

Whales: Pretty Cool, Right?

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There are all sorts of negative headlines floating around the internet at all times. Not many of them are fun to read. There are enough articles about tragedy and suffering, so here's an article about whales.

Humans have been hunting whales for thousands of years, which inevitably led to a sharp decline in large whale species as their blubber and bones were consumed as food and used as construction materials.¹ However, many whale populations slowly recovered throughout the twentieth and twenty-first centuries as laws have been passed cracking down on excessive whaling and other harmful human behaviors.² In 1986, the International Whaling Commission (IWC) imposed a global moratorium that banned all commercial whaling for all parties to the IWC.³ However, as the IWC is a global intergovernmental body, it cannot enforce laws in a traditional fashion and parties are only bound by this moratorium if they choose to be.⁴ Norway and Iceland are the only parties to the IWC that choose not to respect this moratorium and instead set their own whaling limits and report all commercial whaling to the IWC.⁵ Additionally, Japan left the IWC in 2019 and immediately began commercial whaling.⁶

Vessel speed regulations are among the more impactful modern regulations that protect whale populations.⁷ Vessel strikes and being ensnared in fishing gear are among the leading causes of mortality for certain species of whales in the North Atlantic Ocean.⁸ To combat this, regulations have been passed that require boats longer than 65 feet to travel at 10 knots (11.5 mph) or less within designated areas known to be whale population centers.⁹ These speed laws are enforced by the National Oceanic and Atmospheric Administration (NOAA) as well as the U.S. Coast Guard, both of which utilize speed radars, satellite technology, and physical patrolling, to monitor vessel

¹ Stuart Thornton & Meghan E. Marrero, *Big Fish: A Brief History of Whaling*, NATIONAL GEOGRAPHIC, <https://education.nationalgeographic.org/resource/big-fish-history-whaling/> [<https://perma.cc/97EM-QQ8M>] (last updated Oct. 19, 2023).

² *Id.*

³ *Commercial Whaling*, INTERNATIONAL WHALING COMMISSION, <https://iwc.int/management-and-conservation/whaling/commercial#:~:text=The%20'Moratorium',it%20remains%20in%20place%20today> [<https://perma.cc/ER5T-YG93>] (last visited Jan. 29, 2025).

⁴ *Id.*

⁵ *Id.*

⁶ *Id.*

⁷ *North Atlantic Right Whale Speed Zone Dashboard*, NOAA FISHERIES, <https://www.fisheries.noaa.gov/endangered-species-conservation/north-atlantic-right-whale-speed-zone-dashboard> [<https://perma.cc/A9KQ-YDL6>] (last updated Aug. 31, 2024).

⁸ *Id.*

⁹ *Id.*

speed.¹⁰ Since 2022, there have been upwards of 950,000 dollars in civil penalties for boat drivers that violate these speed regulations.¹¹

In addition to regulations, technologies such as HappyWhale.com have increased our understanding of whale populations and their fascinating migration processes. Happy Whale is a tool that helps track global whale populations by matching user pictures to determine where and when a certain whale is located.¹² This works because whales often expose their tail when they dive to feed, and each whale has a unique tail that operates similarly to a human fingerprint.¹³ For example, a Happy Whale user may take a picture of a whale's tail off the western coast of South America and upload this picture to Happy Whale.¹⁴ Roughly four to eight weeks later a researcher in Antarctica may take a similar picture and upload it.¹⁵ Happy Whale proceeds to use image analyzing technology to cross-reference the pictures of these whale tails, and if the pictures match, we can identify the whale and determine where it is in the migration process.¹⁶ To date, over one million photographs have been uploaded to Happy Whale and over 118,000 individual whales have been identified using these pictures.¹⁷

The ways in which the global whale population has rebounded proves the massive impact that human beings have on the planet. When we decided to prioritize the commercial killing of whales, we nearly drove whales to extinction. When we decided to limit whaling, whale populations slowly but surely began to rise. This serves as a potent reminder that the way we treat the planet has a tangible and measurable impact. Even if you don't go out whale hunting on the weekends (unless you're working for a Norwegian, Icelandic, or Japanese whaling company, you probably don't), hopefully this short blog inspires you to take a look around next time you're outside to appreciate the planet that we call home.

¹⁰ *Id.*

¹¹ *Id.*

¹² *How It Works*, HAPPY WHALE, <https://happywhale.com/home> [<https://perma.cc/28G2-Z2RF>].

¹³ *Id.*

¹⁴ *Id.*

¹⁵ *7 Facts about the Great Humpback Whale Migration*, ORCA SPIRIT ADVENTURES (Apr. 27, 2022), (<https://orcaspirt.com/the-captains-blog/7-facts-about-the-great-humpback-whale-migration/#:~:text=Humpbacks%20can%20Travel%20up%20to%20a%2010%2C000%20mile%20Long%20Round%20trip!&text=The%20time%20it%20takes%20for,somewhere%20between%204%2D8%20weeks>) [<https://perma.cc/9RYM-U82V>].

¹⁶ Happy Whale, *supra* note 12.

¹⁷ *Id.*