

Questions to guide the thematic discussion on the ICE mechanism

Led by the Kingdom of Norway

The purpose of this note is to recommend a number of questions to guide the discussions to take place on 22 March 2024, on the issue of the ICE mechanism.

The discussions in the context of this thematic discussion may focus mainly on what are now Draft Regulations 96(1) and 102 in the [President's Consolidated Text](#), in order to address any remaining conceptual issues and, hopefully, suggest any drafting changes, based on the outcome of the discussion. These include in particular:

- (a) The issues of situating the proposed Compliance Committee within the overall institutional framework of the Authority in light of the Convention, delineating its proposed competences from the competences conferred upon other organs of the Authority under the Convention, and clarifying its relationship to other existing or proposed organs of the Authority (the Council, the Legal and Technical Commission and the proposed Chief Inspector);
- (b) The scope of the decision-making powers of the proposed Compliance Committee;
- (c) The issue of the composition of the Compliance Committee, the nomination process to follow and the voting rights of Committee members;
- (d) The cost of functioning associated with the Compliance Committee, if any; and
- (e) The application of an “evolutionary approach” and proposed incremental establishment of the Compliance Committee.

In this respect, reference is made to the previous [outcomes](#) of the intersessional work during the 28th session, including the proposed “*hybrid model*” and the proposed “*mixed hybrid model*”, and the proposals made by delegations discussed during the meeting of the IWG on Inspection, Compliance and Enforcement, as well as the informal lunch session, at Part III of the 28th session, and during intersessional work before the 29th Session.

In addition to the structure and composition of the Compliance Committee, discussions in the context of the thematic discussion could also consider the following conceptual issues related to inspections:

- (a) The modalities of carrying out inspections, and in particular conducting inspections with or without advance notice. The conduct of inspections in emergency circumstances;
- (b) The appointment, role and competences of the Chief Inspector; and

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(c) Covering the anticipated expenses of the overall mechanism (possible inclusion within the budget or the Authority and/or cost-recovery from contractors).

In addition to these overarching subjects, the discussion may focus on the details as to the rights and obligations of inspectors and the modalities of co-operation with authorities of the Member States.