Commerce & Contract Management Institute

Win-Win or Just Winning?

AI, trust and negotiation behavior: what the data really tells us

Contents

Based on a CCM Institute Research Report 2026

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Foreword: why this report delivers new insights

Most surveys on negotiation behavior ask people directly what they value and how they behave. The responses are predictable: practitioners overwhelmingly describe themselves as collaborative, principled, and focused on mutual outcomes. Perhaps that is their true self-perception, or perhaps it is what they think they should say. Whatever the reason, it means the data confirms what everyone already believes and nothing changes.

> This survey was designed differently

Rather than asking negotiators to assess their own collaborative credentials, the survey used attitudes toward AI profiling tools as an indirect window into competitive and collaborative instincts. The logic was straightforward, building on the idea that how a practitioner responds to the prospect of gaining a detailed intelligence profile of their counterparty and how that response changes when the profiling is reciprocal, reveals something more honest about their underlying orientation than a direct question about win-win values.

We started by asking whether respondents would welcome an AI-generated profile of their own negotiating style, whether they would find a similar profile of their counterparty useful in preparation and how they would feel if they discovered their counterparty had already profiled them. These questions were not primarily about technology, they were designed to surface the degree of asymmetry between a practitioner's appetite for intelligence advantage and their comfort with genuine transparency. A negotiator who wants to profile their counterparty but objects to being profiled in return is revealing something important about their actual orientation, whatever their stated values may be.

Having established that baseline, the survey moved to more direct questions such as how respondents describe their own negotiating style, what information they are willing to share with counterparties and under what conditions and how their organization measures and rewards them. This last dimension is the one that most negotiation surveys do not explore and which potentially explains any gap between what practitioners say they value and what they consistently do.

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The result provides us with a layered picture. The opening AI profiling questions reveal instincts. The win-win self-identification questions reveal identity or desired image. The information-sharing questions reveal behavior. And the incentive structure questions reveal the organizational reality within which that behavior is produced.

Read in sequence, these layers tell a story that no single question could generate alone: a commercial community which demonstrates genuine instincts around the value of collaboration, yet whose organizational systems are misaligned with those values and whose behavior under pressure then reflects the system rather than the aspiration.

Responses come from 194 organizations spanning 22 sectors and 7 global regions. Every statistic in this report (the percentages, mean scores and tables) is drawn from this core survey. To test and contextualize the findings, they were cross-referenced against data points from other recent CCM Institute and WorldCC research, creating an evidence base of more than 1,200 inputs.

The augmented set was used to validate direction and inform interpretation, not to alter the survey figures. The report includes geographic findings and five focal sectors, selected for response volume and sectoral significance. Where these produce different perspectives, this is noted.

A note on interpretation

Throughout this report, the term ‘collaborative’ is used in its precise sense: a genuine orientation toward outcomes that serve both parties, backed by behaviors (information sharing, transparency, joint problem-solving) that make such outcomes possible. The data distinguishes carefully between this and the more common ‘collaborative while protecting my interests’ framing, which describes something more conditional and, under pressure, more positional than the language suggests.

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Executive Summary

Most negotiators describe themselves as collaborative. The data in this survey suggests they are right about their values and wrong about their behavior. This is not through dishonesty but because the organizational systems surrounding them reliably produce something different. This is the central and challenging finding of the CCM Institute's survey on AI, trust, and negotiation behavior. It is challenging because many executives position their corporation as collaborative but have clearly failed to design an underlying system and structure capable of supporting that aspiration.

Win-win is the dominant professional identity. More than 85% of respondents describe themselves as collaborative or mostly collaborative. No one chose 'highly competitive'. Yet when the survey turns from identity to behavior, shifting from what people believe about themselves to what they actually do and how their organizations measure them, a different picture emerges.

Figure 1. Three structural gaps define that picture

- Incentive systems reward positional outcomes. Across the full dataset, only 16% of respondents feel that they are incentivized to deliver a win-win outcome. A third are measured on purely internal metrics - price achieved, risk transferred, cost reduced - that are structurally at odds with collaborative intent. The most acute case is the Public Sector, where zero respondents are incentivized for win-win outcomes.
- Information sharing is systematically suppressed at the points where it most matters. Practitioners across all groups willingly share performance concerns and risk issues to the extent that the disclosures they make cost little and may improve outcomes. But cost data (mean score 50 across the full dataset) and personal success metrics (mean 45) are consistently withheld. These are not peripheral issues since they often represent the foundation for identifying mutual value opportunities. The gap is rational: individuals understand that transparency creates vulnerability in a system that rewards positional defense.
- The capability required for genuine collaboration is largely absent. Open, adaptive negotiation demands cross-functional commercial knowledge, the authority to make real-time trade-offs and the professional confidence to share bad news early. Legal training, procurement certification and sales methodology do not provide these. The people conducting most negotiations are functionally skilled and strategically constrained.

