



# NEGOTIATIONS. KEY CONCEPTS AND CHARACTERISTICS

By *Plamen Ralchev*

---

April 2023



CENTER FOR  
CONFLICT RESEARCH

## About the author

---

Prof. Dr. Plamen Ralchev is a lecturer in international relations and a consultant in business diplomacy and strategic communications. Head of the International Relations Department at the University of National and World Economy in Sofia. He specialized at the Center for Strategic and International Studies in Washington, USA, and was a Chevening Fellow at the Department of Sociology at the University of Bristol, UK. He has been a guest lecturer at universities in Germany, Italy, Spain, the Czech Republic, Croatia, and Turkey.

## About CCR

---

The Center for Conflict Research is an independent, nonpartisan, and not-for-profit organization dedicated to enhancing the understanding of conflicts around the world.

Our mission is to conduct objective, in-depth research and analysis, covering a wide range of domains, such as security, geopolitics, economics, and more. Our authors offer diverse thought, experience, and personal backgrounds and are guided by principles of quality and independence.

## SUMMARY

Introduction .....	3
1. General characteristics of negotiations: essence, types, and functions .....	4
2. Dynamics of negotiations .....	9
3. Psychological mechanisms and technology of the negotiation process .....	12
4. Psychological conditions for success in negotiations .....	15
Conclusion .....	17
Bibliography .....	18

Negotiations are a process of communication aimed at reaching a joint decision on an issue that was initially associated with incompatible interests. In negotiations, there are at least two parties who communicate with each other on issues that are of interest to both parties. The following objectives can be set in the negotiation process:

- reaching a mutual agreement on the issue in which their interests clash;
- overcoming confrontation, which inevitably arises due to conflicting interests, without destroying the relationship.

To achieve this, we must be able to:

- establish interpersonal interaction;
- manage our emotions.

At the negotiation table, people with different social experiences gather. They may have different temperaments and educational backgrounds (e.g., technical, economic). Accordingly, the negotiation process also varies due to all these diversities. Negotiations can be brief, and the negotiators can easily reach an agreement among themselves, or they can be difficult, and, in general, no agreement may be reached in case of conflicting interests.

Conflict is a clash of opposing goals, interests, positions, and opinions. The basis of every conflict is a situation that includes:

- conflicting positions of the parties for some reason;
- opposing goals or means to achieve them under these conditions;
- mismatch of interests, desires, motivation of opponents, etc.

The main objectives of this article are:

- defining the concept of “conflict” and “negotiation”;
- considering these concepts as a process;
- analyzing the principles and methods of conflict management;
- examining the specificity of conflicts and their resolution.

In many studies devoted to the analysis of the negotiation process, the term “negotiations” is used to refer to a broad spectrum of situations in which people try to discuss certain issues, agree on any actions, and resolve disputed issues. Thus, V. Mastenbrook notes that “negotiations are a style of behavior that we encounter and use every day.” This fact shows that the concept of “negotiations” is used not only in the ordinary sense – in connection with the situations of official negotiations but also in various situations from everyday life. And such situations can be conducted both in the context of cooperation (when negotiations build a new connection) and in the context of conflict.

Every sphere of social interaction is closely related to negotiations. This applies particularly strongly to politics and business. “Wisdom comes when two people can sit at a table facing each other and discuss their differences without having to change each other,” writes Gregory Bateson.

#### 1. General characteristics of negotiations: essence, types, and functions

Parties understand the necessity of negotiations when confrontation fails to yield results or becomes disadvantageous. There are two types of negotiations: those conducted within the framework of conflicting relationships and those conducted in conditions of cooperation. Negotiations aimed at cooperation do not exclude the possibility of serious disagreements between parties and on this basis, conflict may arise. The opposite situation is also possible when former rivals start to cooperate after settling the conflict. Negotiations are necessary for making joint decisions. Each negotiator decides individually whether to agree to a specific proposal or not. A joint decision is a one-time decision that parties consider the best in a given situation. Negotiations are not necessary if the contradiction can be overcome based on legislative or other normative acts. However, many issues are resolved more easily, cheaply, and quickly through

negotiations. There are different approaches to classifying negotiations. One of them is based on the distribution of different goals among their participants.

