

ITALIAN NEGOTIATION COMPETITION 8th EDITION

INFO & RULES

1. Nature of the competition

The Italian Negotiation Competition (“INC”) is a competition in which students (two per team) compete on a practical case to reach an agreement before a judging panel made up of university professors and professionals of commercial and corporate law from all over the world. Each team negotiates on behalf of a party/client in either a fictional transaction or the resolution of a fictional dispute with the opposing team. The competition is aimed at selecting the team who will represent Italy in the International Negotiation Competition being held later in the year.

2. Negotiation cases/simulations

The organizing committee will provide a different case for each round of the competition, which will be held entirely in English. Each case will consist of both general information provided to all participants and confidential information known only to the participants representing a particular side. The simulations will be sent to the participants, coaches and judges two weeks before the competition. Each team (and their coaches) will receive its respective general and confidential information for each of the negotiation rounds, while the judges will have access to the simulation material provided to all participants.

2.1 Interpreting the simulation and inventing self-serving facts

The facts are subject to reasonable interpretation by the parties, and the teams are allowed to enter facts that are not materially self-serving. A material self-serving fact is one that significantly alters the relative bargaining power of the parties. Whether a team’s interpretation of the facts is reasonable, or whether a team has invented or inferred material self-serving facts is a matter to be determined by the judges.

2.2 Supplementary materials

During the pre-negotiation session, the negotiation session, or the reflection period, no prepared or outside materials may be presented to the other team(s) or the judges. This is because the competition is designed to focus on negotiation skills as demonstrated on the day of the simulations. The teams may use previously prepared notes in any format during the entire simulation; they may also use calculators on time-keeping devices. Email, instant messaging and other means of communication are prohibited at all times during a round.

3. The negotiation simulations – structure

The competition consists of two rounds per team, which are structured as follows:

- (a) 10-minute pre-negotiation session (5 minutes per team);
- (b) 45-minute negotiation session;
- (c) 10-minute period for teams to prepare their reflection;
- (d) 10-minute reflection session (5 minutes per team);
- (e) 20-minute comment period in which the judges give the teams their feedback.

3.1 Pre-negotiation session (10 minutes)

In two subsequent periods of up to five minutes each (prior to the negotiation), each team should introduce themselves to the judges. The team members should address the following questions in front of the judges:

- (a) What do you see as the client's important goals in the upcoming negotiation?
- (b) What negotiating style, strategy and/or tactics do you plan to use to accomplish those goals in the upcoming negotiation?
- (c) Do you see any potential ethical issues arising in the upcoming negotiation and/or any other limitations on your role, including your authority?

3.2 Negotiation session (45 minutes) and breaks

The teams will then start the 45 minutes' negotiation session. The judges should not interfere during this period, and the teams are only allowed to communicate with each other, the competition conveners and the administrator.

During this session, each team may call either one five-minute break or two three-minute breaks. The 45-minute period will continue to run during any such break. The team calling the break must leave the online main room during the break. During a break, teams may not confer or pretend to confer with any other person, including their 'clients'.

3.3 Reflection period

After the negotiation session, the participants will have 10 minutes for private reflections to analyze the performance and to prepare their self-analysis. During this time, the teams may not confer with any other person.

The participants will then have 5 minutes each to present their self-analysis. This is the time when the judges may ask the teams questions.

These questions may be, but are not limited to, the following:

- (a) Reflecting on the entire negotiation, how well did your strategy work in relation to the outcome?
- (b) If you were to be faced with a similar situation tomorrow, what would you do differently? What would you stick with?
- (c) What potential or actual issues of professional responsibility, if any, arose during the negotiation?
- (d) How did actual or potential issues of professional responsibility, if at all, affect any strategic choices that you made or avoided?

3.4 Judges' feedback

The judge will share their analysis and their feedback with the students assessing their performance both individually and as team. The judges will have 10 minutes to share their feedback with the students.

3.5 Timekeeping

Responsibility rests with the student participants for timekeeping and for adherence to the allotted periods and breaks.

4. Judges

Each round will be observed and evaluated by a panel of three judges with extensive negotiation experience, appointed by the organizing committee.

Prior to judging, the organizers will provide each judge with the necessary judging material.

This includes a complete copy of the negotiation case, and a Judge pack containing, inter alia, the standards and criteria for judging.

5. Scoring

The judges will evaluate the performance of the participants according to the standards and criteria provided, and according to their own evaluation. Each judge will assign each team a score in accordance with the scoring sheet. The team with the highest average total score after two rounds wins the competition.

6. Award

The winning team will participate in the International Negotiation Competition.

7. Sanctions for breaches

Breach of any rule may result in disqualification. The organizing committee has full discretion to change the ranking of the offending team in round, disqualify the team from winning the competition, issue a reprimand or impose no penalty with respect to breaches. When a penalty is imposed, the rankings of the other teams in that round shall be adjusted upward if appropriate.