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DEVELOPMENT OF BUSINESS NEGOTIATION MANAGEMENT IN ATYPICAL SITUATIONS

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CONCEPTUAL GUIDELINES FOR THE RESEARCH

Actuality and importance of the topic addressed. The subject of negotiations is becoming more and more present in the social and economic life of the Republic of Moldova from year to year. With the unfolding of certain important events for our country, the negotiations become a defining element in the relations with the European Union. In this context, the development of the management of negotiations in business is an extremely current topic for the business environment of the Republic of Moldova, which is in the conditions of conquering the new dimensions of achieving the economic objectives of the organizations. On the other hand, the factors of the external environment of the organization, which change through new atypical appearances, cause new approaches to the process and management of negotiations. Negotiation in the conditions of atypical situations can be achieved by effectively preparing managers for successful negotiations in the contemporary global business environment. In this context, an essential objective in the proposed research becomes the role played by the adequate training of managers in developing the confidence and calm necessary to make decisions under pressure and complexity specific to negotiations.

The concept of negotiation management must include specific skills adapted to these new channels of communication and new ways of interacting. The COVID-19 pandemic has emphasized the need to develop negotiation management in atypical conditions. At the same time, the business environment is faced with a series of complex and unexpected challenges, generated by fast and unpredictable economic, technological, political and social changes. Thus, in an environment where restrictions and uncertainties have become the norm, the ability to adapt the planning and organization of negotiations to deal with unexpected situations becomes essential for the survival and success of organizations.

As a result, the research aims to bring to the fore the fundamental role of preparation for negotiations and the character of managers involved in negotiations, emphasizing the influence of this preparation on the results obtained in the process of organization and planning of the negotiation and its positive impact on internal relations within work teams.

The subject of the research is negotiation management in the context of atypical situations. And, the development of negotiation management in the conditions of atypical situations becomes an essential necessity for organizations, because the negotiation process plays a vital role in achieving business goals, adapting to new realities and ensuring long-term success.

Description of the situation in the research field and identification of associated problems. Specific research in the field of business negotiation management development, in the context of atypical situations, shed light on some essential aspects related to the adjustment of the negotiation process in the face of challenges and unexpected opportunities in the business environment. These investigations highlighted the need for a proactive and flexible approach to manage unconventional situations, and to ensure the success of organizations in the face of unpredictable change.

The degree of study of the research topic. The management of negotiations in the context of atypical situations can be approached as an interdisciplinary subject that has been studied by scholars in the fields of trade, international and diplomatic relations, economics, psychology and management. The theoretical approach to negotiations, developed in the evolution of research, proposes principles and techniques for achieving advantageous agreements in negotiation processes, while maintaining integrity. Strate-

gies and tactics for achieving favorable results in negotiations were revealed, covering aspects such as effective communication and interpersonal relationship development. All these topics are found in the works of the authors Fisher R., Ury W., Patton B.M., Gaspar J.P., Schweitzer M.E., Halpert J.A., Stuhlmacher A.F., Crenshaw J.L., Litcher C.D., Bortel R., Claudius, Mandel, Jang D., Bottom W.P., Melzer P., Schoop M,. Schmid, A., Schaerer M., Teo L., Madan N., Swaab R.I., Köhne F., Ostertag K., et al.

Some works by the authors Shell G. R., Simantov-Nachlieli I., Har-Vardi L., Moran S., which provide negotiation strategies for rational individuals, focusing on the ways of obtaining advantages in negotiation. In their contemporary scientific endeavors, some authors, talking about the inter-human relations in the process of successful business negotiations, highlight how communication and negotiation skills can contribute to success in the business world. We refer to Georgescu T., Popescu M.N., Prutianu, S., Potecea V., Chiriacescu A., Coman C., Rotaru V., Danciu V., Deac I. Dragos C. V., I. Popa, C. Dobrin, G Ignat, I.V. Dragulanescu, A. Micu, C. Coman, I. Pohoață, et al.

The subject of negotiations was also explored in international commercial transactions, which provides details about effective communication in the foreign business environment, which also provides positive results in negotiations. At the same time, we also mention the contribution of the profile researchers from the Republic of Moldova, who in one way or another developed perceptions of the negotiations, or their research will contribute to achieving the goal of sustainable economic development for the national organizations. We can appreciate the numerous studies and researches carried out in the context of business negotiations by local authors, Thus, Șargu L. explores the management of negotiations in the context of quality management systems, Platon N. presents the organization of various types of negotiations, and Perciun R. approaches communication and its role in the negotiation process. Adopting new values and goals, such as human prosperity and social well-being, instead of pure economic growth.

From the result of the scientific documentation and the analysis of the literature sources presented in the bibliography of this research, it can be seen that the concerns of scholars and researchers were focused on several segments of the negotiation process, depending on the current research at the time of the study. In this context, we find that a research focusing on the identification of the significant problems raised by the management of negotiations in atypical conditions and on their effective development, in the context of the negotiator's competencies and skills, is not found in previous studies. At the same time, the emergence of several atypical situations, which may include sudden changes in the negotiation processes, catalyzed the initiation of the study in the field and the offering of viable solutions for adapting to these challenges.

Purpose of the paper: The aim is to develop the management of negotiations in business under the conditions of atypical situations, which consists in understanding and identifying effective ways, skills and practices to successfully manage negotiations in the business environment, characterized by unexpected changes, uncertainty and complex challenges. The ultimate goal of the research is to contribute to the development of knowledge and skills regarding negotiation management, which enable organizations to react more effectively to unexpected changes in the business environment, and achieve positive results despite the challenges.

Research objectives: The main objectives of the thesis are structured in several directions, each with clearly defined actions for the development of the management of negotiations in business, in the conditions of atypical situations. These relate to:

• Approaching the theoretical benchmarks of the concepts and theories of negotiation through the prism of economic and managerial activities;

• Basing the management of negotiations in business, in conditions of contemporary atypical situations;

• The systemic and procedural presentation of business negotiations, as an element of management;

• Establishing the main elements of negotiation in business, in the context of essential atypical situations, for the development of management of negotiations;• Identifying the particularities of atypical situations in conditions of uncertainty and change for the management of negotiations;

• Analysis of the international experiences and practices of business negotiation management, to the specific challenges of atypical situations;

• Determining the common impediments in business negotiations, influenced by atypical situations for the business environment in the Republic of Moldova;

• Finding the problem-solution approach by the representatives of the business environment from the Republic of Moldova, in negotiations under atypical conditions;

• Carrying out the SWOT analysis of the negotiation process, for the business environment in the Republic of Moldova;

• Elaboration of a method of negotiation in atypical situations for application by the business environment, regarding the improvement of the negotiation process and the development of the management of negotiations;

• Formulation of the proposal for the development of management of business negotiations, in atypical conditions in the Republic of Moldova.

The research hypothesis it is based on the research methods used and summarizes in the following statement. Negotiation management requires improvement of the negotiation method and the development of managerial capacity, adapted to atypical situations, for the efficient management of negotiations by the business environment of the Republic of Moldova.

Synthesis of the research methodology and justification of the chosen research methods: In accordance with the main objectives of the thesis, the research methodology was based on the application of different methods such as: analysis, synthesis, deduction, comparison, modeling, estimation, forecasting, etc. for the outline of a theoretically applied research in the field of negotiation management.

The first stage consisted of the analysis of the existing literature, which played a fundamental role in enriching the knowledge and understanding of the subject, by using the relevant concepts and notions from economic and managerial theories. Scholarly documentation on the systemic and process approach to business negotiation has been brought to the fore, providing a robust conceptual framework for the underlying argument. At the same time, we affirm that this work contributed to the outline of a solid theoretical base, with analysis elements and scientific interpretations of the specifics of negotiations in atypical situations.

In order to argue the applicative elements, qualitative collection methods were used to collect data from the field, such as the questionnaire and the interview. The statistical-mathematical analysis of data processing was an important pillar in the research, providing a solid basis for the evaluation of qualitative aspects related to the management of negotiations under the conditions of atypical situations, as well as to the development of negotiation management. In parallel, the qualitative analysis of the data

brought the subjective perspective, and allowed the detailed exploration of the specific context of the business environment in the Republic of Moldova, in the conditions of atypical situations. The use of data analysis and interpretation methods, such as the SWOT analysis, and the Pareto Method contributed to formulating the relevant research conclusions. Through this combination, the research captured both the scientific and practical aspects, creating a holistic panorama of the phenomenon under investigation.

The information base that was built and applied in this research, was ambitious and vast, it involved primary data as well as secondary data from previous studies, scientific papers and international experiences. This multi-faceted approach ensured a broad and authentic representation of the phenomenon under investigation. Thus, through the diversified methodological approach and the use of a wide spectrum of resources, the research was able to shed light on the complexity of the development of management of business negotiations under the conditions of atypical situations, contributing to a deeper understanding of this field, and providing the necessary perspective for optimizing practices negotiation in today's business environment.

Scientific novelty:

It was a scientific argument about the phenomenon of atypical situations that the national and international business environment is currently facing and that influence the business negotiation process. Grounding and justification of the specific and common impediments present in negotiations in atypical situations to ensure an efficient planning of the process.

The ways of managing negotiations in the context of the atypical situations of the companies in the Republic of Moldova, influenced by various atypical situations during the studied period, were determined;

The strengths, weaknesses, threats and opportunities were determined for the negotiation process in atypical conditions for the business environment in the Republic of Moldova;

The reflexive negotiation method of business innovation in atypical situations, based on skills and competencies adapted to the conditions of atypical situations, was developed as a tool to improve the negotiation process;

The construction used regarding the ways of development of the management of negotiations in business, in the conditions of atypical situations for the business environment of the Republic of Moldova, was elaborated.

The important scientific problem solved consists in: consists in the development of negotiation management, by approaching effective planning by a negotiator with skills and competences adapted to the conditions of atypical situations, for the optimal development of the management process of negotiations, within organizations facing atypical situations. It involves exploring how traditional negotiation approaches can be adjusted and improved to respond to unpredictable changes and to take advantage of emerging opportunities.

The applicative value of the research it is based on the application of the results of the study, regardless of the geographical area, the organization's capacity, its particularities. The applicative value of the research is based on: practical tools for solving negotiations in atypical conditions, which can be implemented in the business field of the Republic of Moldova. The negotiation method to successfully address the challenges of atypical situations, improving the negotiation process and the respective development of negotiation management, contributing to achieving objectives and achieving success in the business environment. Innovation and adaptability, operating with process plan-

ning, adapted to the rapid and unpredictable changes in the business environment. Increasing managerial capacity, by approaching atypical situations as opportunities to gain experience and develop customized skills that can give organizations an advantage in dealing with atypical situations.

Structure and content of the thesis. The introduction of the thesis estimates the topicality and importance of the research theme, identifies the research problem and formulates the purpose, operationalizes the research objectives, specifies the research methodology and scientific novelty, argues the theoretical importance and practical value of the research, presents the method of approving the investigative results and implementation, a summary of the thesis sections is presented.

Chapter 1. looks at how negotiations can be perceived as a complex, interconnected system and how the negotiation process can be broken down into distinct stages. Through the analysis of academic contributions and practical experiences, a conceptual framework is outlined that highlights how negotiation management can be adapted and optimized to address the atypical situations that can arise in the contemporary business environment.

Chapter 2. determines how the atypical situations are reflected in the negotiated contracts, and it is emphasized that the contemporary society has given birth to new contexts that determine the emergence of these situations. Some relevant examples of atypical situations, such as the COVID-19 pandemic, financial crises, trade embargoes, states of emergency, political crises or association agreements with the EU, are classified and fleshed out. It focuses on successful international experiences and practices in managing business negotiations in the context of atypical situations, by identifying real cases of negotiations that were based on unconventional circumstances, such as investments in foreign markets, lobbying strategies, quota regulations the European market, etc., and the way in which the companies have approached and solved the challenges specific to these complex contexts is highlighted.

