



Negotiating Group on the Multilateral Agreement on Investment (MAI)

AGENDA

Meeting on 26-28 September 1995

NEGOTIATING GROUP ON THE MULTILATERAL AGREEMENT ON INVESTMENT

AGENDA

26-28 September 1995

1. **Election of Officers**
2. **Adoption of the Agenda** DAFFE/MAI/A(95)1
3. **Procedural Arrangements**
For Reference
 - Contributions from Member Countries DAFFE/MAI/RD(95)1
and ADD1
4. **Checklist of Substantive Issues** DAFFE/MAI(95)1
For Reference
 - Report to Council on C(95)136
Organising the Negotiations
 - Ministerial Communique C(95)118
 - Report to Ministers DAFFE/INV/IME(95)13/FINAL
 - Conclusions of the Preparatory DAFFE/INV/IME(95)35
Meeting held on 29 June 1995
5. **Other Business**

ANNOTATIONS TO THE AGENDA

ITEM 1. Election of Officers

The Negotiating Group (NG) is invited to elect a Bureau for the duration of the negotiations.

ITEM 3. Procedural Arrangements for Carrying Out the Negotiations

On 13 July, the Council noted the report on Organising the Negotiations on a MAI [C(95)136], endorsed the conclusions set out in that report and accordingly decided to establish the Negotiating Group which will carry out its mandate in conformity with OECD procedures.

DAFFE/MAI/RD(95)1 and ADD1 reproduce suggestions from five delegations on the organisation of the work of the Negotiating Group.

Delegates are invited to consider the following questions concerning the operating procedures and internal working structures of the Negotiating Group.

a) Working Procedures

How does the Group wish to proceed in its examination of the substantive issues to be addressed in the negotiations?

-- Working groups

Does the NG wish to set up working groups to assist it? Does the NG want to determine, at this stage, the number of working groups to be created, allowing flexibility for discontinuing existing groups or creating new ones in response to the needs of the negotiations? What tasks would the NG assign to them?

-- Links between NG and working groups

How does the NG wish these groups to interrelate with it: having the groups meet prior to/or after the regular meetings of the NG? Or in parallel with it? Would the Working Group chairmen be ex-officio members of the NG Bureau?

b) Working Methods

The NG and any working groups would follow the working methods which apply to all OECD bodies (simultaneous interpretation, translation of documents, distribution via OLIS, classification of documents, preparation of agendas and summary records, location of meetings...).

c) Reports to Council

The NG is responsible for reporting on the MAI negotiations to the OECD Council at Ministerial level in 1996 and 1997. The NG should also consider how to provide the Council with additional reports on the progress of the negotiations: for example, the Chairman could periodically make oral reports to the Council.

d) Relation to CIME/CMIT

The Report to Council noted that the NG would keep the CIME/CMIT informed on the progress of the negotiations. Will the NG Chairman be responsible for informing the CIME/CMIT?

The Committees are ready to advise on any matter affecting the existing OECD instruments and to respond to any request from the NG to engage in specific tasks. The NG might wish to consider, in due course, requesting the Committees to address some substantive questions, such as those affecting the existing investment instruments.

Does the NG wish to establish links with the CIME/CMIT via the bureaux of the Committees and the NG?

e) Frequency and duration of meetings

Would the NG agree that a meeting, in principle, every six weeks is about the right frequency? Should five days be systematically set aside for the NG, including meetings of any working groups?

Delegates are invited to comment on the annexed illustrative schedule of meetings for 1995/96.

f) Observers

This question refers to the granting of observer status on the NG and any working groups from non-Member countries and international organisations. Does the NG wish to consider the question of observers on the basis of certain criteria or on an ad hoc basis? Should observers be admitted only to formal plenary sessions, or to working group meetings as well?

Alternatively, does the NG prefer to exclude all observers from the NG, referring any requests for observer status to the CIME/CMIT?

g) Consultations

The CIME/CMIT is ready to continue to provide a forum for contacts and consultations with others concerning the MAI. In what way would the NG wish to be kept informed of the results of these contacts? Would the NG wish members of its Bureau to attend these consultations and report back to the plenary NG?

Would the NG wish in certain instances to conduct the consultations itself?

ITEM 4. Checklist of Substantive Issues

The NG is invited to comment on the list of issues to be addressed in the negotiations as set out in [DAFFE/MAI(95)1]. Delegates may wish to use this list to decide which issues to take up and in what order. They may also wish to determine in advance which substantive issues will be dealt with at each of the scheduled meetings. The list might also serve to assign issues to working groups.

ANNEX

Illustrative List of Meetings on the MAI

1995

October 23-27

December 4-8

1996

January 29 - February 2

March 11-15

April 15-19

June 17-21

September 9-13

October 21-25

December 9-13

1997

January

March

April