- Negotiations to expand existing agreements. For example, a temporary agreement to cease military operations.
- Normalization negotiations. They are held to turn conflictual relations into more constructive communication between opponents.
- Negotiations for redistribution. One of the parties wants changes in their favor at the expense of the other. These requests are usually accompanied by threats from the attacking party.
- Negotiations to create new conditions. Their goal is to form new relationships and conclude new agreements.

Depending on the goals pursued by negotiators, different functions of negotiations are distinguished:

- Informational (parties are interested in exchanging opinions but are not ready for joint actions for some reason);
- Communication (establishment of new connections, and relationships);
- Regulation and coordination of actions;
- Control (e.g., regarding the implementation of agreements);
- Propaganda (allows one of the parties to appear favorable in the eyes of the public).

There are three types of joint decisions of negotiators:

- Compromise, or “middle ground” decision;
- Asymmetric decision, relative compromise;
- Finding a fundamentally new decision through cooperation.

From all the definitions of negotiations published in scientific literature, we can distinguish four that contribute more or less to a better understanding of negotiations:

- Negotiations – a set of tactics.
- Negotiations – a skill that allows you to resolve a series of dilemmas.
- Negotiations – a process organized over time.
- Negotiations – a complex of different activities. One of the classic articles (Walton and McKersie, 1965) is dedicated to this view of negotiations, in which the basic principle of negotiations is defined.

Different functions of negotiations are distinguished depending on the participants' goals. The main function of negotiations is to find a joint solution to the problem. This is actually why negotiations are conducted.

The informational function is to obtain information about the interests, positions, and approaches to solving the problem from the opposing side, as well as to provide or not provide similar information about oneself. The importance of this function of negotiations is determined by the fact that it is impossible to reach a mutually acceptable solution without understanding the essence of the problem and understanding the positions of the opposing side.

Close to the informational function is the communication function, which is related to the establishment and maintenance of relationships between conflicting parties.

Another important function of negotiations is the regulatory function. This involves regulating and coordinating the actions of the parties in the conflict. It is applied primarily in cases where the parties have reached certain agreements and negotiations are being conducted for the implementation of the decisions.

The propaganda function of negotiations consists of the fact that the participants strive to influence public opinion to justify their own actions, make claims against opponents, attract allies to their side, etc. Creating public opinion favorable to themselves and negative to the opponent is achieved primarily through the media.

Negotiations can also fulfill a “camouflage” function. This role is assigned primarily to negotiations in order to achieve side effects. In this case, the conflicting parties are not very interested in jointly solving the problem, as they are solving completely different tasks.

#### FUNCTIONS OF NEGOTIATIONS

Dominant type of interaction	Example of the subject of negotiations (Country A)
Cooperation and persuasion	Arranging reciprocal cultural exchange
Implicit offering of rewards	Simplification of registration procedures for foreign business in Country B
Explicit offering of rewards	Reciprocal reduction of customs tariffs or cancellation of visa regime
Threats of nonviolent coercion	Cancellation of specific disputed barriers to the import of goods from Country A, imposed by Country B (A threatens to introduce similar barriers for goods from Country B)
Cancellation/withdrawal of favorable conditions	Agreement for concessions from Country B – if made, A will return the favorable conditions
Nonviolent coercion	Determining the conditions under which A will stop exerting coercion on B
Threat of violence	Demonstration of A’s willingness to use violence against B and the conditions under which B can avoid violence
Violent coercion (without armed violence)	“Coercive diplomacy” according to Schelling: termination of access to desirable benefits, results, rights, or relationships for both parties.

