



Negotiating Group on the Multilateral Agreement on Investment (MAI)

Expert Group No.3 on “Special Topics”

AGENDA

Meeting on 17-19 June 1996

EXPERT GROUP N° 3 ON “SPECIAL TOPICS”

17-19 (a.m.) June 1996

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| 1. | Adoption of the Agenda | DAFFE/MAI/EG3/A(96)2 |
| 2. | Adoption of the Summary Record of the meeting on 28-30 May 1996 | DAFFE/MAI/EG3/M(96)1 |
| 3. | Privatisation | |
| | Note by the Chairman | DAFFE/MAI/EG3(96)4 |
| | <u>For Reference</u> | |
| | -- Contribution by one delegation | DAFFE/MAI/RD(96)9 |
| | -- Selected Extracts from Existing Investment Agreements: Special Topics | DAFFE/MAI/RD(96)7 |
| 4. | Monopolies/State Enterprises | |
| | Note by the Chairman | DAFFE/MAI/EG3(96)5 |
| | <u>For Reference</u> | |
| | -- Contributions by one delegation | DAFFE/MAI/RD(96)11 |
| | -- Selected Extracts from Existing Investment Agreements: Special Topics | DAFFE/MAI/RD(96)7 |
| 5. | Corporate Practices | |
| | Note by the Chairman | DAFFE/MAI/EG3(96)6 |
| | <u>For Reference:</u> | |
| | -- Selected Extracts from Existing Investment Agreements: Special Topics | DAFFE/MAI/RD(96)7 |
| | -- Secretariat Survey on Corporate Practices | DAFFE/IME(93)11/REV2 |

6. Future Work and Other Business

-- Next meeting: 9-11 (am) September 1996

Background Documents:

- A Multilateral Agreement on Investment Report by the CIME/CMIT (May 1995) OCDE/GD(95)65
- Multilateral Agreement on Investment Progress Report (May 1996) OCDE/GD(96)78
- Report by MAI Drafting Group N°1 on Selected Topics Concerning Investment protection DAFFE/MAI/DG1(95)3
- Reports by MAI Drafting Group N° 2 on Selected Topics Concerning Definition and Treatment of Investors and Investment (Pre/post Establishment) DAFFE/MAI/DG2(96)2
DAFFE/MAI/DG2(96)3
- Report by MAI Expert Group N° 1 on Selected Topics Concerning Dispute Settlement and Geographical Scope DAFFE/MAI/EG1(96)5
- Bibliography of Preparatory Work on the Multilateral Agreement on Investment DAFFE/MAI/RD(95)5
- Multilateral Agreement on Investment List of Documents: 1 September 1995 - 8 March 1996 DAFFE/MAI/RD(96)13

Notes to the Agenda

At its second meeting, the Expert Group N° 3 will be invited to discuss the last three items on its mandate (annexed) -- privatisation, monopolies/state enterprises and corporate practices -- with a view to developing proposals, including proposals for text, on these subjects.

The discussion will be based on Notes by the Chairman. Written country contributions are welcome.

The meeting will start at 9:00 a.m. sharp on 17 June 1996. The discussion on the subjects of privatisation and monopolies/state enterprises will respectively be examined on 17 June and 18 June 1996. The subject of corporate practices will be taken up in the morning of 19 June 1996. It is proposed, as suggested at the first meeting of the Expert Group, that additional time be set aside to have a further discussion on the subject of key personnel.

Under item 5 of the agenda, the Expert Group will discuss the preparation of its report to the Negotiating Group, which will be examined at its third meeting on 9-11(a.m.) September 1996. The Expert Group will need to submit this report to the Negotiating Group at its meeting on 11(p.m.)-13 September 1996.

ANNEX

Mandate of the Expert Group No. 3 on "Special Topics"

1. The Expert Group, open to participation of all delegations, is charged with considering the relevant aspects of the following "special topics":
 - a. Key Personnel
 - b. Performance Requirements
 - c. Incentives
 - d. Privatisation
 - e. Monopolies/State Enterprises
 - f. Corporate Practices
2. The Group will make proposals, including proposals for text where appropriate, to the Negotiating Group at its session in September 1996.
3. The Group will terminate after its Report to the Negotiating Group, unless the Negotiating Group decides otherwise.