Chapter 3. contributes to the development of innovative and adaptable strategies that can increase resilience and success in the face of challenges in the contemporary business environment. Through the SWOT analysis of the negotiation process, the development of a method for planning negotiations in atypical conditions, and the development of negotiation management in such situations, the chapter aims to provide pragmatic approaches and strategies for effectively managing atypical situations. The methodology for the development of a negotiation plan in atypical conditions, as a tool to increase the competitiveness of the business environment in the Republic of Moldova, proposes a proactive approach in managing atypical situations, by developing a specific negotiation plan.

The general conclusions capitalize on the syntheses and the final results of the investigations in the case study and reveal the theoretical and methodological results of the research.

Approving the results of the investigation. The obtained results are published in 10 scientific papers, and were also presented in several forums and scientific events in the country and abroad, such as:

Proceedings of the International Conference Digital Age: Traditions, Modernity and Innovations (ICDATMI 2020), Cazani, Russia, 23-25 September 2020, in online format;

International Doctoral Scientific Symposium "Modern trends of scientific development: visions of young scientists" Chisinau, Republic of Moldova, June 25th 2021;

International Conference Promotion of Social and Economic Values in the Context of European Integration, December 4-5, 2021, Chisinau;

International Scientific Symposium 2nd edition "Economic and legal aspects of digitization in the context of globalization", March 4-5 2022.

Co-author on a monograph with the author's contribution of 2.0 c.a. 4 scientific articles were published, of which 1 article was published in SCOPUS rated international magazines; 2 articles in journals from other databases, accepted by ANACEC (EBSCO Publishing, CEEOL, EconPapers; RePec; IDEAS; DOAJ; Cabell's; Proquest); 1 article in magazines from the National Register of professional magazines, with category B.

The conclusions and research results that strengthened the value and importance of the solved problem were published in international and accredited magazines from the Republic of Moldova. The applicative value of the work has been confirmed by 3 implementation documents, from some of the most powerful companies, which conduct business at international and national level.

Keywords: management, negotiation, valorisation, system, development, atypical situation, innovation, optimisation and modelling

CONTENT OF THE THESIS

Chapter 1. ***Theoretical highlights of the concept of negotiation in economic and managerial theories*** reflect the study, theoretical foundations and practical application of negotiations. In this chapter, topics related to concepts and notions of negotiations in economic and managerial theories, the systemic and procedural approach to business negotiation as an element of the managerial system, the management of business negotiations in conditions of atypical contemporary situations are presented in detail. The views of researchers are presented on the notion of negotiation, the characteristics of business negotiations, communication as a component of negotiations, economic and managerial theories on business negotiations, factors regarding the utility and value in business negotiations, strategies and tactics in business negotiations, etc.

Business negotiation is a complex and dynamic process, and the opinion of different authors can provide valuable insights, such as Theories and principles advocated by Chester L. Karrass, Lewicki, Saunders and Minton, Gavin Kennedy, Daniel Shapiro, Richard Shell, etc. Theories related to negotiations based on power and influence, interests and objectives, which contribute to the foundation of business negotiations, have been identified, analyzed, outlined and described.

In recent years, a specific style of cooperative negotiation has gained popularity, proponents of this style believe that negotiation based on rigid positions can lead either to stubbornness and deadlock ("hard bargaining"), or to accepting significant losses in favor of a deal ("easy negotiation"). In this context, the author presented a detailed analysis of the principles of negotiations developed by John Nash, the BATNA principle by Roger Fisher and William Ury, the ZOPA principle, the principle of distributive negotiation, the principle of integrative negotiation, later forming the foundations of the negotiation method in chapter 3.

Negotiations are a "fundamental aspect of management theories, as managers often have to engage in negotiations with various stakeholders to achieve organizational goals" [13, p. 155].In negotiating business, it is important to distinguish between interests and positions.

These two concepts represent two different perspectives on the motivations, and the desires of the parties involved in a negotiation.

Today, research in the management of business negotiations continues to evolve

with the changes in the business environment and the development of new technologies and approaches, being influenced by aspects such as artificial intelligence, data analysis and communication technologies, which have brought new dimensions to the field of negotiations , and research explores how to integrate them effectively into negotiation processes [14, page 52].

Over time, there appeared classic approaches to the management of negotiations that were described by several authors over time [24, page 106] (figure 1.).

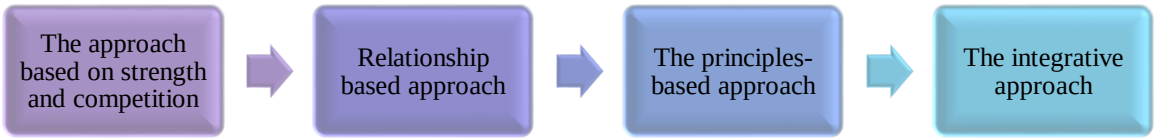


Figure 1. Classic approaches to business negotiation management
Source: developed by the author

The power and competition approach gradually developed around the 1950s and 1960s and focuses on gaining one's own advantage and extracting concessions from the other party. Negotiators who adopt this approach consider negotiation as "being a zero-sum game, in which one party's gain is equivalent to the other party's loss" [26, p. 57]. Tactics such as withholding information, manipulation and threats are used to gain control and gain maximum benefits, this approach has been researched by authors such as: Richard Walton, Dean G. Pruitt, Peter J. Carnevale, being influenced by game theory and research in economics.



Figure 2. New approaches to business negotiation management
Source: developed by the author

The evolution of research in negotiation management has led to a deeper understanding of the complexity of the negotiation process, and other new approaches have been developed in recent decades, such as the cognitive approach or the intercultural approach [10, p. 71] (figure 2).

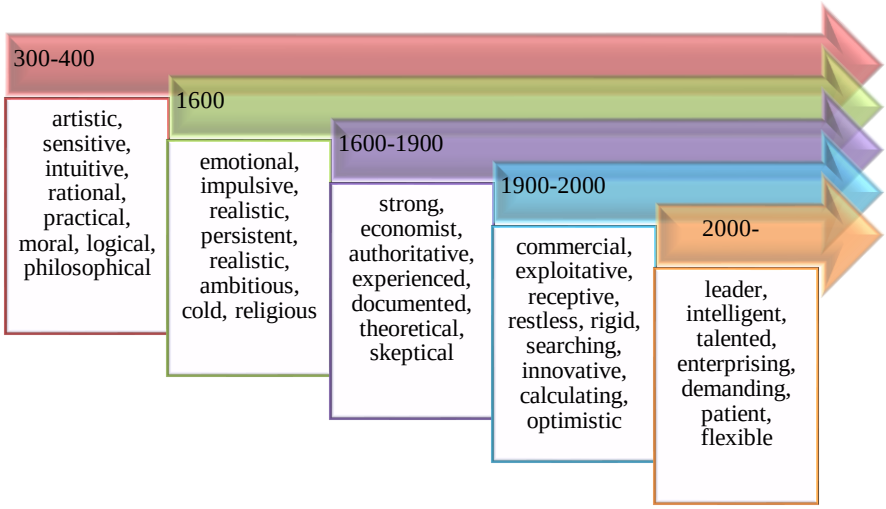


Figure 3. The evolution of the characteristics attributed to the personality of the negotiating manager identified by the researchers
Source: made by the author

Although bargaining power can sometimes be seen as coercive, legality and alliances place more weight on the manager's character. However, recognized professional evidence, moral superiority or psychological influence exert a more significant influence. This dilemma is an ongoing quest, with arguments resurfacing whenever the subject is brought up. The continuous interest of the researchers towards the person of the manager-negotiator, underlines his primary importance in emerging contexts. A negotiator's attributes have evolved over time, adapting to changing environments. Figure 3 shows the evolution of the negotiating manager's traits, derived from the scientific documentation and bibliographic analysis.

Under the classic aspect of the management of the managerial act, the management of the negotiations is dependent on the individual personality of the manager-negotiator. In this chapter we also refer to an evolution of the characteristics attributed to the negotiating manager's personality over time, in order to better understand what are the strong aspects of the managerial act. At the same time, these theories constitute a second pillar in the development of negotiation management, and the emphasis on leadership.

Chapter 2 ***The establishment of the essential principles of business negotiation in the conditions of atypical situations*** is based on the analysis of the particularities of the atypical situations in the management of business negotiations, on the presentation of the experiences and international practices of the management of business negotiations in the conditions of atypical situations, on the determination of the essential principles of the management of negotiations in business, in the context of atypical situations of organizations in the Republic of Moldova.

Atypical situations require careful analysis and, possibly, adjustments of the contractual clauses to adequately address the specific problems they present, thus these atypical situations present in the management of business negotiations can be grouped as follows:

1. Force majeure events refer to "events that are unforeseeable, beyond the control of the contracting parties, and are likely to prevent a party from fulfilling its contractual obligations" [13, p. 118]. These are unforeseeable and uncontrollable events, such as natural disasters, political unrest or pandemics, (figure 4.), which may disrupt the fulfillment of contractual obligations. Force majeure provisions in contracts often list various events that fall into this category, such as wars, terrorism, earthquakes, hurricanes, government actions, fires, strikes, and other similar situations or events that are beyond the parties' control. [3, page 59].

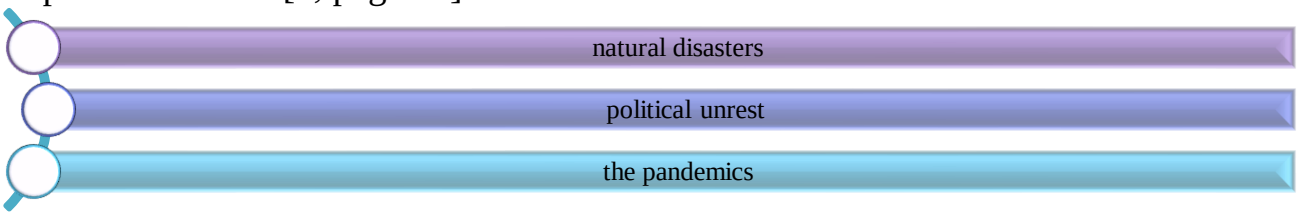


Figure 4. Force majeure events in typical situations
Source: developed by the author

Changes in the regulations related to business negotiations in atypical circumstances can represent significant challenges and require a well-planned approach to protect the interests of all parties involved in the contract (figure 5).

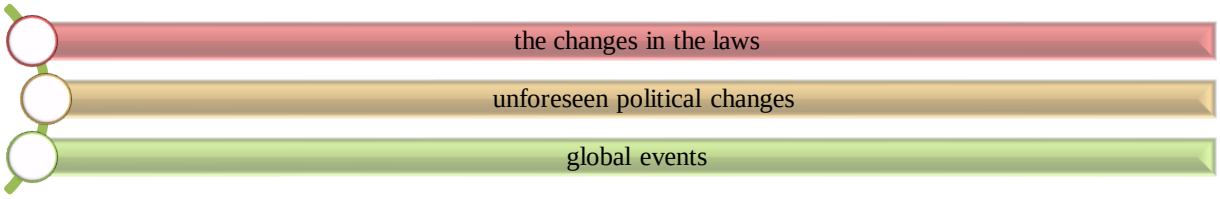


Figure 5. Regulatory changes in atypical situations
Source: developed by the author

In atypical situations, such as unforeseen political changes or global events, the parties must carefully monitor any changes or new regulations, which could affect their industry or the contract in question. This requires good communication and resources to follow up on changes in a timely manner [24, p. 111].

