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**Negotiating Group on the Multilateral Agreement on Investment (MAI)**

**Drafting Group No.3 on Definition, Treatment and Protection of Investors and Investments**

**AGENDA**

**Meeting on 11-12 December 1996**

**DG N° 3 ON DEFINITION, TREATMENT AND PROTECTION  
OF INVESTORS AND INVESTMENTS**

**Agenda**

11-12 December 1996

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|-----------|--|-----------------------|
| <b>1.</b> | <b>Adoption of the Agenda</b>                | DAFFE/MAI/DG3/A(96)3  |
| <b>2.</b> | <b>Definition of Investor and Investment</b> |                       |
|           | -- Note by the Chair                         | DAFFE/MAI/DG3(96)4    |
|           | -- Country Contributions                     |                       |
|           | <u>For reference</u>                         |                       |
|           | -- Report by EG5*                            |                       |
|           | -- Report by DG3                             | DAFFE/MAI/DG3(96)1    |
|           | -- Consolidated Texts and Comments           | DAFFE/MAI(96)16REV1   |
|           | -- Note by one delegation                    | DAFFE/MAI/DG2/RD(96)5 |
|           | -- Note by one delegation                    | DAFFE/MAI/RD(96)2     |
|           | -- Note by one delegation                    | DAFFE/MAI/DG2/RD(96)4 |
|           | -- Note by the Secretariat                   | DAFFE/MAI/EG5(96)3    |
| <b>3.</b> | <b>Other Issues</b>                          |                       |
| <b>4.</b> | <b>Report to the Negotiating Group</b>       |                       |
| <b>5.</b> | <b>Future Work</b>                           |                       |

\* Expert Group No. 5 meets on 5-6 December 1996.

## NOTES TO THE AGENDA

- Item 2:** The Drafting Group is invited to consider the outstanding questions concerning the definition of “investor” and “investment”, in particular the issues identified in the Chairman’s Note. Consideration of these issues should take account of the advice to be given by EG5 on financial issues which meets on 5-6 December.
- Item 3:** If delegations wish to raise other matters, they should inform the Chair or the Secretariat no later than the start of the meeting.
- Item 4:** The Drafting Group is expected to report to the Negotiating Group at its session on 18-20 December with respect to item 1 of its mandate (see annex).

## ANNEX

### **MANDATE FOR DRAFTING GROUP N° 3 ON THE “DEFINITION, TREATMENT AND PROTECTION OF INVESTORS AND INVESTMENTS”**

1. The Drafting Group, open to participation of all delegations, is charged with preparing proposed solutions to the outstanding issues in the consolidated texts and commentaries, particularly with respect to the definition of investor and investment taking into account the advice of Expert Group N° 5 on Financial Services Matters.
2. The Group will make proposals, including text where appropriate, on issues concerning intellectual property, including artistic and literary property.
3. The Group is charged with preparing draft text for a preamble to the MAI.
4. The Group is also charged with preparing draft text for a provision which calls for MAI countries not to lower standards in order to attract investment.
5. The Group will meet in December, January and possibly February. It will report to the Negotiating Group on item 1 at its session in December 1996, and on items 2, 3 and 4 in February 1997.
6. The Group will terminate after its February Report to the Negotiating Group, unless the Negotiating Group decides otherwise.