

DIPLOMATIC NEGOTIATION

DEFINITION

TWO OR MORE ENTITIES – WITH PUBLIC JURIDICAL PERSONALITY - TRY TO MAKE THEIR INTERESTS COMPATIBLE AND, IF POSSIBLE, EVEN COMPLEMENTARY

ACTORS

STATES (THROUGH DIPLOMATS, GOVERNMENT EXPERTS, POLITICIANS)

INTERNATIONAL ORGANIZATIONS (INTERNATIONAL OFFICERS)

CONTENTS

TRADITIONAL/CLASSICAL (POLITICAL, ECONOMIC, CONSULAR, CULTURAL)

EMERGING (DEVELOPMENT, ENVIRONMENT, HUMAN RIGHTS, CRIME, TERRORISM, PANDEMIC...)

TYPES

UNA TANTUM/AD HOC OR PERIODICAL

LONG OR SHORT

BILATERAL= TWO ACTORS - STANDARD PROCESS

MULTILATERAL = MORE THAN THREE ACTORS (MINILATERAL BETWEEN THREE AND TEN)

AMONG INFORMAL GROUP OF STATES

INSIDE INTERNATIONAL ORGANIZATIONS

PECULIARITY OF THE EUROPEAN UNION

INTEGRATIVE NEGOTIATION

(INTEREST- BASED)

INTEGRATIVE / COOPERATIVE

WIN – WIN

NEGOTIATION ON THE MERITS

WHICH MEANS IN PRACTICAL TERMS:

- SEPARATE THE PEOPLE FROM THE PROBLEM (HARD ON THE MERITS BUT SOFT ON THE PEOPLE)**
- FOCUS ON INTERESTS, NOT POSITIONS**
- INVENT MULTIPLE OPTIONS, LOOKING FOR MUTUAL GAINS**
- INSIST ON OBJECTIVE STANDARDS / CRITERIA**

+ -

DISTRIBUTIVE NEGOTIATION (POSITION BASED)

COMPETITIVE / CONFLICTUAL

WIN – LOSE

UNDER ZERO- SUM CONDITIONS

ADVERSARIES, NOT PARTNERS

EACH SIDE TAKE A POSITION, ARGUE FOR IT, AND MAKE
CONCESSIONS TO REACH A COMPROMISE

PROBLEMS

-INEFFICIENT

-ENDANGERS RELATIONSHIP

-IF MULTILATERAL EVEN WORSE

-SOFT POSITIONAL BARGAINING LOOSE TO HARD POSITIONAL
BARGAINING

FORMATS

FORMAL / INFORMAL

OPEN-ENDED / RESTRICTED

PUBLIC / CLOSE

TOOLS

DRAFTS (TEXT-BASED NEGOTIATIONS)

WORKING PAPERS / NON PAPERS

MEMO(RANDA) = FACTUAL INFORMATION

LETTERS (TO EXPLAIN POSITIONS)

PRESS RELEASES

VIDEOS / FILMS

POINT OF ORDER = INTERVENTION OUT OF THE SPEAKER LIST

AGREEMENTS (TREATY, PROTOCOL, CONVENTION, PACT, PROCES VERBAL, MEMORANDUM OF UNDERSTANDING=MOU)

SKILLS

- PERFECT KNOWLEDGE OF THE DOSSIER**
- CREATIVITY**
- CLEAR PRIORITIES (INCLUDING TO KEEP IN MIND THE BEST ALTERNATIVE TO A NEGOTIATED AGREEMENT-BATNA)**
- EMPATHY (PUT YOURSELF IN THEIR SHOES)**
- FLEXIBILITY / ABILITY TO IMPROVISE/ PRAGMATISM**
- LEADERSHIP**
- MASTERING OF LANGUAGES**
- ABILITY TO EXPLOIT COMPARATIVE ADVANTAGES OF - YOUR COUNTRY**
- TO BE CONCISE**
- GOOD SENSE OF TIMING**
- SENSE OF HUMOUR**
- CARING ABOUT THE FOLLOW_UP**
- ASSESS CORRECTLY YOUR ENERGY**
- CONTROL YOUR ENTHOUSIASM**

TACTICS

PACKAGING (NOTHING AGREED UNTIL ALL IS AGREED)

INTER ALIA / AMONG OTHER THINGS

CONSTRUCTIVE AMBIGUITY

AGREED LANGUAGE

AVOID RED LINES

PAUSE / SILENCE

AUCTION (PUT COUNTERPARTS AGAINST ONE ANOTHER)

BRINKMANSHIP

**BOGEY (PRETEND THAT AN ISSUE OF LITTLE
IMPORTANCE IS VERY IMPORTANT)**

CALLING A HIGHER AUTHORITY

CHICKEN

DEFENCE IN DEPTH

DEADLINES

FLINCH

GOOD GUY / BAD GUY

HIGHBALL/LOWBALL

THE NIBBLE

SNOW JOB

MIRRORING

BODY LANGUAGE

ANCHORING



USE OF A TEAM (REDUCES THE AMOUNT OF BLUNDER)

FACE-SAVING

INCREASED MOTIVATION

CHECKLIST FOR A PERFECT NEGOTIATION

