

**BBNJ Intergovernmental Conference session 2**  
**Informal Working Group on Environmental Impact Assessment**

**New Zealand intervention: Monday 1 April – afternoon session (3-6pm)**

**5.6 Monitoring, reporting and review**

- In response to your question, New Zealand supports reference to adaptive management.
- Prefer to work off option I, so that text on monitoring, reporting and review is included in the instrument. Agree with Australia there is a distinction between a state's reporting on EIAs, and monitoring and review (by the state) of proponents' compliance with EIA conditions imposed by that state.
- (1): Prefer option A, because the obligation here needs to sit with states to ensure transparency and accountability.
- (2): support option A, requiring periodic reporting, as this would provide transparency of activities occurring and provide an opportunity for States to share knowledge. However some of the details of this option need further consideration as part of the instrument's institutional arrangements.
  - New Zealand suggests it would be useful to provide a template for these national reports, for example in guidelines that sit underneath the instrument.
  - There is no reference here to what happens once national reports have been reviewed. New Zealand suggests the review body could provide recommendations to the state, and the state would be encouraged to act on these. Review of the reports may also help with identifying cumulative impacts.
  - As colleagues are aware, New Zealand supports a role for regional and sectoral bodies in implementing the instrument, but the role proposed in para (b) needs further consideration as part of the institutional arrangements as a cross-cutting issue.
- (4): we prefer option B. Dispute resolution is a cross-cutting issue. We do not support setting out a different process for EIA.
- Compliance: Agree compliance issues are very important to ensure an effective instrument. Like the EU, see compliance as a cross-cutting issue. Consider it is too early to say if a separate compliance committee will be needed. Come back to this once substantive provisions are clearer.
- Involvement of adjacent coastal states: agree this is an important issue. Consider this could be addressed under consultation part of EIA process, and acknowledge importance of active consultation with SIDS as part of that process.

**5.7 Strategic environmental assessments**

- Support development of strategic environmental assessments and inclusion of relevant provisions in the instrument, so prefer to work off option I.
- However, it will need some work as current drafting would require SEAs to be conducted by states individually, whereas from our perspective the added value

of SEAs would come from regional SEAs which could help with identification of cumulative impacts.