The AI profiling questions serve as a behavioral proxy that confirms this diagnosis. Respondents are more enthusiastic about profiling their counterparty than about being profiled themselves. The largest single response when told the counterparty had profiled them was concern about accuracy, a more sophisticated objection than simple competitive self-protection, but one that still places the emphasis on self-defense rather than mutual transparency. Only 18% welcomed reciprocal profiling outright.

Sector and regional variations are significant but do not alter the structural conclusion. The Public Sector shows the largest gap between stated collaborative intent and incentive reality. Legal practitioners show the strongest ethical caution. Europe is the most guarded on information disclosure despite having the most developed collaborative contracting frameworks. The Middle East (a small-sample signal) shows high within-network openness but reverts to protective contractual architecture with unfamiliar counterparties. Asia shows the most internally consistent picture: low disclosure, contingent collaboration and information treated as the primary source of commercial leverage.

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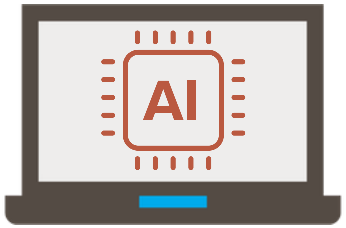
Attitudes toward AI in negotiation are broadly positive but significantly qualified. Across the full dataset, two-thirds are comfortable with AI playing a role in negotiation preparation and strategy but a substantial 27% remain neutral or undecided, and the open responses reveal consistent concern about accuracy, over-reliance and the risk of deskilling. AI is welcomed as a preparation and analysis tool; it is viewed with considerably more caution as a mechanism for profiling people or substituting for human judgment.



Perhaps the most important finding is that even among respondents who identify as strongly collaborative, the same incentive misalignments, information-sharing suppressions and capability gaps are present. This is the natural constituency for collaborative and outcome-based contracting models and this confirms that the problem is not attitudinal. It will not be solved by training practitioners to be more collaborative if they are operating in systems that reward something else.

The core challenge

Negotiators want to collaborate. Their organizations measure something different. And the contracts produced by this contradiction are expected to deliver outcomes that neither side's behavior makes possible. Until incentive structures, information-sharing norms, and professional capability align with stated intent, win-win will remain the identity that commercial practice aspires to and the behavior it consistently fails to produce.

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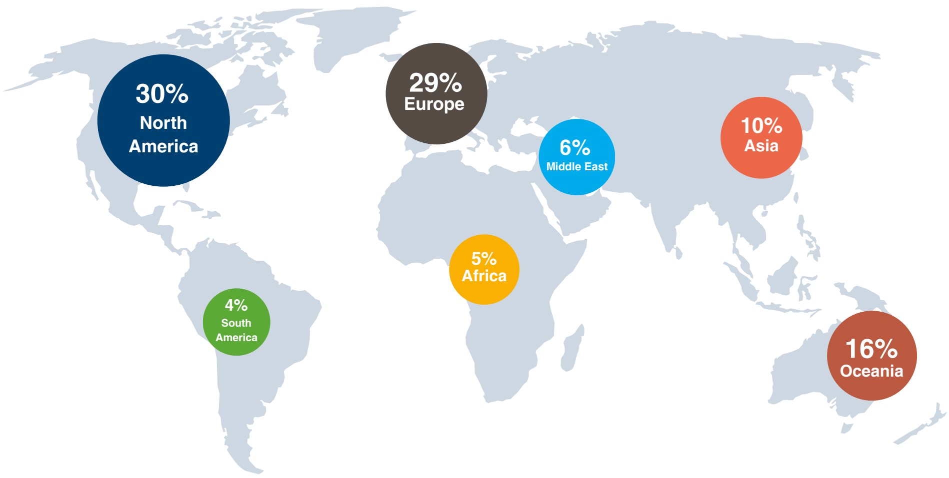
Key insights

Methodology and sample

The core survey gathered input from almost 200 organizations spanning 22 sectors and 7 global regions.

Figure 2. Regional distribution of respondents



The sector distribution is broad. Five focal sectors (Business Services/Consulting, Public Sector/Government, Aerospace/Defense, Legal and Technology Software) were selected for in-depth sector analysis on the basis of response volume and their significance to contemporary debates about collaborative contracting. Together they represent approximately half the total response base. The remaining respondents came from Telecommunications, Banking/Insurance/Financial Services, Engineering/Construction, Energy, Manufacturing/Industrial Goods, Healthcare, Transportation/Logistics and a range of other sectors.

Sectors

- Business Services/Consulting
- Public Sector/Government
- Aerospace/Defense
- Legal
- Technology software
- Telecommunications
- Banking/Insurance/Financial Services
- Engineering/Construction
- Energy
- Manufacturing/Industrial Goods
- Healthcare
- Transportation/Logistics

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It is worth noting that several of the sectors excluded from the focal analysis - Engineering/Construction and Energy in particular are sectors where collaborative and outcome-based contracting debates are especially live. Their absence from the sector analysis is due to sample size constraints and they represent a natural direction for follow-up research.

