



Principled-Negotiation Framework

A. First the Ground Rules: Treat People with Care and Utmost Respect.

1. Keep communication open. Continually improve it. Help all stakeholders share their concerns and interests. Listen unconditionally. Respond with tact and empathy. Paraphrase. Strive to understand and be understood by each party.
2. Differentiate substantive issues (terms & conditions) from people issues (trust, perceptions, skills, attitudes, behavior, emotions, feelings and beliefs). Acknowledge people issues without blaming.
3. Take the high road of decency and civility. Don't try to buy relationships.
4. Be soft on people; firm on substance, while sparing no effort to enlarge the pie for everyone.

B. Validate Goals.

1. Be clear and honest about your mission, goals and vested interests, priorities and concerns.
2. Draft a Negotiation Mandate (Tool 45N). Make explicit the conditions beyond every party's control. Update the content as you learn more about each party's mandate and risks.
3. Focus on interests. Clarify interests and priorities by digging under the position of each party.

C. Spark Creativity. Brainstorm to Invent Options for Mutual Gains.

1. Encourage everyone to invent options while withholding the critiques to the next task..
2. Before the collective critique, those who make suggestions should self-critique their own ideas.
3. On complex issues, add focused brainstorming with the Negotiation Strategy Grid (Tool 55N).
4. Differentiate before integrating solutions related to substantive and relational and trust issues.
5. Separate brainstorming from strategy formulation and commitment.
6. Jointly work on improving options to craft the best strategy for mutual gains.
7. Assess the implementation and transition risks. Use Negotiation Strategy Grid (Tool 55N).
8. Prepare for both positive and negative surprise events.

D. Maximize Legitimacy. Use Objectively-Verifiable Benchmarks and Standards.

1. Consider precedents, industry best practices, market value, costs, productivity gains, benefits, competing products and services. Update the Negotiation Mandate (Tool 45N)
2. Use objectively-verifiable standards as a persuasion sword, and as a protection shield.
3. Validate the standards (time, location, quantity, quality, and environment).

E. Prepare for Graceful Exit, if Necessary.

1. Consider in advance your BATNA, i.e.: the actions you will take if no agreement can be reached.
2. Choose the best BATNA and if possible, improve it.
3. Consider their BATNA. Assess the merit, legitimacy and risk of their exit strategy.
4. Validate your BATNA (overconfidence versus overkill, legitimacy and risk).

F. Plan and Manage Closure in a Thorough, Organized and Timely Fashion.

1. Think about closure in the preparation stage. Avoid premature commitment on substance. Move gradually. Start with a framework of agreement.
2. Clarify everyone's role, responsibility and accountability. Agree on a risk-mitigation plan to head-off veto and deal with responsibility risks. Use Harvard Responsibility Chart (Tool 60A).
3. Improve the working documents as you go. Finalize details before commitment.
4. Consider contingent offers to bridge remaining differences.
5. Be generous at the end. Help make all sides feel satisfied, motivated and committed to work together, deliver excellent results, and build the foundations for future deals. Celebrate.