

recreational and commercial fishing interests who gathered at the National Press Club to pledge support for the RFA petition, which seeks \$100 million in damages from the European Union.

"I'm here because the RFA is the only organization that's doing anything about it," said Jim Motsko, founder and head of the multimillion-dollar White Marlin Open in Ocean City, Md., self-proclaimed white marlin capital of the world.

Despite the fact that his Open in August posted a record catch of more than 1,000 white marlin (almost all of which were released alive), Motsko says the species has been in decline for years, largely because longliners from the European nations catch and kill white marlin for market.

Marlin is a sport species in the United States, off limits to commercial exploitation. European Union nations, by contrast, reported taking 193 metric tons of white marlin in 2000, more than double their quota under terms of a multinational pact designed to protect migratory Atlantic fish.

Years of overexploitation brought the prized billfish to the brink of an official listing as an endangered species by U.S. authorities this year, Motsko said. That harsh measure was delayed in favor of a study to determine if that level of protection is indeed required.

Meantime, the RFA, concerned with the continued decline in stocks of blue marlin and bluefin tuna as well as white marlin, took action to force the Bush administration to retaliate against the EU for overfishing. Citing terms of the International Convention for the Conservation of Atlantic Tunas (ICCAT), the organization filed a petition under Section 301 of the Trade Act of 1974, which requires the president to impose sanctions against foreign countries that violate international agreements to which the United States is a party.

Bart Fisher, a Washington trade lawyer who came up with the idea, said Section 301 never has been applied to fisheries before. He said the petition is now in the hands of a cabinet-level panel, which must issue a report by Oct. 25. If the panel finds the EU in noncompliance, he said, the administration is required to retaliate.

"Under Section 301, the president can select any product to impose tariffs on," he said. "That's important. It means he can pick VWs from Germany, or whatever other products drive home the point."

A trade war over sport fish? Attendees to last week's session wouldn't mind. They say that European nations catch up to 20 times the tonnage of bluefin tuna the U.S. and Canada land; they say the EU defies size limits and refuses to report its catches accurately. Spain, they say, is the worst offender, with Portugal close behind.

But Healey, the New Jersey boat manufacturer, said the showdown probably won't ever reach trade-war dimensions. "If we get this 301 petition accepted," he said, "actual retaliation probably won't happen. The Europeans don't want their VWs stopped. They'll negotiate and comply."

Speakers from the International Game Fish Association, the Maryland Department of Natural Resources, the East Coast Tuna Association, World Wildlife Fund and National Marine Manufacturers Association all voiced support for the RFA measure, which addresses an issue that has rankled East Coast offshore sport fishermen for decades.

"The United States has taken conservation measures," said Herb Moore Jr., RFA's director of governmental affairs, "but stocks [of marlin and tuna] continue to decline. The U.S. has a track record of compliance with ICCAT but our partners are noncompliant. Our commercial fleets obey tuna restrictions and can't keep marlin; our recreational fishermen are very conservation-oriented.

"There's no commercial market for white marlin in this country, yet it may be put on the endangered species list. That would be an absolute disaster for the fishermen and the industries we represent."

All of which led Healey, the Viking boat builder, to dig out his old poster, the one that says "The U.S. Government is our No. 1 Enemy," just in case. "If we don't get this 301 petition accepted," he said, whacking the lectern with a rolled-up press kit, "we'll be back here marching on Washington."