Where findings are drawn from the full dataset, this is indicated. Where findings are drawn from the five focal sectors only, this is noted.

A note on the augmented evidence base: the core survey of 194 organizations is the source of every statistic reported here. The augmentation to more than 1,200 inputs refers to individual data points drawn from other recent CCM Institute and WorldCC studies, used to validate the direction of findings and to inform interpretation - not to alter the survey figures.

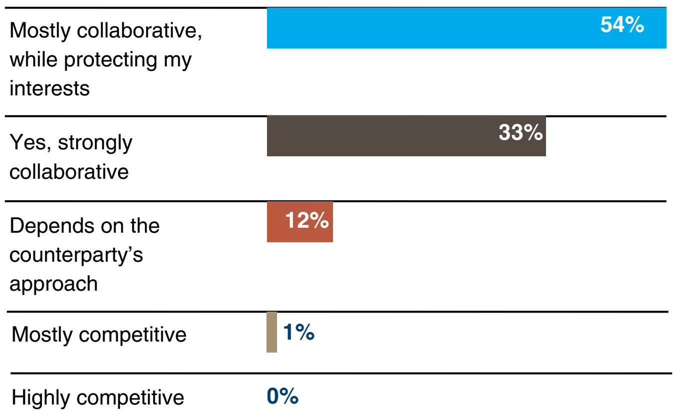
Every table, percentage and mean score in this report therefore rests on the 194-organization base, with the augmented set serving as a consistency check.

Segmentation by stated collaborative identity

The self-image landscape

The overall distribution of self-described negotiating style is perhaps most notable for its uniformity across all respondents:

Figure 3. Self-described negotiating style



No respondent chose ‘highly competitive’. The modal answer is ‘mostly collaborative, while protecting my interests.’ That qualifying clause is not a statement of collaborative principle; it is a description of conditional collaboration bounded by self-protection. The distinction matters enormously for how commercial relationships actually function, when the conditions that make collaboration feel safe are rarely allowed to surface.

Previous studies have confirmed a fear of ‘going first’ in the provision of data and of being skeptical about data provided by the counter-party. This spirit of mutual hesitation and suspicion takes very deliberate efforts to overcome and the risks often appear to be greater than the unknown benefits that could emerge.

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> *"I generally favor the win-win strategy, but this strategy cannot be used with counterparts who use positional negotiation, because they believe that either their party or they themselves will receive the best outcome using the positional strategy."*— Respondent, Business Services/Consulting — Europe

This comment captures a dynamic which is visible across multiple responses: collaborative intent is conditional on reciprocity. The 'I will if you go first' problem is not an occasional feature of commercial negotiation, it is its dominant structural characteristic. And since both parties are waiting for the other to go first, neither does.

Segmentation by stated collaborative identity

Where identity and behavior diverge

The most important insight from this segmentation is how little the stated collaborative identity predicts the organizational conditions surrounding the negotiator. Even among those who identify as strongly collaborative, the incentive misalignment is extreme:

Only 21% of strongly collaborative practitioners are incentivized to deliver win-win outcomes. Nearly a third are measured purely on internal positional metrics. The incentive misalignment is not a function of attitude. It is structural and near-universal, confirmed across the full dataset where only 16% of all respondents are incentivized for win-win outcomes.

Figure 4. Incentive structure by stated collaborative identity

Incentive Type	Strongly Collaborative	Mostly Collaborative	Contingent
Incentivized for win-win outcome	21%	14%	6%
Incentivized only on internal measures	32%	33%	35%
Variable — depends on contract / relationship	47%	53%	59%

The high percentage indicating a 'variable' position indicates a need for more research – for example, how do they determine which relationships operate with different incentives and what form those incentives take? The implication from other studies is that the differentiator is likely to be duration of the relationship and whether past performance has generated a higher level of trust.

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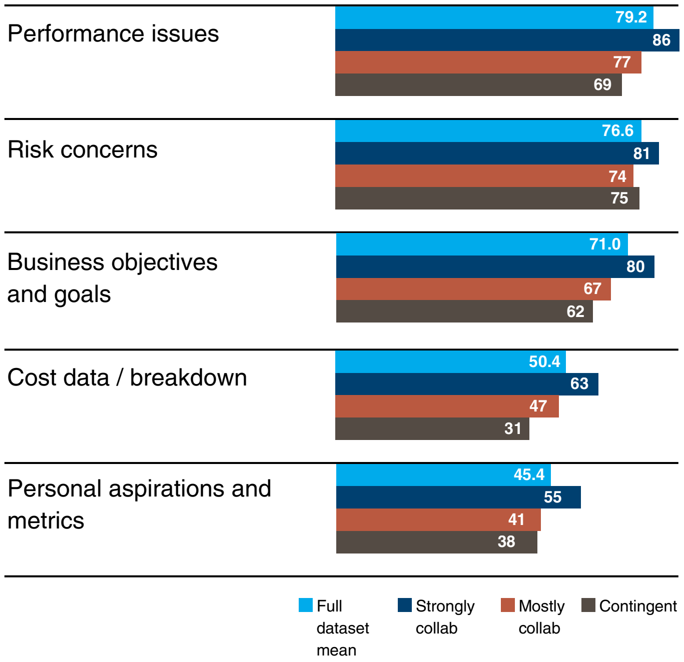
Segmentation by stated collaborative identity

