



Applying the Mutual Gains Approach: *Negotiation & Communication*

MUTUAL GAINS APPROACH TO NEGOTIATION

PREPARE

*Clarify your mandate and
define your team*

*Estimate Best Alternative
to Negotiated
Agreements (BATNA)—
yours and theirs*

*Know your own interests
and think about their
interests*

*Improve your BATNA
(if possible)*

*Prepare to suggest
mutually beneficial
options*

CREATE VALUE

Suspend criticism

*Invent without
committing*

*Generate options that
exploit differences*

*Bundle options into
multiple packages*

DISTRIBUTE VALUE

*Behave in ways that
build trust*

*Identify standards/
criteria for dividing value
that all sides can support*

*Keep at least two
packages in play*

*Use neutrals to suggest
possible distributions*

FOLLOW THROUGH

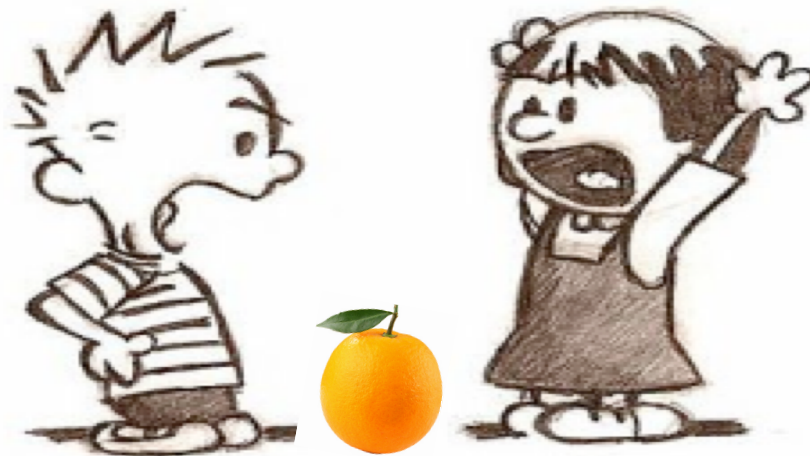
*Design nearly self-
enforcing agreements*

*Specify mechanisms to
deal with “predictable
surprises”*

*Agree on monitoring
arrangements, including
metrics*

*Keep working to improve
relationships*

Communicate (*constructively*) to Uncover Mutual Gains



Collaborative Communication



Step 1: Your Emotions

*“We don’t have the chance to influence the other side,
until we’re able to influence ourselves.”*

– William Ury, Co-author of ‘Getting to Yes’

Collaborative Communication

Step 1: Your Emotions

Step 2: Their Emotions – Seek to Understand Their Side

[Curious • Respectful • Patient] → Active Listening

- Ask Clarifying and Open-Ended Questions
- Restate / Paraphrase
- Acknowledge their Feelings / Views
- Agree without Conceding

*Not giving in,
but gaining understanding.*

Moving from Positions to Interests



Positions

One way to achieve our underlying needs

Interests

Our underlying needs, desires, cares, fears

Values & Human Needs (Non-Negotiable)

**Negotiation &
Problem Solving for
Mutual Gains**



Positions vs. Interests



Person A

“Use local crews for salvage logging to reduce fuel loads and help recuperate management costs.”

Avoid catastrophic fires
Financial sustainability
Local economic support

Others?

POSITIONS



INTERESTS

Person B

“Removing hazardous trees is important, but salvage logging often takes too many trees we need for important habitat.”

Avoid catastrophic fires
Public safety
Habitat protection

Others?

Activity: Articulating Underlying Interests

By Yourself (1 minute)

Write down 2 of your priority interests and 2-3 reasons why these are priorities for you

Person A:

Goal: Articulate one of your priority interests and why.

“Why is that important to you?”

*“Let me make sure I understand.
You’re saying that _____. Is that right?”*

Person B:

Goal: Understand Person A’s other priority interest and why.

- Ask questions
- Restate / paraphrase
- “Did I get that right?”

Switch!

Collaborative Communication



Step 1: Your Emotions

Step 2: Their Emotions – Seek Their Perspective

Step 3: Express Your Views, to Build Mutual Understanding

- *Constructive*
- *Respectful*
- *Honest*
-

“The way I see it is ____.”

“I have concerns with ____.”

“What I would like to see is ____.”

Collaborative Communication



Step 1: Your Emotions

Step 2: Their Emotions – Seek Their Perspective

Step 3: Express Your Views, to Build Mutual Understanding

Step 4: Set the Stage for Joint Problem-Solving!

- Summarize
- Legitimize differences positively

*“Here’s where I believe we’re aligned: _____,
and here are the issues I think we still need to work out: _____. ”*

Expressing Your Views and Setting the Stage

*"So it sounds like ____ is important to you because of ____.
Did I capture that accurately?"*

"Yes, that's correct."

*"OK. I can understand that. You make a good point.
I agree with you in the context of ____.
I do have concerns with _____. Your thoughts?"*

"I get that, but I still think _____ is crucial."

*"OK. Let me summarize what I think I'm hearing: _____.
So I think we're aligned on these issues: ____, and we should further discuss these
issues: _____. It'll take a bit of work to reach an agreement, but I believe we have
a lot to work with, and the benefits will pay off immensely for the both of us."*



Shifts for Managing Difficult Conversations

Negative Emotions



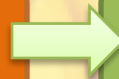
Emotionally Intelligent Engagement

Polarized Perceptions



Joint Understanding

Conflicting Positions



Underlying Interests

Divergent Values and Identities



Mutual Acknowledgement

Mutual Gains Approach Strategic Questions



MUTUAL GAINS APPROACH TO NEGOTIATION

PREPARE

What can I
negotiate?

Why do I
want it?

What's
Plan B?

CREATE VALUE

Why is that
important to
you?

What if...?

How would
that work
for you?

DISTRIBUTE VALUE

What makes
this fair?

FOLLOW THROUGH

What could
go wrong?

Collaborative Communication - Practice!

Step 1: Your Emotions

Step 2: Their Emotions – Seek Their Perspective

- Ask Clarifying and Open-Ended Questions
- Restate / Paraphrase
- Acknowledge their Feelings / Views
- Agree without Conceding

Step 3: Express Your Views, to Build Mutual Understanding

Step 4: Set the Stage for Joint Problem-Solving!



About CBI

CBI is a nonprofit organization with decades of experience helping leaders collaborate to solve complex problems.

Our staff are experts in facilitation, mediation, capacity building, citizen engagement, and organizational strategy and development. We are committed to using our skills to build collaboration on today's most significant social, environmental, and economic challenges. We work within and across organizations, sectors, and stakeholder groups.

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