In cases where the value of the goods or services being exchanged is subject to significant fluctuations due to market conditions, "negotiators may need to devise mechanisms to adjust prices or quantities to reflect these changes", (figure 6), [26, page 44].

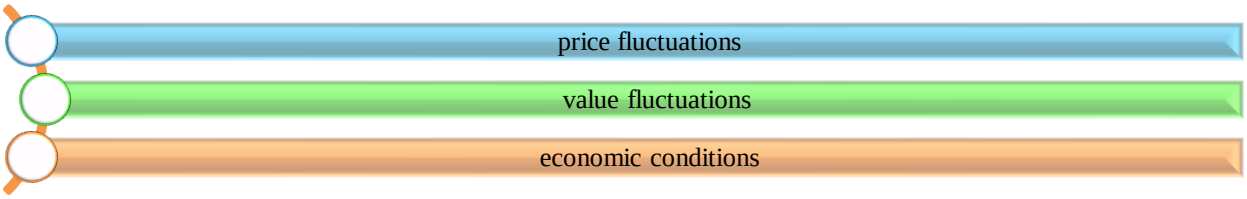


Figure 6. Market volatility under atypical situations
Source: developed by the author

Market volatility is "significant and unanticipated fluctuations in prices, values or economic conditions that may affect ongoing business and contracts" [2, page 230].If a contract involves technology-dependent components, an atypical situation could arise if a new technological breakthrough appears, which significantly changes the "market landscape" [14, p. 106]. Negotiators may need to consider how this influences contract provisions relating to intellectual property, innovation or data management (figure 7).

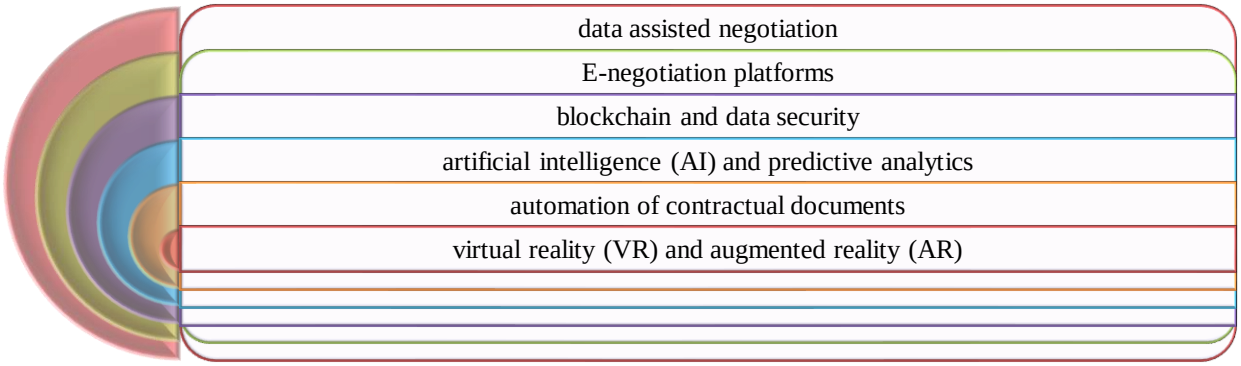


Figure 7. Technological advances in atypical situations
Source: developed by the author

Technological advances have had a significant impact in transforming the way business is negotiated, especially in atypical situations such as rapid changes in the environment or unexpected events [1, p. 117].

Risks that were not initially taken into account during the contract negotiations, may arise over time. These could include cyber security threats, environmental con-

cerns, or health and safety risks, requiring adjustments to contractual clauses to mitigate the risks [9, p. 19].

Dealing with atypical situations in business contract negotiations requires flexibility, clear communication, and a desire to find mutually beneficial solutions. It is important for negotiators to anticipate potential atypical scenarios and to include provisions in the contract to allow for adaptation or resolution should these situations arise. In some cases, the parties may also consider including dispute resolution mechanisms, such as arbitration or mediation, to help manage disagreements that may arise due to the complexities of these unique situations.

The COVID-19 pandemic has created a series of atypical situations and challenges in business negotiation, as the economic environment and the way of working have changed in an unprecedented way. Travel restrictions and social distancing have led to a rapid transition to online negotiations, and video conferencing and virtual collaboration platforms have become essential tools for continuing negotiations in pandemic conditions [4, p. 110].

The pandemic has created both risks and opportunities, negotiators have had to assess how the pandemic might influence the sector and business partners, adapting their strategies accordingly, flexibility, adaptability and open communication have been essential to overcome the challenges and reach agreements, which take into account the new economic and social realities [17, page 88].

Negotiating business during a financial crisis can involve atypical situations and significant challenges, as companies face economic instability and uncertainty. Negotiating business under embargoes is an atypical and complex situation, as it imposes commercial restrictions and serious limitations on trade between countries or organizations. Embargoes can have multiple reasons, from political and security reasons, to concerns related to human rights or international sanctions [8, page 96].

The Association Agreement with the European Union is a bilateral treaty that establishes the political, economic and commercial relations between a non-EU state and the European Union [16, page 317]. This may include issues such as trade, security cooperation, research and innovation cooperation, economic development and many others. The negotiations of the business environment in the Republic of Moldova organized in the process of implementing the association agreement with the *EU are carried out in atypical conditions*.

In this context, the negotiation processes of large international companies were analyzed and their behavior in the correct management of advantageous negotiation processes, and some practices being recommended for the national business environment. An example of an oil deal negotiated in an atypical situation is the purchase of *50% of the shares* of TNK-BP by Rosneft, the Russian state oil company, in 2013 [27]. TNK-BP was a joint venture formed by a joint venture between the UK BP group and Russia's AAR (Alfa, Access Industries and Renova) consortium. These conditions and factors contributed to the specificity of the atypical situation of the TNK-BP negotiations and called for *flexible approaches, creative solutions and deep expertise in the financial*, legal and political fields.

Another example of negotiating business in atypical situations comes from the automotive industry, where the German company Volkswagen has negotiated partnerships and collaboration agreements with other automotive companies for the *development and production of electric vehicles* or advanced automotive technologies. For example, the collaboration between Volkswagen and Ford for the development of com-

mercial vehicles and autonomous technologies is one such negotiation. The result of this collaboration between Volkswagen and Ford was the development of joint commercial vehicles as well as autonomous driving technologies, which have been beneficial for both companies, bringing innovation to the market and strengthening their position in the face of the competition in the global automotive industry.

This example illustrates how companies in the EU automotive industry can negotiate to achieve common goals, such as developing advanced technologies, sharing costs and improving market competitiveness.

Another atypical business negotiation situation is the example of technology mergers and acquisitions, Microsoft, a company based in the United States, negotiated with European companies to acquire relevant technologies and services. For example, the acquisition of the EU-based platform GitHub involved complex negotiations on the valuation and terms of the deal [20]. This example highlights how non-EU companies, such as Microsoft, can negotiate with European companies to acquire technology, services or businesses, involving complex assessments and compliance with relevant regulations and laws.

Another example of an atypical business negotiation situation comes from *renewable energy*, where European companies active in the field of renewable energy, such as Italy's Enel or Denmark's Ørsted, have negotiated with local governments and other stakeholders to obtain licenses, permits and support for the development of wind and solar parks [21]. The example of Enel and Ørsted companies in the field of renewable energy illustrates the importance of negotiations in obtaining licenses, permits and support for the development of renewable energy projects [26]. Effective negotiations enable companies to develop projects for the benefit of the environment, the economy and local communities.

Another atypical situation comes from the field of *telecommunications and spectrum auctions*, where telecommunications companies such as Vodafone, Orange or Deutsche Telekom, participated in auctions organized by EU governments to purchase radio spectrum, necessary for their mobile communications services [24, 119]. These negotiations often involve competition and complex bidding strategies. This example shows how telecommunications companies negotiate in a competitive environment to gain access to the necessary resources, to grow their businesses and to provide innovative services to their customers.

Example of business negotiation in *atypical pharmaceutical and market access situations*, where pharmaceutical companies negotiate with regulatory authorities and health agencies in the EU to obtain approvals for new medicines and treatments. They may also negotiate distribution and partnership agreements with other pharmaceutical or distribution companies. These negotiations often involve collaboration between pharmaceutical companies, regulators and other stakeholders to ensure the successful introduction of therapeutic innovations to market.

An example of a company that carried out advocacy activities in the European Union is IKEA, the well-known Swedish company specialized in furniture and home products. IKEA is committed to being a sustainable company and contributing to environmental protection [22]. The company wants to influence EU policies and regulations regarding sustainability, the circular economy and other environmental issues. The IKEA example demonstrates how a company can use advocacy to promote its values and contribute to social and legislative change. Active involvement in promoting sustainability can create a significant positive impact on the environment and society as a whole, and the EU provides an appropriate platform for such efforts.

Through these experiences, certain specific impediments were established, these impediments may be the result of unexpected factors or environmental changes that may affect the negotiation process (figure 8).

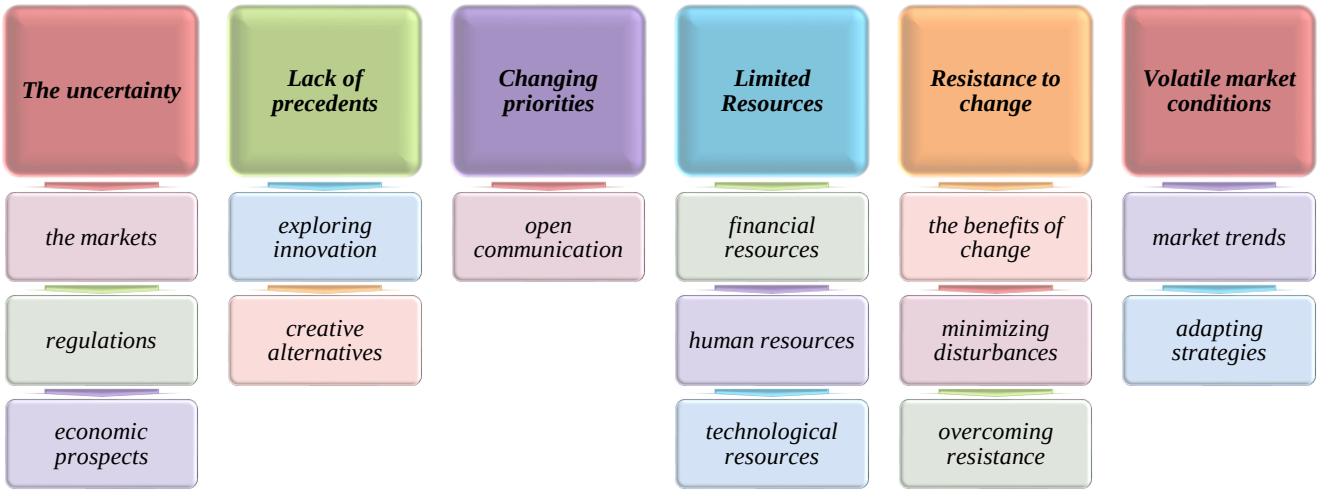


Figure 8. Common obstacles in business negotiation in atypical situations
Source: developed by the author

Decisions about business expansion, staff recruitment or investment often depend on these economic outlooks, and during atypical periods, the difficulty in estimating the direction of the economy can add great uncertainty to business planning.

The management of uncertainty in the business environment, in atypical situations, requires proactive approaches and flexibility, robust strategic planning, portfolio diversification, constant risk assessment and adaptability to changes, can help organizations face the challenges of uncertainty [5, page 96].

Negotiating the business in the Republic of Moldova required a strategic, flexible and collaborative approach. Managing political and economic uncertainty has involved risk-taking, adaptability to change and partnership-building to meet challenges and exploit opportunities.

