Introduction to International Negotiations

Semester: Spring semester 2020

Root Number: 455763

ECTS: 3

Lecturer: Prof. Dr. Felix Addor


Audience:

- Government officials; Embassy staff; people working for international organisations and NGOs
- Master of Advanced Studies of International Law and Economics (MILE) Students
- Joint LL.M. / Diploma of Advanced Studies Trade and Investment Law (TRAIL+) Students - World Trade Institute / Faculty of Law, Unibe
- Students from different universities across Switzerland
Course description
To be effective in negotiations is of crucial importance in almost every profession. The negotiation process is an extensive strategy, based on principles that can be learnt, experienced and applied to solve conflicts of interest in a sustainable way.

This is a practice-oriented, interactive course that involves negotiation theory and concepts as well as preparation readings, combined role-play exercises, moot negotiations, case analyses, in-class discussions, and self-assessment instruments.

The course is for people who are eager to learn how to solve conflicts of interest in a sustainable way and are willing to actively participate. It is crucial that participants organize themselves in a way that they can follow all four course days.

Learning objectives
The course aims to form and to enhance participants' awareness about the negotiation process, including the influence of human interests, goals, perceptions, and emotions. Moreover, it provides concepts and tools for addressing negotiations, enables participants to develop systematic skills in diagnosing and managing every-day negotiation situations.

Lecturer
Prof. Dr. Felix Addor serves as the Deputy Director General of the Swiss Federal Institute of Intellectual Property (Swiss Ministry of Justice), the federal agency in charge of all intellectual property matters in Switzerland (www.ige.ch). As the Institute’s General Counsel and Director of the Legal and International Affairs Division, he has been responsible for all legal and policy matters regarding all fields of intellectual property at the national and international levels since 1999. Among other things, he leads Swiss negotiating delegations to the relevant international fora, such as the World Trade Organization and the World Intellectual Property Organization, and to bilateral and plurilateral IP-negotiations. He also acts as Co-Head of the Swiss Federal Inter-Ministerial Working Group on Public Health, Innovation, Trade and IP, and is a Member of the Strategy Committee on Swiss global health foreign policy.

In addition, Prof. Addor has been a member of the external faculty of the World Trade Institute since its establishment (1999). Since 2008, he has been a Professor ('Titularprofessor') at the Faculty of Law, University of Bern. He lectures on intellectual property law, international negotiations and global governance. Moreover, since 2013 Prof. Addor has been a Senior Fellow at the Global Health Centre of the Graduate
Institute of International and Development Studies, Geneva, and since 2020, a lecturer on international negotiation at the Law Faculty of the University of Zurich. Prof. Addor has authored numerous articles, and is a regular guest lecturer on a broad range of intellectual property and negotiation issues. He received an MLaw (magna cum laude) and a Dr. iur. (summa cum laude, awarded 1997 by the Professor Walther Hug Foundation) from the University of Bern, and has been admitted to the Canton Bern State Bar since 1990.

Grades and assessment

The type of assessment will be announced at a later stage.

A note on confidentiality

A sense of openness and trust among participants will increase our ability to share with and learn from each other. To foster the free exchange of experience, suggestions, and ideas, participants are asked to treat the information that they receive in the negotiation exercises as confidential. In addition, please refrain from discussing the exercises and cases with persons outside this course. If either the structure of a case or the substantive facts of an exercise should become widely known, the exercise risks being of little use to participants of future courses.

Compulsory reading material (to be read before the 1st course day)


Participants should read, if possible, the whole book (it’s an interesting book – easy to read); in any case, they must have read at least chapters 1-4 and 10-12.

Additional homework assignments (preparation and debriefing materials) will be distributed in class / sent to you electronically.

Optional reading material

This is a list of selected optional bibliography for those who are interested in more negotiation information (during or after the course):


• Odell, John S.: Negotiating the World Economy, Cornell University Press, Ithaca etc. 2000

• Ponschab, Reiner / Adrian Schweizer: Kooperation statt Konfrontation – Neue Wege anwaltlichen Verhandelns, 2. überarbeitete Aufl., Dr. Otto Schmidt, Köln 2010.


• Von Senger, Harro: The 36 Stratagems for Business – Achieve Your Objectives Through Hidden and Unconventional Strategies and Tactics, Cyan Communications 2005 (Deutsch: 36 Strategeme für Manager, Piper Taschenbuch, München etc. 2006).

## Course Overview

<table>
<thead>
<tr>
<th>Session</th>
<th>Date</th>
<th>Time</th>
<th>Topic</th>
<th>Preparation</th>
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<tr>
<td></td>
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<td>14:00 – 18:00</td>
<td>Individual Tendencies in Conflicts, Introduction to Negotiation, Distributive Bargaining (incl. case 2)</td>
<td>id.</td>
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<tr>
<td>Session 2</td>
<td>March 27, 2020</td>
<td>9:00 – 12:30</td>
<td>Integrative Bargaining (incl. case 3)</td>
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<td>14:00 – 18:00</td>
<td>Principle-Based Negotiation (incl. case 4)</td>
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<tr>
<td>Session 3</td>
<td>April 3, 2020</td>
<td>9:00 – 13:00</td>
<td>Multi-party</td>
<td>You will get all</td>
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<tr>
<td>Time</td>
<td>Session 4</td>
<td>April 24, 2020</td>
<td>9:00 – 12:30</td>
<td>Intercultural Negotiation (presentations by teams)</td>
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<td>Case 5 debriefing</td>
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<td>The role of emotions in negotiations</td>
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<td>How to effectively prepare your negotiation</td>
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**Simulation exercise (= case 5)**

**Relevant information at the end of session 2**
Content:
- Introduction
- Cooperation v. Competition (incl. case 1)
- Stages of Conflict
- Individual Tendencies in Conflicts
- Introduction to Negotiation
- Distributive Bargaining (incl. case 2)

Individual Compulsory Preparation for Session 1 (which you will have read before Session 1)

SESSION 2
Friday, 27 March 2020
Integrative Bargaining and Principle-Based Negotiation
Prof. Dr. Felix Addor

Content

- Integrative Bargaining (incl. case 3)
- Principle-Based Negotiation (incl. case 4)

Individual Compulsory Preparation for Session 2

Additional homework assignments will be distributed in class / sent to you electronically.
SESSION 3
Friday, 3 April 2020
Multi-Party Negotiations
Prof. Dr. Felix Addor

Content
- Multi-party simulation exercise (= case 5)
- The role of emotions in negotiations
- How to effectively prepare your negotiation

Individual Compulsory Preparation for Session 3
- Additional homework assignments will be distributed in class / sent to you electronically.
- Verellen, L., Speaking in a Meeting, Publication by the Center for European Negotiation and Decision Making, 2007 (5 pages).

Individual Background Literature
SESSION 4
Friday, 24 April 2019
Intercultural Negotiations and Closing the ‘Gaps’
Prof. Dr. Felix Addor

Content
- The Role of different cultural backgrounds in negotiations (incl. group presentations)
- Key Lessons
- Closing of ‘Gaps’
- Final Discussion / Q&A

Individual Compulsory Preparation for Session 4

Additional homework assignments will be distributed in class / sent to you electronically.