#### CLASSIFICATION OF NEGOTIATIONS

CRITERIA	TYPE OF NEGOTIATION
Subject matter	<ul style="list-style-type: none"> <li>– For peace</li> <li>– On political issues</li> <li>– On economic and trade issues</li> <li>– Humanitarian</li> <li>– On special issues, e.g. settlement of border and territorial disputes</li> </ul>



Number of participants	<ul style="list-style-type: none"> <li>– Bilateral</li> <li>– Multilateral</li> <li>– International conferences</li> </ul>
Legal status (rank) of participating parties	<ul style="list-style-type: none"> <li>– At a high level (state and governmental leaders)</li> <li>– At the level of foreign ministers</li> <li>– At the level of other ministers</li> <li>– At the level of ambassadors</li> <li>– At the level of authorized representatives</li> </ul>
Method of conducting	<ul style="list-style-type: none"> <li>– In-person</li> <li>– Written (exchange of notes, memoranda, personal letters, minutes, etc.)</li> </ul>
Result	<ul style="list-style-type: none"> <li>– Successful</li> <li>– Unsuccessful</li> </ul>
Frequency	<ul style="list-style-type: none"> <li>– One-time</li> <li>– Periodic/regular</li> </ul>
Organization	<ul style="list-style-type: none"> <li>– Institutionalized</li> <li>– Non-institutionalized</li> </ul>
Evaluation	<ul style="list-style-type: none"> <li>– Important</li> <li>– Unimportant/routine</li> </ul>
Status	<ul style="list-style-type: none"> <li>– Formal</li> <li>– Informal</li> </ul>

## 2. Dynamics of negotiations

Negotiations, as a complex process involving various tasks, consist of several stages: preparation for negotiations, the process of their conduct, analysis of results, and implementation of agreements reached.

### *Preparation for negotiations*

Negotiations start long before the parties sit down at the table. In fact, they start from the moment when one of the parties initiates the negotiations and the participants begin to prepare for them. The future of negotiations and the decisions made at them largely depend on the way of preparation. Preparation for negotiations is carried out in two directions: organizational and substantive.

Organizational aspects of preparation include: the formation of a delegation, determination of the place and time of the meeting, agenda of the meeting, and coordination with interested organizations on issues related to them. The formation of the delegation, the appointment of its leader, and quantitative and personal composition are of great importance. It happens that a person is appointed as the head of a negotiating delegation solely on the basis of his official status, without taking into account his competence in the substance of the problem under discussion.

It is important for the delegation to be a united team, where everyone works for the success of the negotiations, not just to entertain the leadership. The substantive aspect of the preparation for negotiations includes: analysis of the problem and the interests of the participants; formation of a common approach to negotiations and their own position on them; identifying possible solutions.

Before the parties start preparing for negotiations, the problem that needs to be solved is analyzed. What is its essence? Are there other ways to solve it that require less cost and effort? They can be found both within the framework of unilateral actions and based on negotiations with the opponent. It is necessary to develop a common approach to negotiations, i.e., the negotiation concept. Unlike a position, the concept of negotiations is not subject to significant changes. When forming a common approach to negotiations, the tasks that will be performed during them are determined. It is necessary to identify possible solutions. Various solutions are developed, evaluated, and classified depending on the degree of their acceptability for both parties.

Participants should consider proposals that correspond to one or another variant of the solution, as well as their arguments. Sentences are key elements of a given position. The formulation of sentences should be concise, clear, and unambiguous. The argumentation should always be objective.

### *Negotiation*

Negotiations actually start from the moment the parties begin to discuss the problem. In order to navigate the situation in negotiations, it is necessary to understand well the

process of interaction during negotiations, and what stages it consists of. We can talk about three stages of negotiation:

- clarification of the interests, concepts, and positions of the participants;
- discussion (justification of their views and proposals);
- coordination of positions and development of agreements.

During the stage of clarifying interests and positions, information uncertainty about the discussed problem is eliminated. The search for a "common language" with the partner in negotiations is vital. When discussing issues, it is necessary to ensure that the parties understand the same thing under one and the same term, and not different things. The clarification stage is manifested in presenting positions from the parties (official proposals) and providing explanations about them. By making proposals, the parties thus determine their priorities, and their understanding of possible ways to solve the problem.

The discussion stage is aimed at the clearest possible justification of one's own position. It acquires particular significance if the parties are guided by the solution of the problem through compromise. During the opponent's discussion, it is shown what and why the other side cannot concede. The discussion is a logical continuation of clarifying positions.