In atypical situations, where precedent and traditional rules are missing, the approach to innovation and finding creative alternatives become essential to successfully navigate the business environment. To negotiate business under such circumstances, we need to adopt a new perspective and approach the process with creativity and agility [12, p. 113].The lack of precedents can be seen as an opportunity to create one's own strategies and tactics, instead of rigidly following existing rules, although the lack of previous references may induce uncertainty, it also opens doors for innovation [11, p. 92]. In this context, finding non-conventional methods to approach negotiations can bring significant competitive advantages.

In order to understand the ways of dealing with atypical situations by the business environment of the Republic of Moldova, we considered it appropriate to select representative companies from various fields with substantial economic impact in the field of activity. In this way, some of the most representative companies from 7 fields were selected for the analysis of the way of managing atypical situations. The following approaches to the problems created by the atypical situations presented in tables 1,2,3,4,5,6,7,8,9 were generated as a result.

Table 1 Approach to the atypical situation due to the lack of precedents by the company "DAS Solutions"

No. crt	Solutions	Approaching problems
1	Constant innovation	the company focused its efforts on constant innovation in the development of software solutions and IT consulting, thus in an unprecedented environment, it was necessary to explore new technologies and approach complex problems with creativity.
2	Collaboration with customers	in the absence of precedents or existing models, the company had to work closely with its customers, this involved deeply understanding each customer's specific needs and developing customized solutions to their problems.
3	Experimentation and learning	the lack of precedents did not necessarily mean a lack of knowledge, but the opportunity to experiment and learn from failures and successes, so the company was open to testing new approaches and adjusting strategies based on the results obtained
4	Flexibility in adaptation	the company has developed a culture of adaptability and flexibility. Since there were no set patterns to follow, it was necessary to adapt quickly to changes in the market and adjust their strategies accordingly.
5	Internal skills development	in the absence of precedents, the development of internal skills has become crucial. The company has invested in the training of its employees, to be aware of the latest technological trends, and to be able to tackle unexpected challenges

Source: developed by the author

Table 2 Approach to the atypical situation through the rapid change of priorities by the "Wine of Moldova" company

No. crt	Solutions	Approaching problems
1	Transferring activities to the online environment	the company quickly recognized the need to adapt to the new restrictions, and developed a strategy to promote Moldovan wines through events and online presentations. This allowed promotion to continue in international markets, albeit in a virtual fashion.
2	Supporting local producers	since exports were affected by global closures, "Wine of Moldova" focused on supporting local producers and promoting wines on the domestic market. This has helped sustain the industry in a difficult context.
3	Finding new distribution channels	with many fairs and exhibitions cancelled, the company had to find new ways to reach customers. It has collaborated with e-commerce platforms and online distributors to maintain access to foreign markets.
4	Effective communication with members	"Wine of Moldova" has maintained constant communication with wine producers to understand their needs and challenges. This allowed strategies to be adjusted and adapted to rapid changes.
5	Innovation in promotion	the company developed creative and interactive promotional campaigns, such as virtual wine tastings, to maintain customer engagement and draw attention to Moldovan wines.

Source: developed by the author

Table 3 Approach to limited resources in an atypical context by the company "Linella"

No. crt	Solutions	Approaching problems
1	Stock prioritization	the company had to prioritize inventory and resource allocation to ensure the availability of essential products such as staple foods and personal hygiene items.
2	Collaboration with suppliers	as supply sources were disrupted, "Linella" worked closely with suppliers to ensure constant deliveries of products and raw materials, even in difficult conditions.
3	Adaptation of services	the company developed home delivery and online ordering services to meet the needs of customers who preferred to avoid physical stores.
4	Personnel management	in a context of restrictions and health concerns, "Linella" had to manage staff in a responsible way, and ensure that employees had adequate protective equipment.
5	Optimizing operations	with limited resources, the company had to find ways to optimize operations and reduce waste in order to cope with increased costs.
6	Communication with customers	the company has been transparent with customers about the measures taken and product availability. This has helped maintain customer trust and loyalty.

Source: developed by the author

Table 4 Approach to the atypical situation by breaking the supply or distribution lines by the company "Fidesco"

No. crt	Solutions	Approaching problems
1	Diversification of supply sources	The company sought to diversify its sources of supply in order to reduce the risk of dependence on suppliers in a particular region or country.
2	Investments in safety stocks	Fidesco has maintained safety stocks to deal with temporary interruptions in supply, and to ensure continuity of operations in cases of crisis.
3	Supply chain optimization	The company has analyzed and optimized the supply chain to identify critical points and better deal with potential disruptions.
4	Collaboration with suppliers	Fidesco has developed solid relationships with its suppliers, and has worked closely with them to promptly resolve any issues or disruptions.
5	Communication with customers	If there were disruptions in distribution or supply, the company maintained open communication with customers to provide them with updated information and alternative solutions.
6	Flexibility in planning	The company has developed strategies and continuity plans that are adaptable to the rapid changes in the environment.

Source: developed by the author

Table 5 Approach to resistance to change in the atypical context by the company "Vitanta"

No. crt	Solutions	Approaching problems
1	Engaged leadership	Vitanta management was directly involved in the change process, and demonstrated commitment to the new requirements and standards.
2	Communication and engagement	The company has invested in open and transparent communication with employees, explaining the need for change and involving them in the adaptation process.
3	Training and instruction	Vitanta invested in employee training to prepare them for the new requirements and standards, ensuring that everyone understood the necessary changes.
4	Piloting and evaluation	the company implemented the changes in pilot stages to identify potential problems and make adjustments before wide-scale implementation.
5	rewarding	Vitanta recognized and rewarded employees' efforts in the change process, creating a positive climate for adaptation.
6	Resistance management	the company proactively addressed resistance to change by identifying barriers and employee concerns, and developing strategies to overcome these obstacles.
7	Modeling change	the company's management set an example by adopting and promoting new practices and standards.

Source: developed by the author

Table 6 Approach to volatile market conditions in atypical situations by the company "Moldtelecom"

No. crt	Solutions	Approaching problems
1	Diversification of services	In volatile market conditions, "Moldtelecom" has diversified its service portfolio to meet the changing needs of consumers. This includes the development of high-speed Internet services, business solutions and digital television services.
2	Innovation and adaptability	The company has been able to respond quickly to market demands by developing innovative services such as work-from-home solutions or distance education. This required rapid adaptation to new customer needs.
3	Investments in infrastructure	Despite the uncertainty, Moldtelecom continued to invest in the modernization of the infrastructure, to ensure the quality of services and to be able to cope with the increase in demand.
4	Constant monitoring of the market	The company has continuously monitored market developments and consumer behavior in order to anticipate changes and make informed strategic decisions.
5	Flexibility in strategy	Moldtelecom has developed flexible strategies to quickly adapt to changes in demand and in the business environment.
6	Communication with customers	In a volatile environment, communication with customers was essential. The company has been transparent about service and policy changes, maintaining customer trust.

Source: developed by the author

Table 7 Approach to the atypical situation through legislative changes by the company "Orange Moldova"

No. crt	Solutions	Approaching problems
1	Active monitoring of the regulatory environment	The company has always been attentive to legislative or regulatory changes that could affect the telecommunications industry. This enabled early identification of new requirements and regulations.
2	Adjusting the service offer	When the new regulations imposed changes in the provision of services, Orange Moldova was able to quickly adjust its portfolio of products and services to meet the new legal requirements.
3	Communication with the authorities	The company has maintained constant communication with authorities and regulatory bodies to understand the new directives and to ensure that it meets its legal obligations.
4	Adaptation of operations	Orange Moldova was prepared to adapt its internal operations and processes to comply with new regulations, such as protecting customers' personal data, or providing access to communications services.
5	Customer education and information	The Company has provided clear information and education to its customers regarding legislative or regulatory changes and their impact on their services.
6	Quick reaction to unexpected changes	Since the business environment and legislation can evolve quickly, "Orange Moldova" has developed a culture of rapid reaction to unexpected changes, allowing them to quickly adapt to new situations.

Source: developed by the author

Table 8 Approach to uncertainty in terms of contract in the atypical context by BC "MAIB"

No. crt	Solutions	Approaching problems
1	Review and adaptation of contracts	The Bank reviewed and updated existing contracts to reflect new requirements and regulations under the Association Agreement, and to adapt to economic and political changes.
2	Specialized legal advice	Moldova Agroindbank hired legal experts to analyze and provide advice on the adaptation of contracts to the new legislative requirements, and to minimize risks.
3	Communication with customers	The bank was transparent in its communication with its customers about the changes to the contracts and provided clear explanations of the new clauses and rules.
4	Personalized offers	To manage uncertainty, the bank has developed customized offers for its customers, taking into account individual needs and concerns.
5	Flexibility in terms of contracts	The bank was willing to negotiate and adapt the terms of the contracts, depending on the changes in the market and in the business environment.
6	Monitoring continues	As uncertainty continues, the bank continued to monitor changes in regulations and adjusted contract terms accordingly

Source: developed by the author

Table 9 The approach of the atypical situation to negotiations in the virtual environment by the company "DHL Express Moldova"

No. crt	Solutions	Approaching problems
1	Use of video conferencing platforms	The company started using video conferencing platforms such as Zoom, Microsoft Teams or Skype, to organize virtual meetings with customers and business partners.
2	Personalization of communication	To compensate for the absence of physical interaction, DHL Express Moldova representatives adapted communication to ensure that messages and proposals are presented in a clear and engaging way.
3	Using online presentations	The company has developed virtual presentations to illustrate its services, benefits and ways of working together, thus replacing printed materials or physical presentations.
4	Efficient online negotiation	DHL Express Moldova has invested in developing team skills to ensure effective negotiation in the virtual environment, including managing online conversations, addressing objections and encouraging employees to be engaged and communicative in the digital environment.
5	Flexibility in hours	The company has been flexible with virtual meeting times to accommodate the availability of customers and partners in various geographies.
6	Data security	The company has taken steps to ensure that virtual meetings and information exchanges are secure and protected.

Source: developed by the author

This study allowed the identification of principles and the formulation of good management practices of business negotiation processes in atypical conditions of organizations in the Republic of Moldova. Determining the essential principles of business negotiations in the context of atypical situations for organizations from the Republic of Moldova, requires a careful and adaptable approach. In the face of unexpected changes, Moldovan organizations should adopt a flexible approach, being able to adapt their strategies and tactics, depending on the contextual requirements. Given the diverse character of the Moldovan society, knowledge and respect for cultural differences are essential in negotiations. This can help build trust and avoid misunderstandings, and organizations should establish clear communication channels and promote open dialogue with the parties involved to ensure transparency and avoid conflicts.

Chapter 3 ***New ways of business negotiations for organizations from the Republic of Moldova under atypical situations*** presents the analysis of the business negotiation process under atypical situations. Describes the method of negotiation in the conditions of atypical situations as a tool to improve the negotiation process and develop the management of negotiations. It presents the development of the management of business negotiations under the conditions of atypical situations by ensuring managerial capacity.

The negotiation process in the Moldovan business environment can become more complex and delicate in atypical situations. Atypical situations usually bring uncertainty to the business environment, and negotiations can be influenced by this uncertainty, making planning and decision making more difficult. International business relations and negotiations have always had a central role in the Republic of Moldova, especially in an era of economic globalization, the influence of the international media, the impact of world financial and commercial institutions, and other multilateral organizations and powerful regional groupings.

