

Whale Migrations: How New UN Treaty Aims to Protect Species on the High Seas

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The humpback whale (*Megaptera novaeangliae*) is one of the larger rorqual species, with adults ranging in length from 12–16 m and weighing around 25–30 metric tons.

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A humpback whale we tagged while it was feeding off the Western Antarctic Peninsula made a nearly 19000 km-round trip in 265 days, travelling north from Antarctica to its breeding area off Colombia and back. Whales migrate thousands of kilometres each year, gathering to mate and give birth in the tropics and subtropics during winter and then heading for cooler waters in higher latitudes to feast on abundant prey during summer.

[*Theories abound*](#), but scientists still can't agree on why whales undertake these [*epic migrations*](#), or even how they manage to navigate [*vast ocean*](#)

like fishing, are restricted or prohibited. Currently, marine protected areas cover less than 8% of the ocean. But whales move through the waters of multiple countries during their migration and spend much of this time in the high seas, where only 1.2% of the ocean is under some form of protection. Clearly, protecting whales requires a global effort.

Whales beyond borders

Geopolitical boundaries are invisible to whales but have extraordinary consequences for them. Under the United Nations Convention on the Law of the Sea, countries have rights to fish and pursue other activities in 200-nautical mile exclusive economic zones (EEZ) extending from their coastlines. Countries designating marine protected areas within their EEZs can help conserve local ocean habitats.

But since laws vary substantially from country to country, it's difficult to coordinate efforts to protect whales, although international agreements like the Convention on the Conservation of Migratory Species of Wild Animals try to do just this. It does little good protecting whales in one country, using measures like marine protected areas or rules restricting shipping and fishing, when they may face looser regulation in another country's EEZ during a single migration. The WWF report showed that 367 humpback whales tracked by satellite in the southern hemisphere together traversed the EEZs of 28 countries during their migrations.

The 64% of the ocean which encompasses the high seas is beyond any EEZ .

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