As the parties present arguments during the discussion, they express evaluations of their partners' proposals, show what and why they fundamentally disagree, or conversely, what can be the subject of further discussion. If the parties seek to resolve the problem through negotiations, then the result of the argumentation stage should be the determination of the scope of a possible agreement.

*The third stage is the coordination of positions.* There are two phases of coordination: first, the coordination of the general formula, and then the coordination of the details. When developing a general formula for an agreement, and then when detailing it, the parties go through the three stages again: clarifying their positions, discussing them, and negotiating.

The final phase of the negotiation process is the *analysis of the results* of the negotiations and the implementation of the agreements reached. It is generally accepted that if the parties have signed a certain document, then the negotiations have not been in vain. However, the existence of an agreement itself does not make the negotiations successful, and the absence of such an agreement does not always mean failure of the negotiations. Negotiations can be considered successful if both parties evaluate their results.

Another important indicator of the success of negotiations is the extent to which the problem is resolved. Successful negotiations involve solving the problem, but participants can see how the problem is being solved in different ways.

Another very important indicator for the success of negotiations is the fulfillment by both parties of the obligations undertaken. Even after the negotiations are concluded, the interaction between the parties continues, as the decisions taken must be implemented. During this period, an impression is formed of the reliability of the recent opponent, of how strictly he or she adheres to agreements.

After the negotiations are concluded, it is necessary to analyze their content, i.e. to discuss:

- what contributed to the success of the negotiations;
- what difficulties arose and how they were overcome;
- what was not taken into account in preparing for the negotiations and why;
- what was the behavior of the opponent in the negotiations;
- what can be used from the negotiation experience.

### 3. Psychological mechanisms and technology of the negotiation process

The negotiation process is a specific type of collaborative activity. Its peculiarity lies in the fact that the goals and interests, and even more so, the positions of the parties, do not coincide. The specificity also lies in the fact that in negotiations, each opponent is in close

contact with the other and is forced to adjust to their actions. Therefore, negotiations as a socio-psychological process have psychological mechanisms and technology.

Psychological mechanisms are an integral set of mental processes that ensure movement towards a certain result in accordance with a frequently encountered sequence. This is a stable scheme of mental actions. We can say that technology answers the question "How?" and psychological mechanisms answer the question "Why?"

#### *Psychological mechanisms of the negotiation process*

The following mechanisms are distinguished:

- coordination of goals and interests;

Negotiations become a discussion through the action of this mechanism. No matter what scheme negotiations are organized, they can achieve results only through the coordination of goals and interests. The degree of agreement may vary, from full to partial recognition of interests. In these cases, the conducted negotiations are considered successful. If the negotiations did not end in an agreement, this does not mean that they failed. The opponents simply could not agree during the negotiations but could do so at some future moment based on the experience gained from the completed negotiations.

- striving for mutual trust between the parties;

As a socio-psychological phenomenon, trust is a unity of perception of another person and attitude towards them. We distinguish between potential and actual trust. If one person tells another that they trust them, it means that they know how the other can act in a given situation, expect positive actions towards themselves, and therefore treat them accordingly. When a conflict arises or persists, it is difficult to talk about trust between the parties. The opposition, negative emotions, and damages resulting from the conflict can only generate mistrust and expectation of danger. But if the parties agree to negotiate, then the confrontation stops, albeit temporarily. The recognition by the parties of the need for a peaceful resolution of the problem, i.e. the willingness to discuss it, creates the

basis for building trust between them. Of course, the parties risk having to rely on a recent opponent. Nevertheless, coordination of interests, steps towards each other, weakening of negative emotions, and correction of distorted perceptions contribute to building mutual trust. Many experts consider trust to be crucial in negotiations. The more stable the trust between the parties, the greater the chances for a constructive solution to the problem.

- ensuring a balance of power and mutual control of the parties.

During negotiations, the parties strive to maintain the initial or emerging balance of power and control over the actions of the other party. It is important to monitor the strength of one party compared to the strength of the other, as well as how each participant assesses the capabilities of the other. Sometimes strength is seen as the rank of the opponent. Strength determines the ability to influence the other party.