In order to analyze the negotiation process for the business environment in the Republic of Moldova, several data collected during the research itself were used. Thus, the following were taken into account:

- the study conducted in 2020, regarding the analysis of commercial negotiations in the context of atypical situations created by the COVID 19 pandemic, through a closed questionnaire, with a number of 50 respondents. The results of the study being presented publicly. [2. 3]

- the study carried out between January and April 2023, regarding negotiations in atypical conditions, in which 85 respondents participated, (Annex 2) of which 56% were members of negotiation teams, 14% were heads of negotiation teams, 14% were expert negotiators and 16% confirmed negotiators. The study was presented and published in high-impact journals. [10]

- the study carried out from April to May 2023, regarding the SWOT analysis of the negotiation process for the business environment in the Republic of Moldova, using closed questionnaires, which were distributed and completed by the business participants. Following an introductory explanation of the objectives of the research, questionnaires were distributed and respondents were directed to answer the questions. The sample consisted of 50 participants of different genders, ages, educational backgrounds (higher education), work experience (3 to 20 years) and professional positions within the companies. An effective data analysis approach used here is "content analysis," used to incorporate information from secondary sources.

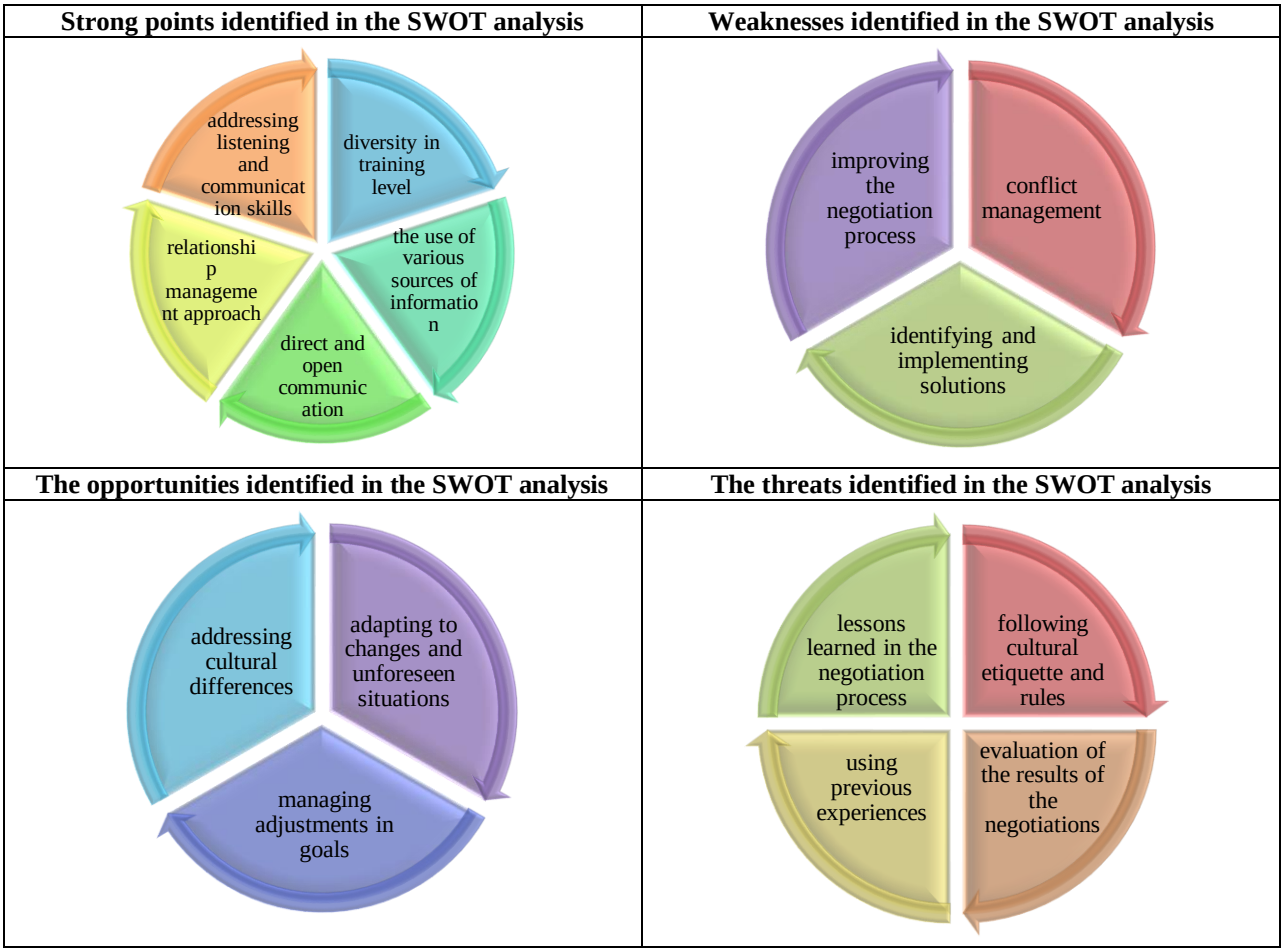


Figure 9. SWOT analysis of the negotiation process in atypical conditions

Source: developed by the author

The strong points identified in the SWOT analysis regarding the negotiation process in the business environment of the Republic of Moldova are: the approach to listening and communication skills, the approach to managing relationships, direct open communication, diversity in the level of training, the use of various sources of information. The weak points identified in the SWOT analysis regarding the negotiation process in the business environment of the Republic of Moldova are: improvement of the negotiation process, conflict management, identification and implementation of solutions. The opportunities identified in the SWOT analysis regarding the negotiation process in the Moldovan business environment are: addressing cultural differences, adapting to changes and unforeseen situations, managing adjustments in objectives. The threats identified in the SWOT analysis regarding the negotiation process in the business environment of the Republic of Moldova are: lessons learned in the negotiation process, compliance with cultural etiquette and rules, use of previous experiences, evaluation of the negotiation results.

The idea of improving the negotiation process is summarized from the result of the SWOT analysis, which identified a weak element in the improvement of the negotiation process. In this context, our attention was focused on the development of a method of negotiation in atypical situations, which would contribute to the improvement of the negotiation process and subsequently to the development of the management of negotiations.

Starting from the fact that, as numerous theorists and practitioners have pointed out, the preparation and planning phase stands out as the most critical stage in any negotiation process. This phase is often attributed to account for 70% to 90% of success in negotiation.

The main objective of the preparatory and planning stage of the negotiations is to identify and analyze the available sources of information, using them to discern one's own needs, desires and capabilities.

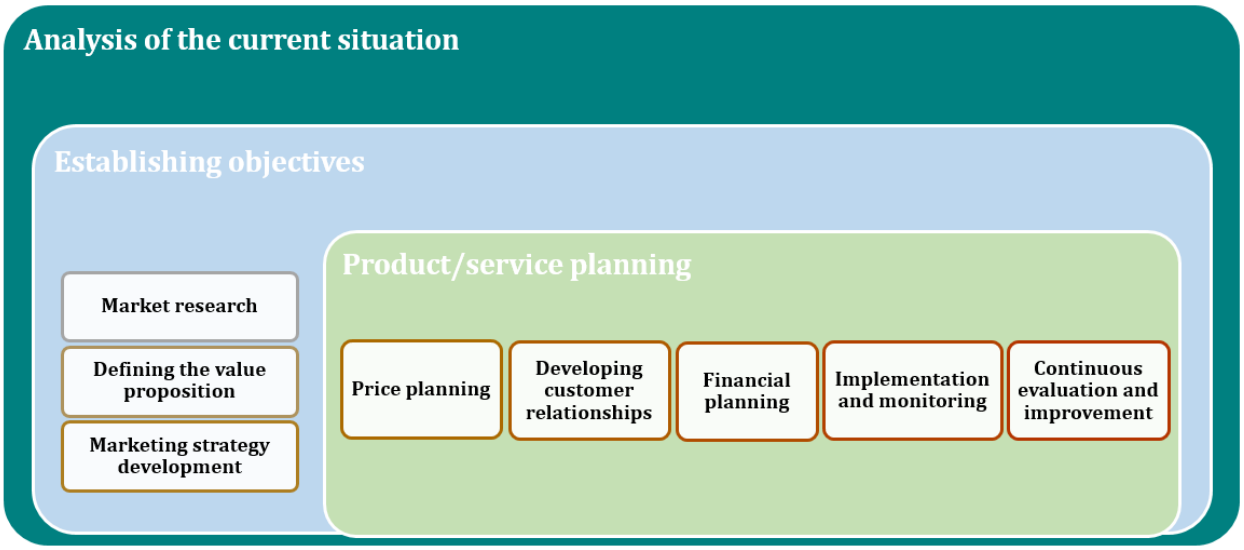


Figure 10 Classic negotiation plan for increasing the competitiveness of the business environment in the Republic of Moldova

Source: developed by the author

Analysis of the current situation Evaluates the business environment in the Republic of Moldova, identifying the strengths and weaknesses of the market, analyzing the current competition and identifying opportunities for development. **Goal setting Establish** clear and measurable goals to increase business competitiveness by defining key performance indicators (KPIs) to monitor progress. **Market Research** Conduct detailed market research to understand customer needs and preferences, identifying market trends and high-potential customer segments. **Defining the value proposition** Develop a clear and compelling value proposition for customers, highlighting the distinct advantages of your business, thereby ensuring that the value proposition addresses identified customer needs. **Marketing Strategy Development** Develop a comprehensive marketing strategy that includes promotional channels, key messages and plans to promote products and services, exploring online and offline marketing options to reach a wide audience. **Product/Service Planning** Develops or adjusts products and services to match customer needs and expectations, ensuring a superior quality and value offering compared to the competition. **Pricing Planning** Determines pricing strategy, taking into account production costs, competition and customer value, considering promotional offers or special packages to attract new customers. **Developing customer relationships** Creating and maintaining good customer relationships through quality customer service and effective communication, adapting ways to build customer loyalty through exclusive offers or loyalty programs. **Financial Planning** Develops a detailed budget to cover operating costs, marketing expenses and other investments, projecting short- and long-term income and expenses to assess the viability of the plan. Implementation and monitoring Implements the business plan and initiates the developed strategies, monitoring performance in real time and adjusting plans based on customer feedback and market developments. **Evaluation and continuous improvement** Conduct regular evaluations to assess the success of the plan and identify areas for improvement, adjusting strategies and adding new elements to respond to market changes (see figure 10).

We find that amidst these complexities, *successfully negotiating business in atypical situations requires adaptability*, cultural awareness, and strategic agility to navigate the complicated interplay of factors that shape these dialogues. In negotiating business

in atypical situations, it is essential to consider various cultural elements unique to each country and how to accommodate these nuances, avoiding behaviors driven by false beliefs or biases.

To substantiate the negotiation method in atypical situations, we will apply the negotiation model based on fixed positions or preconceived solutions. This model encourages parties to remain open to exploring new options and adapting options as negotiations progress, context and circumstances may evolve during negotiations or as the agreement is implemented.

For these reasons, we come up with our own approach to a method of negotiation, which responds to contemporary requirements and confrontations of atypical situations. We define the Reflexive Innovation Negotiation Method for Atypical Situations as an effective approach to negotiation in atypical conditions, focused on transforming unconventional challenges into innovative development opportunities. By embracing change and adopting a creative perspective, the reflexive innovation negotiation method encourages the negotiation team to find new solutions and turn them into competitive advantages (figure 11).

