



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 15 and 19-20 January 1998

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

AGENDA

15 and 19-20 January 1998

- 1. Adoption of the Agenda** DAFFE/MAI/DG3/A(98)1

- 2. Approval of the Summary Record of the meeting held on 4 December 1997** DAFFE/MAI/DG3/M(97)9

- 3. Draft Article on Lodging Country Specific Exceptions**

For reference
 - Report to the Negotiating Group DAFFE/MAI/DG3(97)19
 - Background Note by the Secretariat on International Industry Classifications DAFFE/MAI/DG3/RD(97)21

- 4. Generalisation of Financial Services Texts**
 - Note by the Chairman DAFFE/MAI/DG3(97)17
For reference
 - Report to the Negotiating Group DAFFE/MAI/DG3(97)15

- 5. Labour and Environment**

For reference
 - Report to the Negotiating Group DAFFE/MAI/DG3(97)19
 - Note by the Chairman DAFFE/MAI/DG3(97)18
 - Contributions from countries DAFFE/MAI/DG3/RD(97)23-29

- 6. Other Business/Future Work**

Notes to the Agenda

Item 1. Adoption of the Agenda

The list of Agenda items might be lengthened or amended depending on the results of the Negotiating Group at its plenary meeting on 14 and 16 January 1998.

Item 3. Draft Article on Lodging Country Specific Exceptions

The Group is invited to continue its work, with a view to finalising options for text, on the draft Article on the lodging of country-specific exceptions, on the basis of Section A of the Report to the Negotiating Group DAFFE/MAI/DG3(97)19. Delegations will be expected in particular to finalise their positions on the introduction of an "industry classification" element in the description of country specific exceptions and on the issues raised in footnotes 14 and 18, Part I of the Report DAFFE/MAI/DG3(97)19.

Countries which maintain scrutiny reserves are invited to finalise their position.

Item 4. Generalisation of Financial Services Texts

The Group is invited to conclude its work on the possible generalisation of certain financial services texts, on the basis of a Note by the Chairman DAFFE/MAI/DG3(97)17. This Note identifies remaining outstanding issues and suggests how they might be presented to the Negotiating Group.

Item 5. Labour and Environment

a) *"Not lowering standards"*

The Group is invited to continue its consideration of texts on "Not lowering standards" on the basis of the Note by the Chairman DAFFE/MAI/DG3(97)18.

The Chairman proposes that the Group develops options for text on labour and environment articles, dealing with five issues:

1. Should there be separate articles for labour and for environment?
2. Should these articles be binding or non-binding?
3. Should they refer to "measures" or "standards" or, perhaps in the case of labour, both?
4. Should they refer to "domestic" or "core" or "international" measures or standards?
5. Should they refer to other matters (such as health and safety) and, if so, how?

Drafting proposals are invited.

b) *Additional clause*

The Group is invited to consider the possibility of a clause taking into account Article XX in the GATT, paragraph 4 in the draft MAI Article on Performance Requirements and NAFTA, paragraph 1114(1), on the basis of the Note by the Chairman DAFPE/MAI/DG3(97)18.

Drafting proposals are invited.

c) *Preamble*

The Group is invited to give a “second reading” to the preamble in view of the text arising from the last meeting [DAFFE/MAI/DG3(97)19].