

Overview of Interest-based Negotiation*



Utah Lake Water Quality Study
Steering Committee Meeting #2

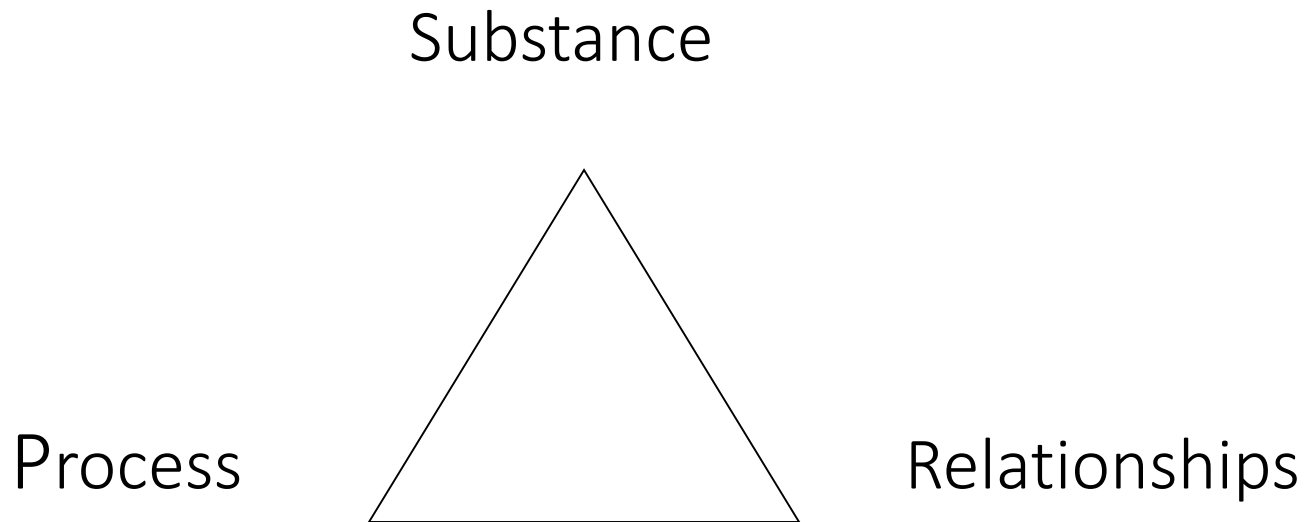
Tuesday, January 23, 2018

* Concepts based on Fisher and Ury, Getting to Yes, 1991



Dimensions of Success

Participants seek three dimensions of success





Relationships Matter

- Be inclusive
- Check assumptions – ask questions and listen with respect
- Talk about values
- Get to know one another as individuals
- Separate the people from the problem

“Communication is about who is listening, not who is talking...”

Anonymous



Process Matters

- Make decision making transparent
- Negotiate the process choices
- Build agendas cooperatively
- Level the playing field for all participants
- Define fairness and adhere to the definition
- Balance competing interests



Substance Matters

- Invest in sound information and analysis
- Focus on interests not positions
- Seek options with joint gains
- Participants won't settle for less than they could achieve without an agreement (BATNA)
- Plan for implementation



Successful Collaboration on Data Questions

The three dimensions of satisfaction apply to data needs:

- Substance – What data are collected?
- Process – Consultation about how data are collected and how information is used?
- Relationship – Respectful inclusion in the decisions about what questions are asked and how they are answered?



Interest-based Negotiation: Basic Concepts

1. Focus on Interests
2. Understand Best Alternative to a Negotiated Agreement (BATNA)
3. Don't Get Locked In: Consider Multiple Options
4. Use Objective Criteria And Standards To Persuade
5. Elevate Options that Provide Joint Gain
6. Build Implementable Agreements



Focus on Interests

- Distinguish among issues, positions, and interests.
- Important to know your interests and others' interests so can craft solutions that meet your interests and theirs (so they can agree with it)
 - Ask WHY? WHY NOT?



Understand BATNA (Best Alternative to a Negotiated Agreement)

- Results matter.
- Don't settle for less than you could achieve without an agreement.
- Analyze and understand your BATNA.
- Seek to improve BATNA.
- Seek to understand the other parties' BATNA's.
- Seek to persuade others that their BATNA is not as good as they think.



Don't Get Locked In: Consider Multiple Options

- Be creative and diagnostic.
- Set aside brainstorming time (separate inventing from deciding).
- Keep options on the table as long as possible.
- Combine and recombine elements of multiple options that help meet interests and create mutual gains.



Use Objective Criteria and Standards to Persuade

- Rely on fair standards.
- Negotiate fair procedures.
- Frame each issue as a joint search for objective criteria.
- Reason objectively and be open to reason.
- Never yield to pressure, only to principle.



Elevate Options that Provide Joint Gain

- Share information about interests
 - Ask about each other's interests
 - Identify common interests
 - Identify differences
- Seek to achieve as many of your interests as you can, while ensuring others achieve more than they can outside the venue
- Seek to build solutions that amplify common interests and that bridge differences
- Preserve ability to negotiate future problems.



Build Implementable Agreements

- Interests satisfied
- Technically sound - scientifically/legally
- Feasible - politically/financially
- Incentives reinforce compliance
- Able to be reopened



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