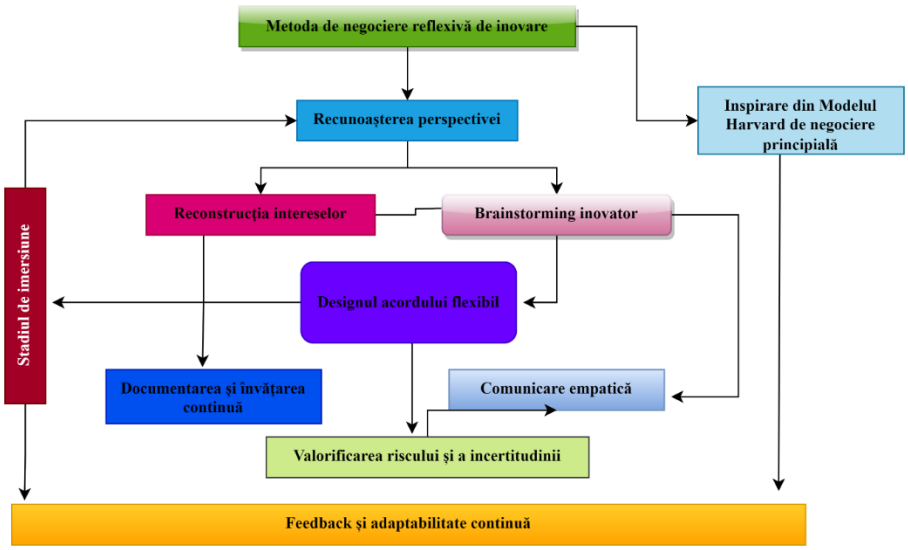


Figure 11. Scheme of the reflexive innovation negotiation method

Source: developed by the author

The reflexive negotiation method of business innovation in atypical situations is an adaptive and creative approach to managing negotiations and decisions in unusual or complex contexts, inspired by the Harvard model of principled negotiation, also known as "principled negotiation" or " interest-based negotiation".

It represents a negotiation management approach developed by classical researchers, and is designed to help the parties involved in a negotiation reach advantageous agreements by focusing on the fundamental interests and needs of each party, instead of focusing exclusively on their initial positions.

The reflexive negotiation method of business innovation in atypical situations places special emphasis on perspective recognition, which becomes essential in situations where conventional solutions may not be effective, or where the interests and needs of the parties involved are varied and difficult to address.

By applying ***the reflexive negotiation method of innovation***, the business acquires the ability to look at atypical conditions as opportunities and not as problems. This approach encourages innovative development and aims to turn uncertainty into a catalyst

for growth and sustainable business development. Figure 12 graphically presents the main steps of the reflexive innovation negotiation method developed by the author.

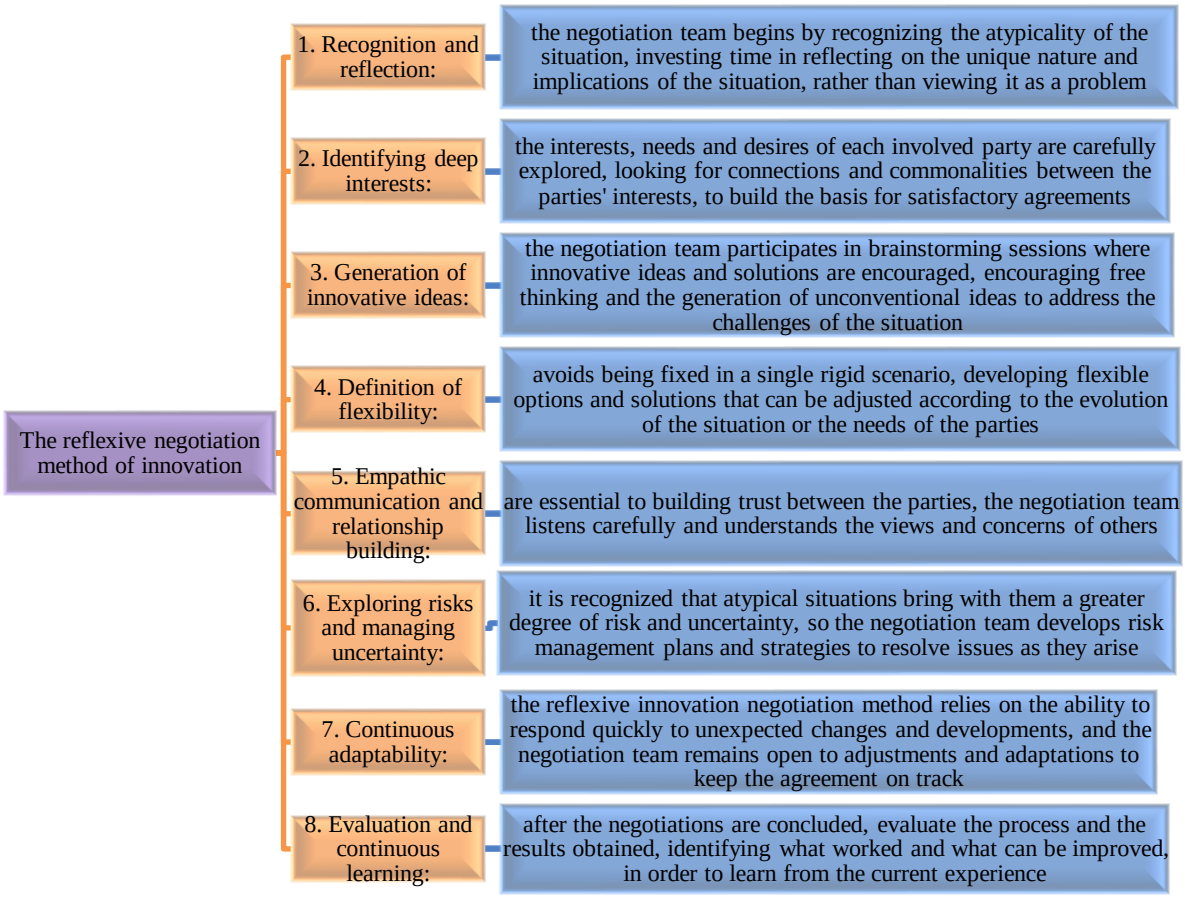


Figure 12 The main steps of the reflexive innovation negotiation method

Source: developed by the author

The reflexive innovation negotiation method is an adaptive and innovative negotiation approach designed to address atypical conditions in a creative and strategic way. The reflexive innovation negotiation method aims to transform non-conventional challenges into development opportunities, and encourage finding innovative solutions to reach satisfactory agreements for all parties involved. This method combines elements from different negotiation models with a creative and adaptive perspective.

The reflexive innovation negotiation method emphasizes creative approach, adaptive thinking and innovation orientation to transform atypical situations into development opportunities (figure 13). It is based on empathetic communication, flexibility and the ability to find innovative solutions that can lead to beneficial agreements for all parties involved.

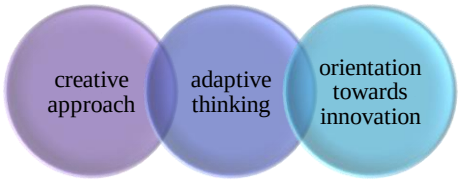


Figure 13. The three approaches to the reflexive innovation negotiation method

Source: developed by the author

The Reflexive ***Innovation Negotiation Method*** is a strategic approach to the negotiation process that focuses on exploring and applying creative thinking to achieve win-win outcomes for all parties involved. This type of approach encourages the negotiation team to engage in a process of deep reflection on the situation, find innovative solutions and identify opportunities for development and growth.

By applying ***the reflexive innovation negotiation method***, this negotiation plan aims to contribute to increasing the competitiveness of the business environment in the Republic of Moldova, through the development of innovative solutions, personalized and adaptable to customer needs and market challenges.

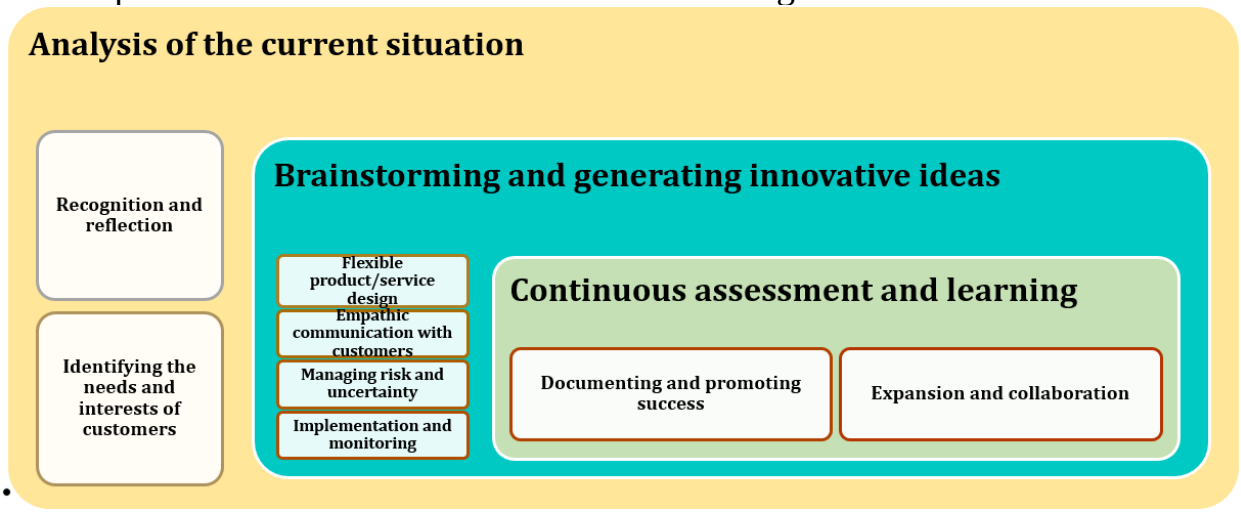


Figure 14 Negotiation plan for increasing the competitiveness of the business environment in the Republic of Moldova using the reflexive innovation negotiation method

Source: developed by the author

Analysis of the current situation Assesses the business environment in the Republic of Moldova, identifying strengths, weaknesses, opportunities and threats, identifying the specific sector in which the business will develop, and analyzes the current competition. **Recognition and reflection** Bring the team together to discuss specific business challenges and needs, through opportunities for innovation and development, to gain a competitive advantage. **Identifying customer needs and interests** Conduct market research to understand customer needs and preferences in the context of the business environment in the Republic of Moldova, identifying ways in which the business can meet these needs. **Brainstorming and generating innovative ideas** Organize brainstorming sessions with the team to develop innovative ideas for products, services and business strategies, looking for unconventional solutions that can differentiate your business in the market. **Flexible product/service design** Develops products or services that respond to identified customer needs, ensuring they can be customized or adapted based on customer feedback and market developments. **Empathetic Customer Communication** Communicate with customers to better understand their needs and gain feedback on new products/services, building strong customer relationships based on trust and empathy. **Risk and Uncertainty Management** Identifies potential risks associated with new product/service launches or innovative strategies, developing risk mitigation strategies and contingency plans to deal with unexpected situations. **Implementation and monitoring** Launch the new products/services or apply the innovative strategies in the market, closely monitoring the performance, collecting data and feedback

to evaluate the success of the initiative. Evaluation and continuous learning Analyze the results of the launch of new products/services or innovative strategies. **Documenting and promoting success** Document the entire process, including the decisions made and the results achieved, promoting the success of the business through marketing and communication channels, to attract attention in the business environment of the Republic of Moldova. **Expansion and collaboration** Explore collaborations with other local companies to create synergies and increase overall competitiveness. (see figure 14).

The second question that arises is: ***How should organizations effectively use negotiation management in atypical situations to truly increase negotiation success***? If any of the four strategies mentioned earlier or their combinations are found to generate increased negotiation success in atypical situations, this insight could provide managers **with a model** for establishing negotiation management in atypical situations. Table 10 shows the ways to develop the management of negotiations in business, under the conditions of atypical situations for the business environment in the Republic of Moldova.