Not only the real possibilities of the other party but also the way in which these possibilities are perceived significantly influence the balance of power. In negotiations, it is often not the strength that the participant actually possesses that matters, but how it is assessed by the other party. Therefore, the outcome of negotiations can be influenced not by the actual but by the apparent state of affairs.

In negotiations, each party tries to take full advantage of its opportunities. The range of means used is quite wide, from persuasion to threats and coercion. Nevertheless, thanks to maintaining the balance of power, negotiations continue. If one of the parties sharply increases its strength, then the opponent either interrupts to carry out consultations or terminates the negotiations. Resumption of conflict actions is possible.

#### *Negotiating process technology*

Negotiation technology is a set of actions taken by the parties during negotiations and the principles for their implementation. It includes ways of presenting positions, principles, and tactics for interacting with the opponent. There are four ways to present a position that negotiators can use: opening a position, closing a position, emphasizing common

positions, and emphasizing differences in positions. The following principles can be recommended for constructive interaction with the opponent during negotiations:

- Do not be the first to use confrontational tactics.
- Listen carefully to the opponent's arguments and positions.
- Do not insist on the maximum at the beginning of the negotiations.
- Create conditions for mutual concessions.

*Negotiation tactics.* A number of tactics can be applied regardless of the stage of the negotiation process. The use of other techniques is limited to a certain stage.

Techniques widely used at all stages:

- "Withdrawal" is associated with closing a position. An example of "withdrawal" is a request to postpone consideration of the issue, or to transfer it to another meeting.
- "Delay" is used when a party attempts to prolong the negotiations for any reason. It represents a series of different types of "withdrawal."
- "Waiting" is expressed in the participant's desire to first hear the opponent's opinion and then, depending on the information received, formulate their own position.
- "Agreement" with the partner's already expressed views aims to emphasize the common ground.
- "Expressing disagreement" with the opponent's statements – the opposite technique.

Tactics used at certain stages of the negotiations:

Stage of clarifying positions:

- "Raising demands." Its essence is to include points in one's position that can then be removed painlessly, pretending that this is a concession, and requiring similar steps from the opponent in return.
- "Bluff" – intentionally creating a false impression.
- "Revealing a position by clarifying the partner's position."

During the stage of discussing positions, most of the techniques used are related to emphasizing the differences.

#### 4. Psychological conditions for success in negotiations

There are a number of psychological conditions that increase the chances for success in problem-solving through dialogue. The personal factor has a decisive influence on the success of negotiations. Although some experts believe that the personal characteristics of the participants have little effect on the effectiveness of negotiations, most scholars take a different view. Based on research, they reach the following conclusions regarding the role of personality factors in negotiations:

- The clearer the definition of roles in the negotiation situation, the weaker the influence of personality factors on their course;
- The more uncertain the intentions of the opponent, the greater the influence of personality factors on negotiations;
- In a difficult situation, those parameters that affect the processes of perception of the negotiators or are easy to explain are the most important;
- The higher the level of negotiations and the more independent the participants are in decision-making, the more important the personal factor is.

Among the personal qualities and characteristics that contribute to the constructive conduct of negotiations are usually included high moral qualities, balanced character, developed abilities, mental stability, tolerance, unconventional thinking, decisiveness, modesty, professionalism, and corporate integrity.

Knowing the personal characteristics of the opponent and taking them into account during the negotiations makes it possible to predict the likely nature of the interaction with him. The success of the negotiation process largely depends on the mediator's activity. This is particularly important when the mediator deals with a long, complex conflict.



The results of the negotiations depend on the content of the negotiation process, i.e., the problem under discussion. The more abstract the topic discussed, the easier it is for the participants to reach an agreement. Conversely, the more significant the problem is for the opponents on a personal level, the more difficult it is to reach an agreement. Time is an important factor that influences the success of negotiations. Generally, the one who has time wins. A negotiator who is in a hurry makes sudden decisions and makes more mistakes. If negotiations last too long and no solution is found, it is beneficial to take a break and resume them later. During the postponement, consultations from each delegation are possible. Another way out of an emerging deadlock would be to suggest that the issue be postponed for a later moment after the other problems have been resolved.

