



Negotiating Group on the Multilateral Agreement on Investment (MAI)

Expert Group No.3 on “Special Topics”

SUMMARY RECORD

Meeting on 16-18 November 1996

EXPERT GROUP N° 3 ON “SPECIAL TOPICS”

Summary Record

16-18 November 1996

1. Adoption of the Agenda

The Expert Group adopted the Agenda [DAFFE/MAI/EG3/A(96)5].

2. Approval of the Summary Record of the meeting held on 14-15 October 1996

The Expert Group adopted the Summary Record [DAFFE/MAI/EG3/M(96)4].

3 - 9 Key Personnel, Performance Requirements, Privatisation, Monopolies/State Enterprises Investment Incentives and Corporate Practices

The Expert Group:

- Continued its examination of the first six issues in its mandate on the basis of draft texts and contributions submitted by the Chairman or delegations [DAFFE/MAI/EG3(96)16, DAFPE/MAI/EG3(96)17, DAFPE/MAI/EG3(96)18 and DAFPE/MAI/EG3/RD(96)10, DAFPE/MAI/EG3(96)19, DAFPE/MAI/EG3(96)20 and DAFPE/MAI/EG3/RD(96)7, DAFPE/MAI/EG3(96)21 and DAFPE/MAI/EG3/RD(96)9/REV1];
- Took note of new drafting proposals by delegations during the discussion;
- Took note of a contribution by one delegation on Monopolies [DAFFE/MAI/EG3/RD(96)12];
- Elaborated draft articles, with square brackets around non-agreed words and explanatory footnotes on country positions and, in some cases, alternative proposals, with respect to the issues examined;
- Agreed that these proposals, together with relevant comments by delegations appearing in DAFPE/MAI/EG3(96)16, DAFPE/MAI/EG3(96)19, and DAFPE/EG3(96)21 be incorporated in the Expert Group's report to the Negotiating Group.

10. Other Business

a) Expert Group's Report to the Negotiating Group

The Expert Group:

- Discussed the presentation of the results of its work to the Negotiating Group at its December 1996 session ;

- Underlined that considerable technical work remains to be done and that it could carry this work should the Negotiating Group so wish;
- Agreed that the report and the letter of transmittal DAF/MAI/EG3(96)22 be submitted to the Negotiating Group at its December 1996 meeting.

b) Expert Group's next meeting (27-28 January 1997)

At its next meeting on 27-28 January 1997, the Expert Group will need to examine the two remaining issues on its agenda (Research and Development/Technology and Non-Discriminatory Barriers ("market needs" tests) with a view to reporting to the Negotiating Group on these subjects at its 29-31 January 1996 session.