Table 10 The construction used regarding the ways to develop the management of negotiations in business, in the conditions of atypical situations for the business environment in the Republic of Moldova

Variables	Expected results
The success of the negotiation The effectiveness of the negotiation	Optimum results are achieved in terms of key financial performance indicators (profit). The proposals fully support the company's strategy and budgets. The number and value of concessions in negotiations are kept to a minimum. If necessary, the concessions made follow a planned pattern. Negotiators obtain the best possible agreements in the given context. The results have a positive impact on future negotiations. Win and successfully implement desired offers at a very high rate (with a very low default rate)
Negotiation efficiency	Sales prioritizes the right offers, takes all necessary steps and focuses on the key elements to reach a consensus. All the actions taken to manage the negotiations are essential to support the sales efforts during the negotiation process. Due to extensive training, professional presentation and structured approach, the negotiation team is perceived as professional by clients. Agreements are sought to be concluded as quickly as possible. The aim is to minimize the costs associated with reaching an agreement (resources used and, if so, how to effectively prepare and manage negotiations).
Satisfaction through negotiation	Negotiation teams are satisfied with their own performance. The results obtained by the negotiation teams are to their liking. The results of the negotiations are in line with management's expectations. (Management is satisfied that the desired outcomes of the negotiations have been met.) The performance of the negotiators was to the liking of the management. The negotiations were close to reaching the company's agreement. A negotiation that falls within the ideal framework.
Approaches to implementing negotiation management	Managers were trained to handle complex situations independently.
Management through the exceptional approach	Limited guidance is provided regarding the negotiation process.
Process guidance approach	Negotiating managers are supported throughout the negotiation process
Process control approach	Throughout the negotiation process, intensive supervision and guidance is provided through clear instructions, process management, use of tools and close monitoring to ensure maximum control.

Source: developed by the author

The management of atypical situations is emerging as a new direction in the field of management science, focusing on unforeseen circumstances. Each activity inherently has a purpose, principles, functions, methods and methodologies, as well as a scope. The delineation of functions to manage atypical situations is a proactive action driven

by reasoning, at the same time rooted in the meaning of management, societal roles and economic mechanisms.

At the same time, we affirm that managerial processes, including those of negotiations, are directly proportional to managerial capacity. Managerial skills are increasingly valued in a constantly changing world, and the ability to negotiate and lead effectively plays a crucial role in achieving organizational success in a complex and competitive environment. The field of negotiation management has gained increased attention in recent years. Practical examples include the establishment of dedicated negotiation units within organizations, while scholars have formulated frameworks to structure the entire course of business negotiations, including preparation, execution, and follow-up.

The diversity of approaches in treating this phenomenon along its evolution in different scientific fields, strengthens the author's argument regarding the influence of the type of power on the negotiation process. Starting from these premises, a new definition of the negotiation process takes shape: the establishment of objectives and demands that are tried to be realized.



Figure 15 The defining elements of the manager in ensuring bargaining power in atypical situations

Source: developed by the author

In the figure above it can be seen that every individual has to a significant extent the ability to be creative, and this ability is highlighted by the way they think and act. The manager is distinguished by the innate qualities of creativity, which differentiates him in a special way from the rest. A fundamental characteristic of a manager is the ability to be creative, a quality influenced by a variety of factors, including acquired skills. The fact that the generation of new ideas is not found in every individual proves that a manager who possesses these qualities is part of an elite or category of leaders, giving him the opportunity to develop a negotiating power.

Thus we come to the conclusion that the ability to negotiate and the way to solve atypical situations depends on the power of negotiation ensured by the 4th element - leader. The quality of leadership develops certain Sources of the bargaining power of the performance manager in atypical situations.

The new negotiation methods for the business environment of the Republic of Moldova in the conditions of atypical situations, emphasize the need to address unexpected challenges, through the reflexive negotiation method of innovation and the involvement of managerial capacity.

GENERAL CONCLUSIONS AND SUGGESTIONS

In light of the increased complexity of economic processes, the influencing factors of geopolitical circumstances and the atypical situations existing today, the result of the study outlines new perspectives and approaches regarding business negotiations. Starting from these findings and establishing clear objectives, we managed to reach the following conclusions:

As a result of the study and synthesis of the theoretical concepts of the researchers, scholars and authors present in the reference sources, we believe that the negotiations are based on a close interconnection of a set of concepts, each having an important role in shaping a process aimed at achieving the strategic objectives of each participant . The procedural approach to business negotiation through the prism of economic and managerial activities, represents an essential pillar of the management system within organizations, it involves the adoption of a well-structured and systematic method for conducting negotiations, with the aim of obtaining advantageous results for all parties involved. By identifying and analyzing fundamental concepts and notions related to negotiations, according to the contributions made by authors from the Republic of Moldova, Romania and the international environment, we managed to develop our own visions on the management of atypical negotiations.

In contemporary management practices, negotiating in atypical situations involves adaptability, creativity, ethical decision making, effective communication and relationship building. These practices enable negotiators to navigate difficult circumstances and achieve success in unconventional or complex scenarios. Negotiating in atypical situations represents a significant challenge for managers, and requires an adaptive and creative approach to deal with unexpected situations, requiring an openness to change and a quick adaptation to variable contexts. Presenting the systemic and procedural approach to negotiations, the negotiation methods, the BATHA principle, the Nash equilibrium principle, the ZOPA principle, the decision-making processes, the experience of the negotiating manager, we find that they are managerial elements and contribute to the foundation of the management of business negotiations in atypical conditions.

Analyzing more deeply the events that the business environment of the Republic of Moldova went through in the last 10 years, it was possible to identify the particularities of the atypical situations that condition the shift and adaptation in the management of negotiations. Carrying out a synthesis of the international experiences and practices of the business environment regarding the confrontation of negotiation processes with atypical situations, the result was the identification of the adaptability of the negotiation participants and the settlement in circumstances different from the previous classical theories characteristic of these types of negotiations. According to these negotiation processes, the main objective of the negotiators was to achieve success, including understanding the subtleties of communication and persuasion of the negotiation partners to overcome atypical situations. All these analyzed practices are of research interest and have contributed to the outline of several planning elements in negotiation management such as negotiation stages, benefits, importance and efforts made by negotiator teams. As a result, the 6 categories of atypical situations present in recent years in the negotiation processes of the business environment were successfully formed.

At the same time, the business environment in the Republic of Moldova is facing the same atypical situations, which proved to be caused by the COVID-19 pandemic. Determining the common impediments regarding business negotiations for representa-

tives of the business environment in the Republic of Moldova, the presence of atypical management methods was established for all 5 fields of activity of the research participants. The business environment faces atypical situations, and the way negotiators have to orient themselves in atypical situations is to approach innovation and find creative alternatives become essential to successfully navigate the business environment. Analyzing the solutions adopted by the companies participating in the study allows us to see that they are oriented towards innovation, adaptability and creativity.

Carrying out the SWOT analysis allowed determining the strengths, weaknesses, threats and opportunities of the negotiation process in atypical conditions for the business environment in the Republic of Moldova. Analyzing the strengths and opportunities of business negotiation processes in atypical conditions, we concretize the importance of planning negotiation processes. Using the theoretical foundations of managerial planning, basing ourselves on the interpretation of the results of previous studies on the topic of the thesis and focusing on the results of the SWOT analysis, we establish the stages of the Negotiation Plan for increasing the competitiveness of the business environment in the Republic of Moldova using the reflexive innovation negotiation method. ***The reflexive negotiation method of innovation for atypical situations proves*** to be an effective approach in atypical situations, focusing on turning challenges into innovative opportunities. By adopting an open attitude towards change and a creative perspective, this method encourages the negotiation team to find innovative solutions and turn them into competitive advantages. A **central aspect** of this method is perspective recognition, which becomes crucial in situations where traditional solutions may not work, or when the needs and interests of the parties involved are complex. Perspective taking involves empathy, deep understanding, asking questions to reveal thoughts and feelings, patience, attentiveness, and identifying common ground.

The reflexive negotiation method of innovation *for atypical situations brings effective approaches to managing challenges and opportunities in unusual contexts by focusing* on innovation. This method turns challenges into opportunities for development and competitive advantage. Approaching this method involves the ability to develop new and innovative solutions in the negotiation process, recognizing that traditional approaches can be limited in a changing business environment. An essential aspect of this method is the ability to remain open to experimentation and adaptation, valuing creative, adaptive thinking and an orientation towards innovation as effective means of approaching atypical situations. Through this, negotiators are able to develop innovative solutions, find opportunities in challenges and bring significant value in a changing business environment.

In our view, leaders and business professionals play an important role in the management of atypical situations in the management of negotiations. Essential attributes of a manager in negotiating in atypical situations include self-confidence, which influences the negotiation process and inspires confidence, strategic thinking to anticipate consequences and develop back-up plans, as well as deep knowledge of the industry and market. The results of the discussions with the representative managers of the companies participating in the study, highlight that most of them see negotiation as an integral part of their work and recognize the importance of preparation in this regard, however, a small part admit that they never prepare for negotiations, which can lead to impulsive decisions driven by emotions. About a third of respondents encountered unprepared situations during negotiations, thus underlining the need for constant and ade-

quate preparation. Communication plays a critical role in negotiating in atypical situations, requiring understanding of others' perspectives, empathy for their needs, and effective stress management for decision-making during negotiations.

The approach of the negotiation partner taking into account the traits related to the nature of the personality is another essential factor in the negotiation process, the sensitivity, optimism and determination of the partner can play a determining role in directing the negotiations in various contexts, from business to social and political fields. These characteristics should be integrated into the construction of the negotiation team and the development of appropriate strategies. **Negotiation power is a combination of managerial skills**, which involves actions in atypical situations to achieve the proposed goals, highlighting self-confidence and supporting professional excellence.

In the context of atypical situations in the Republic of Moldova, adopting the concepts and applying them can increase the agility and ability of organizations to respond promptly to unexpected challenges and opportunities, contributing to continued success in a complex and changing business environment.

All these conclusions allow us to propose recommendations for several interested parties in ensuring the resolution of atypical situations in the process of business negotiations. Regardless of the level of experience or demonstrated skills, the determining factors in the negotiation process can be significantly influenced by individual behavior, strength, temperament and nature. Coming to the conclusion that there is a lack of precedent and traditional rules for business negotiations in atypical situations in the Republic of Moldova, but the study confirms that the business environment faces atypical situations, we come up with the following **recommendations for the business environment in the Republic of Moldova**:

1. **Knowledge of several negotiation practices in various atypical situations.** consulting the practices applied by international companies and from the Republic of Moldova in managing business negotiations with the presence of atypical situations, depending on the context, type and field of your company, which can better prepare the representatives of the business environment in the country for atypical situations**.**
2. **Orientation on innovation, adaptability and creativity:** Since research has shown that the essential principles of business negotiations in the context of atypical situations for organizations in the Republic of Moldova are oriented on innovation, adaptability and creativity, we propose that these findings be taken into account by organizations from the Republic of Moldova, for a more efficient management of negotiations in atypical conditions from the context of the previous one.
3. **Application of the Reflexive Negotiation Method of Innovation:** to focus on the Reflexive Negotiation Method of Innovation, including by introducing several creative techniques for generating innovative ideas, for example: exercises to stimulate lateral thinking (which involves finding non-conventional solutions and different perspectives to approach a problem or situation), role plays or unconventional case studies. The method could include both divergence techniques (expanding and diversifying ideas) and convergence techniques (selecting and developing the most promising ideas). This is an effective approach to negotiation in atypical conditions, focused on turning unconventional challenges into innovative development opportunities.

