



Negotiating Group on the Multilateral Agreement on Investment (MAI)

Expert Group No.1 on Selected Issues Concerning Dispute Settlement and Geographical Scope

AGENDA

Meeting on 13, 16-17 December 1996

**EXPERT GROUP N° 1 ON SELECTED ISSUES CONCERNING
DISPUTE SETTLEMENT AND GEOGRAPHICAL SCOPE**

DRAFT AGENDA

13, 16-17 December 1996

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| 1. Adoption of the Agenda | DAFFE/MAI/EG1/A(96)6 |
| 2. Approval of the Summary Record of the meeting held on 21-23 October 1996 | DAFFE/MAI/EG1/M(96)5 |
| 3. Dispute Settlement: Consolidated Text | |
| Note by the Chairman | DAFFE/MAI/EG1(96)13 |
| Contributions from Member Countries | |
| <u>For Reference:</u> | |
| Dispute Settlement in the MAI: | |
| A Conceptual Framework | DAFFE/MAI/EG1(96)7 |
| 4. Protection of Investor Rights | |
| Contribution by one delegation | DAFFE/MAI/EG1/RD(96)8 |
| 5. MAI and Other International Agreements: Dispute Settlement Issues | |
| Note by the Chairman | DAFFE/MAI/EG1(96)14 |
| <u>For Reference:</u> | |
| Note by the Chairman of the Negotiating Group | DAFFE/MAI(96)21 |
| Note by WTO Secretariat | DAFFE/MAI/RD(96)37 |
| 6. Next Steps/Other Business | |

Notes to the Agenda

Item 3 Dispute Settlement: Consolidated Text

DAFFE/MAI/EG1(96)13 consolidates DAFPE/MAI/EG1(96)9/REV1 and DAFPE/MAI/EG1(96)12 (consultation/conciliation, state/state and investor/state dispute settlement). The consolidated text takes account of the comments made by delegates on the separate texts. Delegates are invited to consider this note by the Chairman which will serve as a basis for the Group's report to the Negotiating Group in December.

Item 4 Protection of Investor Rights

The Group had a brief discussion of this question at its last meeting and agreed that further examination is necessary to determine support for the different options. Delegates are invited to consider what report they wish to make to the Negotiating Group on this issue.

Item 5 MAI and Other International Agreements: Dispute Settlement Issues

The Note by the Negotiating Group Chairman DAFPE/MAI(96)21 identified a number of questions to be examined concerning the relationship between the MAI and the WTO agreements as concerns dispute settlement. These questions were referred to Expert Group 1 and are specifically addressed in the Chairman's note DAFPE/MAI/EG1(96)14. Delegates are invited to comments on the issues raised therein.

Item 6 Next Steps/Other Business

The Expert Group is expected to make a final report to the Negotiating Group in December 1996 on its discussions on consultation, conciliation, state/state and investor/state dispute settlement, and the protection of investor rights, including proposals for text wherever possible.