BELGIUM's comments on Document IWC/F06/RMSWG6[1] :
"Further thoughts for a Code of Conduct for Whaling under Special Permit"

Belgium recognizes the usefulness of the outline provided in the document submitted by the four authors. While we already stated in the past to oppose any form of scientific whaling, we are eager to be constructive and contribute to the overall debate, including on documents which do not (yet) have the status of a formal proposal. We have four comments on IWC/F06/RMSWG6.

1. The introduction seems to contain some contradiction. There is either a code of conduct or a binding instrument. A code of conduct is by nature non-binding and, furthermore, we do not see it as an instrument which could effectively restrict scientific research to non-lethal means.

2. The current primary objectives of the proposed reviewing workshop (page 3, top, items 1 to 3) fail to sufficiently emphasize the need for an in-depth scrutiny of proposed sample sizes, given that considerations of parsimony should form an integral part of any scientific research design where lethal sampling of limited wild living resources is concerned, so as to avoid a wasteful use of such resources. The requirement of non-wasteful use of wild living resources is a now universally accepted norm, called for, in variable terminologies, by an increasing number of international conventions of resource management.

It is recommended that an item (4) be added:

[the Workshop should focus on]:
"whether the proposed sample sizes for lethal sampling do not exceed these required to obtain reasonably good *p*-values and confidence intervals for quantitative data, in order to address requirements of parsimony in lethal sampling design of wild living resources in limited supply".

3. Under 'Responsibility of Contracting Governments' (page 3, mid-page, item (3)).

There should be no suggestions of specific tuning levels as it can be interpreted as an endorsement: The 0.54 tuning level should be replaced by a neutral *y.yy* .

4. On item 2.3, page 2. The review process.

"...the number [of appropriate specialists] shall be no more than 15".
This *a priori* limitation seems to infringe the right of Contracting Governments to participate in all scientific processes, and especially in such a difficult issue as the review of whaling under special permit. A limitation of the number of participating scientists per Contracting Government would be acceptable.

[1] *[Secretariat note: At the RMS Working Group intersessional meeting in Cambridge from 28 February to 2 March 2006, the Working Group was invited to review Document IWC/F06/RMSWG6:"Further thoughts for a Code of Conduct for Whaling under Special Permit". This document had been developed by Arne Bjørge (Chair of the Scientific Committee), Debbie Palka (Vice Chair of the Scientific Committee), Doug DeMaster (immediate past Scientific Committee Chair) and Greg Donovan (Head of Science, IWC Secretariat) and is included as Annex F to the Working Group report (IWC/58/RMS 3). A number of delegations commented on the document at the meeting. Belgium indicated that it would submit written comments which can be found in the paragraphs below.]*