



Negotiating Group on the Multilateral Agreement on Investment (MAI)

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

SUMMARY RECORD

Meeting on 6-8 March 1996

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1. Adoption of the Agenda

The Group adopted the Agenda [DAFFE/MAI/EG1/A(96)2].

2. Approval of the Summary Record of the meeting held on 29-31 January 1996

The Group approved the Summary Record [DAFFE/MAI/EG1/M(96)1].

3. Discussion of Selected Issues concerning Dispute Settlement

The Expert Group:

- Reviewed the Chairman's Note [DAFFE/MAI/EG1(96)3].
- Noted the comments by delegations and their written contributions [DAFFE/MAI/RD(95)14, DAFTE/MAI/RD(95)14/ADD1, DAFTE/MAI/RD(95)14/ADD2, DAFTE/MAI/EG1/RD(96)1, DAFTE/MAI/EG1/RD(96)5, DAFTE/MAI/EG1/RD(96)3 and Annex DAFTE/MAI/EG1/RD(96)3/ANN, DAFTE/MAI/EG1/RD(96)6 and DAFTE/MAI/EG1/RD(96)7].
- Noted statements by several delegations that, in their view, it would be premature to finalise a dispute settlement mechanism until such time that further advancement has been made on some key substantive MAI obligations to which dispute settlement will apply.
- Agreed that the Chairman's Note should be revised to reflect the discussion that took place during the meeting. It was proposed to integrate commentary with the text in order to preserve the different options identified. This Note could serve as the basis for the report to the Negotiating Group.
- Agreed to review a proposed article dealing with the question of the application of the MAI to overseas territories which had been circulated as a room document.

4. Geographical Scope of Coverage of the MAI

The Expert Group:

- Discussed the Chairman's Note [DAFFE/MAI/EG1(96)4] as well as the papers submitted by two delegations [DAFFE/MAI/EG1/RD(96)2 and DAFTE/MAI/RD/EG1(96)2/CORR1].
- Noted the comments by delegations, and
- Agreed to the Chairman's proposal to examine at the Group's next meeting the alternate draft provisions which had been circulated during the meeting, with a view to submitting a specific proposal on the geographical scope of application to the Negotiating Group in April.

5. Next Steps

The Group agreed to meet on 15 April and 16 April until 13:00. The issue of geographical scope would be discussed on the first half day. The balance of the time would be occupied by further discussion of dispute settlement issues and consideration of a draft report to the Negotiating Group.