligations. If there is something in an official document, there will be significant opposition to making any exceptions to it. As a result, even if the other party prefers to write a term differently, it is "likely" that he will not object if it is written down. And in the end, when the negotiations reach the point where there is only

Here are some basic terms and some other less clear terms that must be included in the agreement document:

- * Specifications of performance terms for both parties. This includes specifications of materials and data necessary for the work when required.
- * Detailed terms of payment, including any circumstance under which payment may be delayed or withheld, such as delayed delivery and/or elements not subject to the performance terms specified in the contract.
- * Delivery terms that reflect the parties' intentions, including any agreed method for modifying the delivery schedule during the performance period. For example, the buyer may want a term that increases or decreases the speed of delivery operations during the performance period.
- * How and under what circumstances the agreement can be modified.
- * Any optional terms, including their timing and method of application.
- * Specifications of any performance incentives, including the procedures that determine the eligibility of the performer.
- * Descriptive relationships related to any issue excluded from the agreement, but they serve - in the absence of a mistake in the contract - as if the issue was deleted from the contract.
- * Necessary administrative procedures for implementing the agreement.
- * All legal terms that your legal consultant considers necessary.
- * Any term that you feel or your opponent sees should be included in the agreement, while the other party insists that it is unnecessary. Insist on including such terms, as they may lead to problems in the future if they are not included in the document.
- * Specified start and end times, unless the nature of the work requires greater flexibility in setting these times.

It is confirmed that this list can be expanded or reduced, as many matters depend on the negotiation topic, but the important point is to ensure that all necessary terms are included in any agreement to prevent any disagreements later. After all, one party may describe a point as unnecessary and ask to remove it from the contract, and then this point returns later in the form of "woe".

Bibliography

- 1 Ibrahim El-Feki: Negotiation Art Strategies, Dar Al-Hayat, Country Not Mentioned, 2014.
- 2 Ahmed Maher: Negotiation Skills, University House, Alexandria, Year Not Mentioned.
- 3 Bashir Al-Allaq: Negotiation Management, Dar Al-Yazouri, Amman, 2010.
- 4 Gary Karrass: Effective Negotiation Skills, Translated by Ali Ramadan Fadl, Dar Al-Jazeera, Algeria, 2014.
- 5 Jamal Ibrahim: The Art of Successful Dialogue, Dar Al-Hurriya, Cairo, 2015.
- 6 Hind Rushdi: Communication and Negotiation Skills and Persuasion, Dar Khattat, Amman, 2017.
- 7 Harry Mills: The Art of Persuasion, Translated by Jarir Bookstore, Riyadh, 2001.
- 8 Ziad Khalil Qabalan: Negotiation – Science, Experience and Ethics, www.noor-book.com, Accessed: 2020/12/26.
- 9 Hussein Harim: Organizational Behavior, Dar Al-Hamid, Amman, 2004.
- 10 Kaili Rima: Negotiation and its Role in Activating the Sales Process, Master's Thesis in Commercial Sciences, Boumerdes University, 2013/2014.
- 11 Yahya Eid: International Marketing and the Successful Exporter, Dar Al-Amin, Cairo, 1997.
- 12 Mustafa Youssef Kafi: Marketing Communications Between Sales and Negotiation Skills, Dar Osama, Amman, 2016.
- 13 Mohsen Ahmed Al-Khodairi: Principles of Negotiation, Nile Arab Group, Cairo.
- 14 Muhammad Mahmoud Mustafa: The Science of Negotiation Between Theory and Practice, Dar Al-Bedaya, Amman, 2012.
- 15 Mahmoud Ali wa Muhammad Awad Al-Hazaima: Introduction to the Art of Negotiation, Dar Al-Hamid, Amman, 2006.
- 16 Mir Ahmed: Introduction to Commercial Negotiations, Arab Organization for Administrative Development, Cairo, 2018.
- 17 Arab Planning Institute: International Commercial Negotiation Methods, Kuwait, 2006.
- 18 Nabila Jaigej: Lectures on International Negotiation Techniques, Third Year International Trade, Department of Commercial Sciences, M'sila University, 2016/2017.
- 19 Omar Al-Tarawneh: Purchasing and Negotiation Strategies, Dar Al-Bedaya, Amman, 2011.
- 20 Ali Muhammad Mansour: Principles of Management, Nile Arab Group, Cairo, 1999.
- 21 Saleh Safi Khalis: International Negotiations, University Publications Bureau, Algeria, 2000.
- 22 Sadiq Muhammad Afifi and Mustafa Mahmoud Abu Bakr: Negotiation in Life and Business, University House, Alexandria, 2000.

- 23 Rebhi Abdel Kader Moussa Al-Jadili: Negotiation Management, Arab Open Academy, Denmark, 2010.
- 24 Charles Mitchell: Russia, Translated by Shwikar Zaki, Nile Arab Group, Egypt, 2002.
- 25 Mohsen Ahmed Al-Khodairi: Principles of Negotiation, Nile Arab Group, Cairo, 2003.
- 26 Roger Dawson: Secrets of Negotiation Power, Dar Jarir, Riyadh, 2003.
- 27 techniques de vente pour un besoin explicite, www.itev.fr, Consulted on: 26/12/20.