*Analysis of the negotiation results:*

Negotiations can be considered complete if their results are analyzed carefully and responsibly, necessary measures for their implementation are taken, and appropriate conclusions are drawn for the preparation of the next negotiations.

The objectives of analyzing the negotiation results are: comparing the objectives of the negotiations with their results, identifying measures and actions arising from the negotiation results, and identifying business, personal, and organizational consequences for future negotiations.

The analysis of the negotiation results should be carried out in the following three areas:

1) Analysis immediately after the end of negotiations. Such an analysis helps to assess the course and results of negotiations, exchange impressions, and identify priority activities related to the negotiation results;

2) Top-level analysis – the organization's leadership. This analysis of the negotiation results has the following objectives: to discuss the report on the negotiation results and clarify the deviation from the previously established directives; assessment of information on measures already taken and responsibility; to obtain additional information about the negotiating partner;

3) Individual analysis of negotiations is an explanation of the responsible attitude of each participant towards their tasks and the organization as a whole. Critical introspection allows us to observe and learn from negotiations.

In the process of individual analysis, we can get answers to the following questions: Are the interests and motives of the negotiating partner correctly identified? Does the preparation for negotiations correspond to the real conditions, prevailing situation, and requirements? How well-defined are the arguments or compromise proposals? How to increase the effectiveness of argumentation regarding content and method? What determines the result of negotiations? How to eliminate negative nuances in the negotiation procedure in the future? What should each person do to improve the effectiveness of negotiations?

### Conclusion

Negotiations are a way to resolve conflict through the use of nonviolent means and techniques for solving problems. Negotiations are conducted to extend agreements, normalize relationships, redistribute, create new conditions, and achieve side effects. Negotiations have several functions: informational, communicative, regulating and coordinating actions, control, dispersal, propaganda, as well as a function of delay.

During the negotiations, various phases are passed through – preparation (addressing organizational and substantive issues), negotiation (stages: clarifying interests and positions, discussing and agreeing on positions, developing an agreement), analysis of the results of negotiations, and implementation of the agreements reached.

The psychological mechanisms of the negotiation process are: the coordination of goals and interests, the desire for mutual trust, ensuring a balance of power, and mutual control of the parties.

Ancient sages had a good rule for conversation: after one person finishes speaking, the second repeats his or her statement, asking if they understood it correctly. In ordinary conversation, this is not always necessary, but in serious conversation, it helps to make it more effective. Clear and accessible statements, and control of the interlocutor's

understanding, it is necessary to look the interlocutor in the eyes, maintain a friendly tone, facial expressions, and gestures.

In this article, the main principles and techniques of negotiation, the issues of psychological preparation, and the structure of the negotiation process as a whole were presented. Without realizing the common models inherent in the negotiation process, it is impossible to build proper interaction with a partner, taking into account our goals and objectives. In the initial stages, starting negotiations, time should not be spent analyzing what is happening and what has happened in these negotiations but on how the process of conducting them is built. In the future, this will be reduced to routine, and such a detailed analysis will not be necessary. What usually emerges is negotiating experience. However, a lot of effort is required to achieve it. We cannot learn to negotiate without participating in negotiations. Therefore, negotiation skills are built up and accumulated only in a real negotiation process. With each new negotiation, experience is gained, and skills are improved.

Negotiations are a means of resolving conflicts and crisis situations, as well as a means of ensuring cooperation among different social actors. They replace forceful and commanding methods, providing a more sustainable development of socio-political and economic life.

#### Bibliography

1. Genov, G., E. Savov, *Theory and Practice of International Negotiations: Negotiations and Negotiation Process*, IK-UNSS, S. 2016;
2. Savov, E., G. Genov, *International Diplomatic Negotiations: Issues of Theory and Practice*, Albatros, S. 2008;
3. Brooks, A.W., *Emotion and the Art of Negotiation*, Harvard Business Review, December 2015;
4. Gates, St., *The Negotiation Book*, Capstone, 2016.