Information sharing: the behavioral test

Information sharing provides the most direct behavioral evidence in the dataset. Across the full organization sample, the aggregate scores reveal a consistent hierarchy of disclosure, with the mean indicating the extent to which negotiators feel prepared to share information (score out of 100):

Figure 5. Contrasts how levels of transparency vary by the attitude to collaboration



The data confirms that practitioners are most likely to share what costs them least. They focus on performance concerns and risk issues, especially those related to the counter-party - and withhold what exposes them most: cost structures and personal success metrics. These withheld categories are those on which collaborative contracting and value generation depend.

Those who identify as 'mostly competitive' are not included since they are a relatively small group. However, it is interesting to note that they score very high on business objectives (81) and risk concerns (95) but very low on cost data (15). Competitive negotiators share what frames the agenda and establishes the stakes; they guard what determines the margin. This is indicative of information strategy, with highly selective use of transparency. They withhold information that could assist the counter-party to propose value increase, while highlighting how 'risky' the counter-party is as a business partner.

Key insight

Disclosure of objectives and risk concerns is not in itself evidence of collaborative intent and the extent of disclosure is also highly selective. Cost data and personal aspirations are the vulnerable disclosures and the data shows that only the most collaborative practitioners share these to any meaningful degree and even they do so selectively.

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The AI profiling asymmetry

The survey's AI profiling questions were a behavioral test: how practitioners respond to the prospect of intelligence advantage and whether that response changes when the advantage becomes reciprocal.

Across the full dataset, 39% found self-profiling interesting and beneficial, 29% did not and 32% were unsure. This split indicates a high level of ambivalence. On counterparty profiling, 76% indicated they would find it moderately or extremely useful. But the most revealing question was the reciprocal one: how would you feel if the counterparty had profiled you?

Figure 6. Responses to reciprocal AI profiling (full dataset)

Response to reciprocal profiling	% of respondents
Concerned about accuracy and negative impact	25%
Would generally support with mutual consent	19%
Would welcome as creating balanced negotiation	18%
Would feel neutral — doubts it would matter	13%
Would strongly oppose under any circumstances	9%
Would feel slightly uncomfortable	6%
Would object — exposes tactics / creates disadvantage	6%
Other	4%

The dominant response shows concern about accuracy rather than ethics or competitive exposure. That is more sophisticated than simple self-protection but the emphasis remains defensive rather than collaborative. Only 18% welcomed reciprocal profiling outright as a route to more balanced negotiation. The contrast between appetite for intelligence about others and comfort with equivalent transparency about oneself is consistent across all sectors and regions and is perhaps the clearest signal about the gap between collaborative identity and competitive instinct.

> *"I would see it as someone playing the man and not the ball, a sneaky way to try and gain an advantage over me."*— Respondent, Legal sector

An obvious objection deserves a direct answer: perhaps discomfort with profiling reflects attitudes toward AI rather than negotiation instinct. The data does not support that reading. If AI skepticism were the driver, appetite for profiling the counterparty would be as muted as comfort with being profiled - the technology is identical in both directions. Instead, 76% welcomed intelligence about the other side while only 18% welcomed reciprocity. That asymmetry is within-respondent: the same individuals, asked about the same tool, changed their answer when the direction of exposure changed. What moved was not their view of AI. It was their appetite for advantage.

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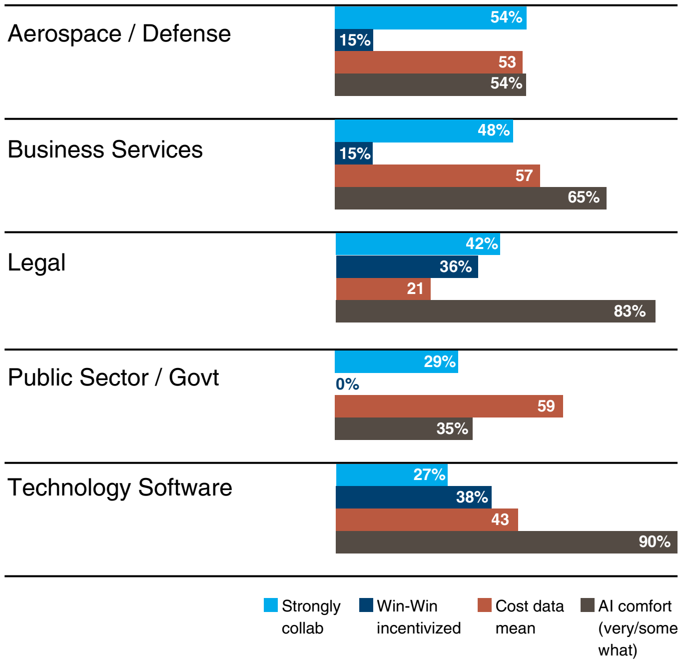
Overview

The five industry sectors that we have analyzed represent different commercial contexts, relationship norms and professional cultures. What they share is the structural misalignment between collaborative intent and organizational incentive. What differentiates them is the character and intensity of that misalignment and the specific professional traditions through which it is expressed and handled.

