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

### **AGENDA**

**Meeting on 24-27 March 1997**

## NEGOTIATING GROUP ON THE MAI

### AGENDA

24-27 March 1997

1. **Adoption of the Agenda** DAFFE/MAI/A(97)3
2. **Approval of the Summary Record of meeting held on 26-28 February 1997** DAFFE/MAI/M(97)2
3. **Report by:**
  - a. **Drafting Group 3** DAFFE/MAI/DG3(97)7
  - b. **EG2 on the Treatment of Tax Measures in the MAI** DAFFE/MAI/EG2(97)1
  - c. **EG5 on Financial Services Matters** DAFFE/MAI/EG5(97)3

For Reference:

Consolidated Texts and Commentary	DAFFE/MAI(97)1
Chairman's Conclusions	DAFFE/MAI(97)2
Definitions of Investor/Investment	DAFFE/MAI(97)7
4. **Selected Issues on:**
  - a. **Special Topics**
  - b. **Institutional Matters**
5. **Dispute Settlement**

Final Report DAFFE/MAI/DS(97)4
6. **Liberalisation and Lodging of Country Specific Reservations**

For Reference:

Note by the Chairman	DAFFE/MAI(97)11
Draft Reservations by Member countries	DAFFE/MAI/RES(97)1-30
7. **Other Issues**

-- Contributions from Member countries
8. **Next Steps/Other Business**

## Notes to the Agenda

### **Item 3. Report by:**

#### **a. Drafting Group 3**

Drafting Group 3 will report on the outcome of its meeting on 25-26 March as concerns a provision that MAI countries should not lower standards in order to attract investment, and an article dealing with the lodging of country specific reservations. DG3 will also transmit the results of the informal consultations on intellectual property.

#### **b. Expert Group 2**

The Expert Group will meet on 19-21 March and will report to the Negotiating Group on the issues in its mandate.

#### **c. Expert Group 5**

Following its meeting on 13-14 March, Expert Group 5 will report to the Negotiating Group on a balance of payments clause in the MAI, a provision on monetary and exchange rate policies and the role of monetary authorities, as well as on other financial services issues and matters relating to the definition of investment and investment protection.

### **Item 4. Selected issues on:**

#### **a. Special Topics**

Informal discussions will be held on 24-25 March to finalise texts for consideration by the Negotiating Group. The Negotiating Group will be invited to review the results of this work and to provide guidance if necessary. It is the intention of the Chairman to conclude on as many of these issues as possible.

#### **b. Institutional Matters**

Informal discussion will take place on 26-27 March on institutional matters. The outstanding questions concern ratification and entry into force, decision making by the Preparatory and the Parties Group, review and amendment, and non-derogation and non-application clauses. The Negotiating Group will review the results and provide guidance as necessary.

### **Item 5. Dispute Settlement**

Informal discussions will be held on 24 March to finalise the two main outstanding issues and to review the dispute settlement text which resulted from February's informal consultations. The report to the Negotiating Group will include a comprehensive text on dispute settlement and identify any outstanding questions that need addressing by the Negotiating Group. The Chairman would like to conclude on a dispute settlement text.

**Item 6. Liberalisation and Lodging of Country Specific Reservations**

At the last Negotiating Group meeting, a number of delegations raised questions regarding the lodging of country specific reservations. Delegations were invited to send in any additional questions of a generic nature.

The Negotiating Group will begin a general debate on liberalisation which may need to be continued in the Heads of Delegation lunch on 25 March.

**Item 7. Other Issues**

This item will cover issues which Member countries may wish to raise for consideration by the Negotiating Group. Member countries are encouraged to provide written contributions in time to permit their examination by other Member countries before the meeting of the Negotiating Group.

**Item 8. Next Steps/Other Business**

In light of the discussions, the Negotiating Group will be invited to consider the agendas for April and May 1997 and the conduct of negotiations on remaining issues.

A provisional agenda for April and the schedule of proposed dates for future meetings were agreed at the meeting in January [DAFFE/MAI/RD(97)9].