4. **Using the negotiation planning procedure in atypical situations:** applying the planning stages for negotiation in atypical situations for the business environment proposed in the paper, will contribute to the development of the business environment in the Republic of Moldova, providing tools to manage challenges and achieve results positive**.**
5. **Selection of negotiation team members according to the principle of negotiation power:** in our view, leaders and business professionals play an important role in the management of atypical situations in negotiation management. Thus, we propose a deeper and structured approach to the selection of team members and the team leader, in terms of: skills, competences and aptitudes, as well as the quality of leadership that can provide innovative potential, decision-making, superiority and example.
6. **Use of negotiation power:** In our view, the manager's negotiation power will focus on the following sources: authority, charisma, coercion, information, morality, sympathy, alliance, legality, professional competence, spontaneous attraction.

Analyzing fundamental concepts and notions related to negotiations, according to the contributions made by authors from the Republic of Moldova, Romania and the international environment, we consider it appropriate to recommend their use in the foundation of managerial theories. In this context, we come with **recommendations for the field of education**.

1. **Curriculum modification in higher education institutions.** The introduction of management disciplines into the curriculum: management of negotiations, strategic management, etc., chapter and compartments dedicated to the management of negotiations in atypical conditions. We argue this necessity due to the actuality and intensification of the atypical situations present in the last 10 years in our country and in the world. This would contribute to the continuous updating and improvement of the university curriculum.
2. **Proposing research topics related to atypical situations.** They could be interesting research topics for bachelor's and master's thesis, regarding the influence of atypical situations on different managerial processes.
3. **Multidisciplinary collaboration:** the involvement of specialists from various fields, such as psychology, technology and entrepreneurship, can bring diverse perspectives and enrich the approach of the method.

The analysis of negotiation practices allowed us to outline several elements of negotiation management such as negotiation stages, benefits, importance and efforts made by negotiation teams, which may also be of interest to public institutions when organizing negotiations.

In the context of the initiation of the negotiation process of the Republic of Moldova on Association with the European Union, **we propose the following for the Ministry of Economy and Digitalization**:

1. The inclusion of negotiators from several successful companies in the team of the Republic of Moldova, for the negotiation of the association process. This would increase the efficiency of the negotiation team and the effectiveness in reducing the consultation time for solutions.

2. Formation of discussion platforms with the invitation of experienced negotiators from various fields, with different negotiation experiences, etc.

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ADNOTARE
Gîdilica Constantin
„Dezvoltarea managementului negocierilor în afaceri în condițiile situațiilor atipice”.
Teza de doctor în ştiinţe economice, Chişinău, Republica Moldova, 2024

Structura tezei: Teza este constituită din introducere, trei capitole, concluzii generale, bibliografie (196 de surse). Lucrarea conţine 146 pagini de text de bază, 39 figuri, 19 tabele. Rezultatele obţinute sunt publicate în 10 lucrări ştiinţifice.

Cuvintele cheie: management, negociere, valorificare, sistem, dezvoltare, situație atipică, inovație, optimizare și modelare.

Scopul cercetării constă în înțelegerea și identificarea metodei de negociere, de âîmbunătățire a negocierilor în condiții atipice, și dezvoltarea managementului negocierilor pentru mediul de afaceri provocat de schimbări neașteptate, incertitudine și provocări complexe.

Obiectivele cercetării sunt structurate în trei direcții fundamentale, fiecare din ele având un scop specific și clar definit în contextul cercetării, privind dezvoltarea managementului negocierilor în afaceri în condițiile situațiilor atipice. Aceste direcții își propun să aducă în prim-plan aspecte teoretice, principii esențiale și modalități inovatoare de abordare a negocierilor, în contextul specific al mediului de afaceri din Republica Moldova, precum și să analizeze și să sintetizeze conceptul de negociere în cadrul teoriilor economice și manageriale existente. Identificarea și definirea principiilor fundamentale de negociere sunt esențiale în gestionarea situațiilor atipice din mediul de afaceri, dezvoltarea unor abordări inovatoare și eficiente pentru negocierile din mediul de afaceri din Republica Moldova în situații atipice.

Noutatea şi originalitatea ştiinţifică constă în fundamentarea și argumentarea științifică a contribuțiilor semnificative domeniul managementului și negocierilor. Prezentarea modalităților de gestionare a situațiilor atipice în cadrul companiilor din RM, elaborarea analizei SWOT a procesului de negociere în condiții atipice, elaborarea metodei de negociere pentru îmbunătățirea procesului, aplicabilitatea acesteia, precum și contribuția la dezvoltarea negocierilor în condiții atipice pentru mediului de afaceri.

Problema ştiinţifică importantă soluţionată în cercetare constă în dezvoltarea managementului negocierilor prin abordarea planificării eficiente de către un negociator cu abilități și competențe adaptate la condițiile situațiilor atipice, pentru desfășurarea optimă a procesului de management al negocierilor în cadrul organizațiilor ce se confruntă cu situații atipice. Aceasta implică explorarea modului în care abordările tradiționale de negociere pot fi ajustate și îmbunătățite, pentru a răspunde schimbărilor imprevizibile și pentru a profita de oportunitățile emergente.

Semnificaţia teoretică a cercetării rezidă din contribuția pentru știință adusă domeniului managementului și practicilor de afaceri, aducând contribuții substanțiale la înțelegerea și optimizarea procesului de negociere în contexte complexe și dinamice.

Valoarea aplicativă a lucrării se bazează pe: instrumente practice pentru profesioniști care pot fi implementate în domeniul afacerilor și al negocierilor pentru a aborda cu succes provocările situațiilor atipice, optimizarea performanței organizaționale, contribuind la atingerea obiectivelor și la obținerea succesului în mediul de afaceri prin inovare și adaptabilitate. Lucrarea oferă modalități prin care aceștia pot răspunde la schimbările rapide și imprevizibile din mediul de afaceri, abordând situațiile atipice ca oportunități de a obține avantaje competitive. Teza susține aplicarea metodei de negociere în condiții atipice personalizate pentru fiecare companie în funcție de capacitatea managerială.

Implementarea rezultatelor ştiinţifice.

Prin actele de implementare a rezultatelor cercetării.

ANNOTATION

Gîdilica Constantin

„Development of business negotiation management in atypical situations"

Doctoral Thesis in economical sciences, Chisinau, 2024

Thesis structure: The thesis consists of an introduction, tree chapters, general conclusions, bibliography (196 sources). The paper contains 146 pages of basic text, 39 figures, 19 tables.

The results are published in 8 scientific papers.

Keywords: management, negotiation, valorisation, system, development, atypical situation, innovation, optimisation and modelling.

Aim of the research The aim is to understand and identify the method of negotiation to improve negotiations in atypical conditions and to develop negotiation management for the business environment caused by unexpected changes, uncertainty and complex challenges

Research objectives are structured in three fundamental directions, each having a specific and clearly defined purpose in the context of research on the development of management of business negotiations under atypical situations. These directions aim to bring to the fore theoretical aspects, essential principles and innovative ways of approaching negotiations in the specific context of the business environment of the Republic of Moldova, to analyze and synthesize the concept of negotiation within existing economic and managerial theories, the identification and defining the fundamental principles of negotiation that are essential in managing atypical situations in the business environment, developing innovative and effective approaches for negotiations in the business environment in the Republic of Moldova in atypical situations.

Scientific novelty and originality, consists in the substantiation and scientific argumentation of significant contributions to the field of management and negotiations. The presentation of the ways of managing atypical situations within the companies of the Republic of Moldova, the development of the SWOT analysis of the negotiation process in atypical conditions, the development of the negotiation method for improving the process, its applicability, the contribution to the development of negotiations in atypical conditions for the business environment.

Important scientific problem addressed in the research consists in the development of negotiation management by approaching effective planning by a negotiator with skills and competencies adapted to the conditions of atypical situations, for the optimal development of the negotiation management process in organizations facing atypical situations. This involves exploring how traditional negotiation approaches can be adjusted and improved to meet unpredictable changes and take advantage of emerging opportunities.

Theoretical significance of the research resides in the contribution to management science and business practices, making substantial contributions to understanding and optimizing the negotiation process in complex and dynamic contexts

The applicative value of the work is based on: practical tools for professionals that can be implemented in business and negotiation to successfully address the challenges of atypical situations, optimising organisational performance, contributing to achieving goals and success in the business environment, innovation and adaptability, the thesis provides ways in which they can respond to rapid and unpredictable changes in the business environment, increasing competitiveness by addressing atypical situations as opportunities to gain competitive advantage, the thesis supports the development of tailored strategies that can give organisations an edge over the competition.

Implementation of scientific results.

Through the acts of implementation of the research results

АННОТАЦИЯ

Гыдилика Константин

«Развитие управления деловыми переговорами в нетипичных ситуациях»

Докторская диссертация в области экономических наук, Кишинев, 2024 г.

Структура диссертации: Диссертация состоит из введения, трёх глав, общих выводов, списка литературы (145 источников). В работе содержится 143 страницы основного текста, 39 рисунков, 19 таблиц. Результаты опубликованы в 10 научных публикациях.

Ключевые слова: управление, переговоры, повышение ценности, система, развитие, нетипичная ситуация, инновации, оптимизация и моделирование.

Цель исследования– понять и определить метод ведения переговоров для улучшения переговоров в нетипичных условиях и разработать менеджмент переговоров для деловой среды, вызванной неожиданными изменениями, неопределенностью и сложными проблемами.

Задачи исследования структурированы по трем фундаментальным направлениям, каждое из которых имеет конкретную и четко сформулированную цель в контексте исследования развития управления деловыми переговорами в нетипичных ситуациях. Эти направления направлены на то, чтобы выдвинуть на передний план теоретические аспекты, основные принципы и инновационные способы подхода к переговорам в конкретном контексте деловой среды Республики Молдова, проанализировать и синтезировать концепцию переговоров в рамках существующих экономических и управленческих теорий, выявление и определение основополагающих принципов ведения переговоров, которые необходимы для управления нетипичными ситуациями в деловой среде, разработка инновационных и эффективных подходов к переговорам в деловой среде Республики Молдова в нетипичных ситуациях.

Научная новизна и оригинальность заключается в обосновании и научной аргументации значительных вкладов в область менеджмента и переговоров. Презентация способов управления нетипичными ситуациями внутри компаний Республики Молдова, разработка SWOT-анализа переговорного процесса в нетипичных условиях, разработка метода переговоров для улучшения процесса, его применимость, вклад в развитие переговоров в нетипичных для деловой среды условиях.

Важная научная проблема, рассматриваемая в исследовании, заключается в разработке управления переговорами на основе подхода к эффективному планированию переговорщика, обладающего навыками и компетенциями, адаптированными к условиям нетипичных ситуаций, для оптимального развития процесса управления переговорами в организациях, сталкивающихся с нетипичными ситуациями. Это предполагает изучение того, как можно скорректировать и улучшить традиционные подходы к переговорам, чтобы они соответствовали непредсказуемым изменениям и использовали новые возможности.

Теоретическая значимость исследования заключается во вкладе в науку управления и бизнес-практику, внесении существенного вклада в понимание и оптимизацию переговорного процесса в сложных и динамичных контекстах.

Прикладная ценность работы основана на: практических инструментах для профессионалов, которые могут быть реализованы в бизнесе и переговорах для успешного решения проблем нетипичных ситуаций, оптимизации организационной деятельности, содействия достижению целей и успеха в бизнес-среде, инновационности и адаптивности, В диссертации представлены способы, с помощью которых они могут реагировать на быстрые и непредсказуемые изменения в бизнес-среде, повышая конкурентоспособность за счет рассмотрения нетипичных ситуаций как возможностей для получения конкурентного преимущества. Диссертация поддерживает разработку индивидуальных стратегий, которые могут дать организациям преимущество перед конкурентами.

Внедрение результатов науки. Посредством актов внедрения результатов исследований

GÎDILICA CONSTANTIN

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