Figure 7. Focal sector comparison, key measures



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Public sector / Government

The Public Sector shows the greatest contradiction in the dataset. It is the sector where survey respondents view themselves as committed to collaborative and outcome-based contracting, but where none are incentivized for this and nearly 59% measured purely on internal performance metrics.

The gap means that practitioners negotiating a supposedly collaborative framework on behalf of public bodies are evaluated on criteria that reward a fundamentally different set of behaviors. The contract says collaboration; the scorecard says price and risk transfer. As our other studies and overall market feedback confirms, the scorecard typically wins.

The sector also shows the lowest comfort with AI in negotiation (only 35% very or somewhat comfortable), and the highest proportion neutral or undecided (47%). This combination of misaligned incentives, limited AI adoption and low collaborative measurement creates a structural environment in which efforts to introduce progressive contracting models are routinely undermined.

> *"As long as the final approach is not dictated by AI and it is only used to inform then I have no issues with it."*— Respondent, Public Sector

Legal

Legal practitioners exhibit the most coherent internal logic of any sector. They show the highest ethical caution around counterparty AI profiling (33% call it unethical), the lowest cost data disclosure of any focal sector (mean 21, against a full-dataset mean of 50) and a mixed incentive structure that at least acknowledges win-win as a legitimate category (36%).

This is a professional culture shaped by adversarial training and fiduciary obligation. Relative to other respondents, there is a high level of ethical sensitivity, coexisting with attitudes to information-sharing that are the most guarded in the study.

Legal practitioners often struggle with collaborative contracts in large part because they are the least behaviorally equipped to model the transparency those contracts require.

The sector's high AI comfort (83%) is notable, but also conditional. There is an acceptance of its role in supporting legal research, contract review and redlining, where AI augments professional judgment rather than threatening it. The comfort is with AI as a tool, not AI as a negotiation agent.

> *"If it can guide parties to sensible solutions, good. If the purpose is to outmaneuver each other, it will just escalate adversarial behavior and risk of failure of the negotiations and the relationship."*— Respondent, Legal sector

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Aerospace / Defense

Aerospace/Defense produces the highest strongly collaborative self-identification of any focal sector (54%) and the highest comfort with AI alongside Legal. Its long-term relationship structures, high-value contract environments, and experience with availability and performance-based contracting models appear to generate a genuine desire for collaboration. Yet once again, the incentive structure tells a different story, with 46% measured on internal metrics only, 38% on variable criteria and only 15% incentivized for win-win.

The collaborative identity is more deeply rooted than in other sectors, but the structural support for it remains underdeveloped. Given the focus across the defense sector on a move towards outcome-based contracting, the combined findings for public sector and industry indicate a need for rapid and significant systems change and up-skilling.

> *"Preparation is the key to negotiation. AI is extremely beneficial in supporting the preparation and strategy process. It not only helps to collate information but also prioritize and help develop a response for each point."*— Respondent, Aerospace/Defense

Business Services / Consulting

Business Services shows the most contextually adaptive pattern. 70% say their incentives vary depending on the contract and relationship.

Given their role in long-term service delivery, the sector's practitioners are skilled at reading context and also aware of the importance of strong relationships, which typically need to manage adjustments over time. The risk this creates is that the decision of which mode to adopt is often made implicitly and early, without shared agreement on approach.

Contextual collaboration is not the same as principled collaboration and runs a heightened risk of breakdown during performance. Consistent with the pattern in section (Where identity and behavior diverge), the most plausible drivers of this variability are relationship duration and accumulated performance trust: incentives flex where the relationship has a history and remain positional where it does not.

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Technology / Software

Technology / Software shows the highest AI comfort of any focal sector (90%) but the lowest strongly collaborative self-identification (27%). The sector is operationally pragmatic: AI is a tool for efficiency, risk analysis and contract processing, not primarily a mechanism for deepening mutual understanding.

The sector's near-even distribution across all three incentive types suggests an absence of settled cultural norms around collaborative versus competitive practice. Unlike Legal or Aerospace, where professional culture provides a relatively consistent orientation, Technology/Software negotiators appear to be navigating without a clear organizational or professional framework for how they are expected to balance commercial and relational goals.

