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

### **Expert Group No.3 on “Special Topics”**

#### **AGENDA**

**Meeting on 28-30 May 1996**

## EXPERT GROUP N° 3 ON “SPECIAL TOPICS”

28-30 May 1996

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|-----------|--|----------------------|
| <b>1.</b> | <b>Adoption of the Agenda</b>  | DAFFE/MAI/EG3/A(96)1 |
| <b>2.</b> | <b>Key personnel</b>   |                      |
|           | Note by the Chairman   | DAFFE/MAI/EG3(96)1   |
|           | <u>For Reference:</u>  |                      |
|           | -- Contribution by one delegation  | DAFFE/MAI/RD(96)3    |
|           | -- Selected Extracts from Existing Investment Agreements: Special Topics | DAFFE/MAI/RD(96)7    |
|           | -- Secretariat Survey on Key Personnel                                   | DAFFE/INV/IME(95)24  |
| <b>3.</b> | <b>Performance Requirements</b>  |                      |
|           | Note by the Chairman   | DAFFE/MAI/EG3(96)2   |
|           | <u>For Reference</u>   |                      |
|           | -- Contribution by one delegation  | DAFFE/MAI/RD(96)4    |
|           | -- Contribution by one delegation  | DAFFE/MAI/RD(96)6    |
|           | -- Selected Extracts from Existing Investment Agreements: Special Topics | DAFFE/MAI(96)7       |
| <b>4.</b> | <b>Incentives</b>  |                      |
|           | Note by the Chairman   | DAFFE/MAI/EG3(96)3   |
|           | <u>For Reference:</u>  |                      |
|           | -- Contribution by one delegation  | DAFFE/MAI/RD(96)5    |
|           | -- Contribution by one delegation  | DAFFE/MAI/RD(96)6    |
|           | -- Selected Extracts from Existing Investment Agreements: Special Topics | DAFFE/MAI(96)7       |

**5. Future Work and Other Business**

-- Next meeting: 17-19 (a.m.) June 1996)

**Background Documents:**

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|---|--|
| -- A Multilateral Agreement on Investment Report by the Committee on International Investment and Multinational Enterprises                       | OCDE/GD(95)65                            |
| -- Multilateral Agreement on Investment Progress Report   | DAFFE/MAI(96)14(Final)                   |
| -- 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<br>DAFFE/MAI/DG2(96)3 |
| -- Report by MAI Expert Group No°1 on Selected Topics Concerning Dispute Settlement and Geographical Scope  | DAFFE/MAI/EG1(96)5                       |
| -- Multilateral Agreement on Investment List of Documents: 1 September 1995 - 8 March 1996  | DAFFE/MAI/RD(96)13                       |
| -- Bibliography of Preparatory Work on the Multilateral Agreement on Investment   | DAFFE/MAI/RD(95)5                        |

## **Notes to the Agenda**

At its first meeting, the Expert Group N° 3 will be invited to discuss the first three items of its mandate (annexed) -- key personnel, performance requirements and incentives -- 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 28 May 1996. The discussion on the subject of key personnel will take place on 28 May 1996 and, if necessary, may continue on 29 May 1996. The subjects on performance requirements and investment incentives will respectively be examined on 29 May and 30 May 1996.

Under item 5 of the agenda, the Expert Group will be invited to discuss the agenda for its second meeting to be held on 17-19 (a.m.) June 1996. This meeting could be devoted primarily to the remaining three subjects listed in its mandate, namely privatisation, monopolies/state enterprises and corporate practices. The Expert Group would need to finalise its report to the Negotiating Group at its last meeting on 9-11(a.m.) September 1996 meeting for the Negotiating Group's consideration at its 11 (p.m.)-13 September meeting 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.