



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 15-16 April 1996

5. Application of the MAI to Overseas Territories

Note by the Chairman

DAFFE/MAI/EG1(96)8

For Reference

Note by the Chairman of the Negotiating Group on the MAI

DAFFE/MAI(95)5

6. Next Steps/Other Business

NOTES TO THE AGENDA

ITEM 3: Geographical scope of application of the MAI

The Expert Group was mandated by the Negotiating Group to draft specific provisions on the geographical scope of application of the agreement. The note by the Chairman [DAFFE/MAI/EG1(96)6] contains the different proposals put forward at the last meeting in March, and on which there was agreement that they be further considered. The Expert Group is invited to review these texts with a view to adopting a specific proposal, with explanatory comments, which could be included in its report to the Negotiating Group on 18-19 April.

ITEM 4: Dispute Settlement in the MAI: A Conceptual Framework

The Chairman's note [DAFFE/MAI/EG1(96)7] takes account of the discussion at the last meeting and sets out a proposal for a conceptual framework for an MAI dispute settlement mechanism. It reflects the Group's preference to keep options open at this stage since there is still uncertainty as concerns the scope of obligations in the MAI to which dispute settlement would apply. The Group is expected to provide guidance to the Chairman on whether this note could serve as a basis for the report to the April meeting of the Negotiating Group.

ITEM 5: Application of the MAI to Overseas Territories

The Group has not yet considered the question of the application of the MAI to overseas territories. This note by the Chairman reproduces a draft article which was circulated as a room document. The Group is invited to comment on this draft proposal and to decide whether it is in a position to recommend a text to the Negotiating Group or whether it will require more time to fully consider this matter.

ITEM 6: Next Steps/Other Business

The Expert Group should consider, in light of the results of the work to be presented to the Negotiating Group, whether it wishes to request a renewal of its mandate in order to continue examination of the technical issues identified by the Group as needing further study.