This is understandable since many in this sector are operating at the forefront of innovation. They work with customers who do not fully grasp the implications of those innovations and often push for terms that are simply unrealistic or misplaced. Innovation inevitably means risk, so the battles over where and how that is allocated are hard to avoid.

A note on excluded sectors

Engineering/Construction and Energy both appear in the broader dataset with meaningful response numbers but fell below the threshold for focal sector analysis. Both are sectors where the collaborative versus adversarial contracting debate is especially consequential.

Engineering/Construction struggles to overcome its claims culture and project performance history; Energy has need for long-term relationship structures and shared-risk models. Neither is showing evidence of an ability to truly develop sustained capability for increased collaboration.

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Overview

Geography brings an added dimension to the win-win tension. The structural misalignment between collaborative aspiration and positional reality is consistent across all regions. What varies is its cultural framing, the specific mechanisms through which it becomes evident and the degree to which stated values are supported or contradicted by the behaviors within each regional tradition. The data in Table 8 will shock many because at first glance, it does not fit with our perceptions. But look more closely and you can see the contradictions. Dig deeper and you find the real answer is often 'it depends'.

Figure 8. Regional comparison, key measures

Region	Strongly Collaborative	Win-Win Incentivized	Cost Data Mean	AI Comfort
Africa	43%	29%	67	86%
North America	41%	12%	53	65%
South America	20%	0%	53	60%
Asia	13%	23%	51	62%
Europe	20%	19%	39	61%
Middle East	44%	0%	66	89%
Oceania	48%	16%	56	64%

Note: the Africa (5% of sample), Middle East (6%), and South America (4%) figures rest on small bases and should be read as directional signals, not statistically robust findings.

Oceania

Oceania presents the strongest overall profile for collaborative practice in the dataset. The highest strongly collaborative self-identification (48%), strong performance issue and risk disclosure scores (88 and 83 respectively) and a pragmatic relationship with AI tools all point toward a culture of operational transparency within a broadly collaborative orientation.

The region's high Public Sector representation (33% of the Oceania sample) is a structural concern given that sector's performance elsewhere in the dataset. It also explains the relatively low score on win-win incentivization.

But the cultural baseline is more naturally aligned with collaborative models than any other region surveyed, and the open responses show a sophistication about AI's limits - particularly around deskilling and over-reliance - that suggests genuine engagement rather than either uncritical enthusiasm or reflexive resistance. If only the incentives were changed, the region is poised to flourish.

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North America

North America sits at 41% strongly collaborative - higher than Europe despite common assumptions about American commercial transactionalism. The region shows higher variance across all information-sharing measures than any other, suggesting relative extremes: some very open practitioners, some very guarded, without the cultural consensus found in smaller or more institutionally homogeneous regions.

The incentive misalignment is the most significant concern and the clearest explanation of the transactional behaviors that many encounter: only 12% are incentivized for win-win outcomes, the second lowest of any region. The collaborative self-identification is real, but the organizational architecture surrounding it is predominantly positional.

"The level of dysfunction in the majority of contract data means that AI interrogation of that data will generally result in perpetuating that dysfunction. We need to break that cycle and improve the base dataset before AI can provide a benefit."— Respondent, North America

Europe

Europe is the most paradoxical region in the dataset. It has produced the most sophisticated legal and procurement frameworks within which collaborative contracting has in theory been developed -framework agreements, outcome-based public contracts and relational contracting standards are predominantly European inventions. It is also the region with the lowest information-sharing scores on cost data (39) and personal aspirations (39), the joint lowest of any region on both measures.

European collaborative contracts are likely to be technically well-constructed and behaviorally undermined. The professional culture defaults to positional protection even where the contractual aspiration is partnership. The region's open responses show the most structurally sophisticated ambivalence in the dataset - concerns about algorithmic homogeneity, deskilling and the erosion of professional judgment - but this sophistication has not translated into more open information-sharing behavior. Hence framework agreements tend to be imposed without negotiation, outcome-based contracts are undermined by inadequate governance standards, relational contracting is not sustained through post-award capabilities.

"Both parties need to pre-agree the negotiation strategy and tactics upfront for AI to work properly."
— Respondent, Europe

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Asia

Asia presents the most internally consistent picture in the dataset and the most challenging for collaborative contracting models. The region shows the lowest strongly collaborative self-identification (13%), the highest contingent response (27% say their approach depends on the counterparty) and consistently low information-sharing scores across all categories.

This is not reticence or limitation. It is a coherent and sophisticated approach rooted in a different theory of how commercial value is created and protected. In high-context Asian negotiating cultures, information is shared selectively, relationally, and over time, not as a default opening position. The characteristic pattern of extensive questioning combined with minimal reciprocal disclosure (particularly evident in Chinese commercial contexts) is information strategy, not communication failure.

The practical implication for collaborative contracting models is significant. These models assume a starting openness that this tradition does not regard as appropriate with unfamiliar counterparties. The ‘I will if you go first’ problem is not a barrier to overcome through better relationship management; it reflects a fundamentally different theory of what negotiation preparation is for and when meaningful negotiation actually begins.

