

Informal meeting of the Intersessional Working Group in respect of Inspection, Compliance and Enforcement

Wednesday 26 March 2025, at 2pm-3pm, Conference room no 4, Kingston

Briefing note

Prepared by the rapporteur of ICE IWG, Terje Aalia of Norway

I. Introduction

1. As rapporteur of the Intersessional Working Group in respect of Inspection, Compliance and Enforcement (ICE IWG), I would like to invite delegations for an informal lunch time meeting of the group, to try to advance the work in relation to establishing a robust, independent and transparent inspection mechanism, which hopefully soon can be presented to the President of the Council, and be included in the discussions of Part XI of the Revised Consolidated Text.

2. The purpose of this briefing note is therefore to assist the participants to prepare for this meeting.

II. Progress

3. During the past years, several inspection models have been presented, and discussions have been conducted in respect of the different proposed models. I believe delegations to a far extent agree on the core elements that the inspection mechanism should contain. Therefore, to advance that work, it is necessary to settle on the most appropriate inspection mechanism.

4. In that regard, a proposal for a [bicameral LTC](#) has been put forward that in fact attempts to accommodate for the concerns expressed by delegations in respect of other models put forward in the past. Furthermore, and in relation thereto, a proposal for redrafting of [draft regulation 102](#) has been put forward in October 2024.

5. According to this newly proposed bicameral model, the LTC will be divided into two chambers with no cross over of duties or membership. The main chamber would be responsible for the “traditional LTC work” that it has been conducting so far. The ICE chamber would solely be responsible for inspection, compliance and enforcement related matters. Each chamber would have its own co-chair, and the co-chairs would not be involved in decision-making within their Chambers and jointly report to Council. A State Party cannot have an LTC member in both chambers at the same time and the LTC cannot make a recommendation or report to the Council on an ICE matter without endorsement of the ICE Chamber. It is suggested that the ICE Chamber would include 10 members and would be elected from individuals nominated by the States Parties. Focus would also be on equitable geographic representation and the necessary and relevant experience within technical, regulatory and compliance affairs.

III. Structure of the meeting and way forward

6. Some delegations have already shown their support for the bicameral model, and others have invited for further discussion of the model. Some delegations point to preferences for other models discussed in the past. As mentioned, many models have been suggested, and I would suggest and encourage for continuing the discussions based on this latest model, refine and compromise, accommodate for changes and all in order to achieve having an **ICE group model**.

7. When we have refined the ICE group model to the extent possible during our meeting on 26 March 2025, I would further suggest that we transmit this ICE group model to the President of the Council, possibly with a recommendation to ask the LTC for its consideration and recommendations in respect of the ICE group models appropriateness, cf. Article 165(2)(m), and have the LTC report back to the Council during the July 2025 meeting (Part II of the 30th session). If there are outstanding elements or disagreement, this could also be for the LTC to consider.

8. For our informal meeting on 26 March 2025, I suggest we commence the meeting with the following agenda:

- 1) Short update from Norway on the intersessional work and a presentation of the ICE Chamber model
- 2) Discussions of the following guiding questions:
 - a. Does the ICE Chamber model ensure sufficient independence and transparency?
 - b. Would the ICE Chamber model accommodate for a cost-efficient set-up and be within the already established institutional set-up?
 - c. Would the ICE Chamber model be in conformity with the Convention, including in particular Articles 153(5), 162(2)(z) and 165(2)(m) of the Convention?
 - d. Could the ICE Chamber model be operational and efficiently work?
- 3) Discussions of potential submission of the LTC Group Model to the LTC.

9. I look forward to this informal meeting, and I highly encourage informal soliciting ahead. I hope that we all strive to be flexible and ensure that we reach consensus to safeguard that the Authority has a robust, independent and transparent inspection, compliance and enforcement framework.

Oslo, 13 March 2025