Middle East

The Middle East data again requires careful interpretation - both against its small base (6% of the sample) and against observed commercial reality. The survey shows high collaborative self-identification (44%), strong information-sharing scores on cost data (66) and business objectives (80), and zero ethical objection to counterparty AI profiling. It also shows zero win-win incentivization.

The apparent contradiction resolves once the dual-track nature of high-context commercial cultures is understood. Within established trust networks (typically those operating in the same or traditionally friendly jurisdictions), these cultures demonstrate precisely the openness and collaborative orientation the survey captures. With unfamiliar or remote counterparties, particularly in cross-border transactions, the same organizations produce heavy risk-transfer architecture: performance bonds, parent company guarantees, extensive step-in rights. The survey captures the within-network norm; observed cross-border contracting practice reveals the other.

For collaborative contracting, this means the cultural resources for genuine partnership exist in the region. The question is under what conditions they extend to new or ‘foreign’ counterparties and how (indeed whether) the transition from stranger to trusted partner can be managed within the contractual framework.

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Geographic and cultural variations

Africa and South america

Africa's small sample limits statistical confidence but produces directionally notable results: the highest cost data disclosure of any region (67) and strong performance issue disclosure (90). In the relationship-dense commercial environments of many African markets, transparency may be a practical necessity.

Concealment is less viable when counterparties know each other well and reputational consequences of bad faith are immediate. In addition, as the 2025 benchmark report revealed, this region has a higher level of entrenched adaptability due to the frequency of disruption through political, environmental and economic events – relationships have to adapt, it's the established norm.

South America - at 4% of the sample, again directional rather than definitive - shows the most honestly competitive profile: lowest strongly collaborative self-identification (20%), highest internal-only incentivization (60%), zero win-win incentivization. This is the region where stated values and structural reality are most closely aligned, even if that alignment is around a predominantly positional norm rather than a collaborative one.

Conclusion: adaptability and the conditions for change

What the data establishes

The survey data establishes three things with reasonable confidence. First, collaborative intent is genuine and widespread. This is not a survey of cynics. Second, the structural conditions for translating that intent into consistent collaborative behavior are largely absent across all sectors and most regions.

Third, the gap between intent and structure is not primarily attitudinal or cultural and cannot be solved by training more collaborative practitioners into systems that reward something else.

The negotiation table is where upstream organizational failures become visible. It is not where they originate, and not where they can be resolved. And unfortunately, we do not have a community that appears ready to challenge the system to change: they are more likely to point fingers at each other than their own organization.

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AI in negotiation: qualified comfort

Across the full dataset, 66% of respondents are comfortable with AI playing a role in negotiation preparation and strategy. But this comfort is consistently and substantially qualified. The open responses reveal four dominant concerns that cut across all sectors and regions:

This comment is the most structurally significant in the open responses. It identifies precisely why information-sharing fails even among collaborative practitioners. The problem is not unwillingness to share but the absence of a trusted mechanism for sharing without unilateral exposure. The solution it proposes routes around the trust problem rather than solving it, which may be the most realistic near-term path.

Accuracy and reliability: AI outputs are widely seen as a starting point requiring human validation, not a definitive input. The concern is not with AI in principle but with the consequences of misplaced confidence in outputs that may be hallucinated, biased, or based on poor underlying data.

Data integrity and confidentiality: Particularly in sectors handling sensitive commercial or personal information - Defense, Public Sector, Legal - the security of data provided to AI systems is a significant barrier to adoption.

Over-reliance and deskilling: Multiple respondents across regions raised the concern that AI tools, used without sufficient critical engagement, produce cookie-cutter outputs that crowd out the judgment and breadth of thinking that effective negotiation requires. This concern is most prominent in Europe and Oceania.

The profiling boundary: Comfort with AI for preparation and analysis is widespread; comfort with AI for individual profiling is considerably lower and ethically more contested. The distinction between AI as a tool for improving my preparation and AI as a tool for analyzing people (even though that is part of preparation) is clearly drawn by a significant proportion of respondents.

> *"The best AI tool would be an 'Escrow' tool where each party can dump all necessary information, including costs and goals and the tool would find the optimal deal - eliminating the need for suppliers to be worried about sharing cost and buyers worried about sharing budget - as the counterparty doesn't actually get this information, only the third-party AI tool."*— Respondent, Business Services/Consulting — Europe

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Adaptability: what increases and decreases the chances of change

The data suggests that the likelihood of genuinely adaptive negotiating practice varies significantly by context. Several factors appear to increase adaptability:

1 Long-term repeated relationships

The ‘I will if you go first’ problem is more tractable when parties expect to interact repeatedly. Preferred supplier models, framework agreements and strategic partnerships create conditions in which first-mover disclosure is less dangerous because the relationship provides a longer-run accountability structure.

2 Senior sponsorship that is behavioral, not ceremonial

Collaborative culture cannot be sustained against misaligned measurement systems. Where senior leaders visibly model different behavior, sharing constraints early, receiving bad news without blame, treating difficulty as a shared problem, the cultural shift can take root. Where they do not, it cannot.

3 Neutral disclosure mechanisms

The escrow model proposed in the open responses points toward a class of structural solutions that the field has not yet adequately explored. Mechanisms that allow parties to share into a neutral system without unilateral exposure could dissolve the first-mover problem without requiring either party to trust the other first.

4 Sector experience with performance-based models

Aerospace/Defense’s higher collaborative identification may reflect genuine sector experience with what these models require in delivery. Where practitioners have lived through collaborative contracts, their successes and failures, the aspiration is better grounded.

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Several factors consistently reduce the likelihood of genuine adaptability:

Misaligned incentive systems 1

The single most consistent barrier. Until practitioners negotiating collaborative contracts are measured on collaborative outcomes, the contracts will be designed for one model and executed in another.

Functional capability gaps 2

Practitioners who lack strategic cross-business knowledge cannot make the real-time trade-offs that adaptive negotiation requires. Collaborative technique without commercial breadth produces better-intentioned positional negotiators, not genuinely collaborative ones.

Adviser incentive structures 3

Legal advisers and financial advisers structurally rewarded for complexity and dispute will systematically undermine collaborative intent regardless of what the parties themselves want. This dimension is absent from most collaborative contracting reform proposals and needs to be explicitly addressed.

Information-as-leverage traditions 4

In contexts where information asymmetry is the primary source of commercial advantage, whether that's rooted in Asian negotiating traditions, high-context dual-track trust models, or organizational cultures shaped by adversarial procurement history, the first-mover problem cannot be resolved through relationship-building alone. Structural solutions are required.

Old habits die hard 5

For all the protestations of win-win preference, buyers and suppliers frequently fail to develop outside-in behaviors. When problems and issues arise, their natural reaction is to internalize, not to share them. This leads to conversations and negotiations that are confrontational because neither party positions the issue as a shared problem, requiring a shared solution. They immediately seek to impose their solution, their preferred outcome and show little or no interest in the counter-party's needs.

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From diagnosis to action

The diagnosis points to a small number of levers that organizations can act on now. Each addresses a structural cause identified in the data, not a training deficit.

Redesign incentives before demanding behavior: audit how negotiators of 'collaborative' contracts are actually measured. Where the scorecard rewards price achieved or risk transferred, change the scorecard first - a win-win metric (joint value delivered, relationship health, outcome attainment) should carry real weight in appraisal and reward.

Pilot neutral disclosure mechanisms: the escrow concept proposed by respondents deserves structured trials. A trusted intermediary - human or AI - receives cost and objective data from both sides and identifies the optimal deal space without either party seeing the other's raw information. This dissolves the first-mover problem rather than asking the parties to overcome it.

Make senior sponsorship behavioral, not ceremonial: sponsorship means executives visibly sharing constraints early, receiving bad news without blame, and treating difficulty as a shared problem - and being seen to do so by their negotiating teams. Endorsement without modeled behavior changes nothing.

Build commercial breadth, not just functional skill: equip negotiators with cross-functional commercial knowledge and real-time trade-off authority. Collaborative technique without commercial breadth produces better-intentioned positional negotiators, not genuinely collaborative ones.

Align adviser incentives: legal and financial advisers rewarded for complexity and dispute will undermine collaborative intent regardless of what the parties want. Fee structures and engagement terms should reward simplification and outcome delivery.

Each of these begins with an audit any organization can run this quarter: how are our negotiators measured, what are our advisers paid for and what did our leaders last model in a difficult negotiation?

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The structural conclusion

The win-win question this survey posed is ultimately answered not by the responses on collaborative intent but by the intersection of incentive data, information-sharing behavior and the AI profiling asymmetry. Together they describe a commercial community that:

1. Genuinely values collaboration as a professional identity
2. Is surrounded by organizational systems that reward something else
3. Has developed habits and approaches to perceived problems that are counter to collaborative resolution
4. Shares information strategically rather than openly, even when intending to be collaborative
5. Wants the intelligence advantages that AI profiling offers while resisting the reciprocal transparency those advantages imply
6. Has not yet developed the neutral mechanisms that would make genuine first-mover disclosure safe enough to attempt

Win-win is not a negotiation problem. It is an organizational design problem, a professional development problem, a measurement problem and ultimately a question of what commercial life chooses to reward. The negotiation table is where those upstream choices become visible. Changing what happens at the table requires changing what happens everywhere else first.

Final observation

The most important finding of this survey is not what it reveals about negotiation. It is what it reveals about the organizational systems within which negotiation happens. Those systems are the real subject of reform and the real opportunity for practitioners, organizations, and institutions willing to close the gap between the collaboration they aspire to and the behavior they consistently produce.

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