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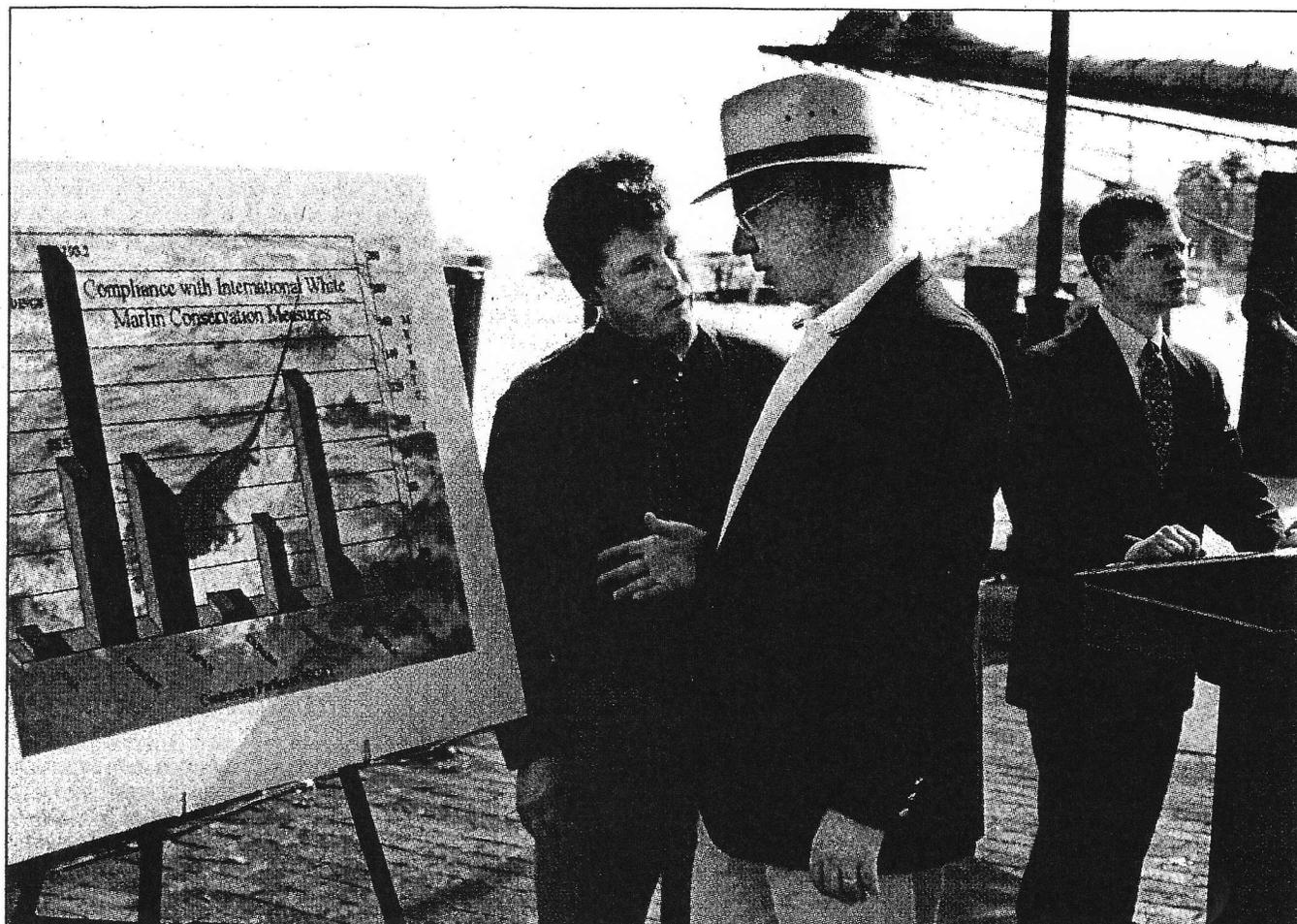
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# METRO

**B**

Maryland & D.C.  
Edition

FRIDAY, OCTOBER 4, 2002



BY CRAIG HERNDON FOR THE WASHINGTON POST

Gov. Glendening, center, talks with J. Charles Fox of the Department of Natural Resources. Russell Dunn of the Audubon Society is at right.

## Governors Urge Action to Save Marlin

*Petition Asks for Trade Sanctions Against Spain to Stop Overfishing*

By a Washington Post Staff Writer

For the politicians gathered on the Annapolis City Dock yesterday urging action against Spain, it was not "Remember the Maine." It was more like "Remember the Marlin."

The rapidly diminishing population of the migratory fish prompted Maryland Gov. Parris N. Glendening and a raft of environmental leaders to urge the federal government to threaten Spain and its European Union partners with trade sanctions to stop

overfishing of white marlin and bluefin tuna.

Glendening (D) joined the governors of New Jersey, Georgia and South Carolina in signing the petition, which was sent to Secretary of Commerce Donald L. Evans. The signatories hope the possibility of sanctions would give U.S. trade negotiators the leverage they need to force the Europeans to abide by the rules of the International Convention for the Conservation of Atlantic Tunas.

The petition comes just a few weeks before the convention's Oct. 28 meeting in Bil-

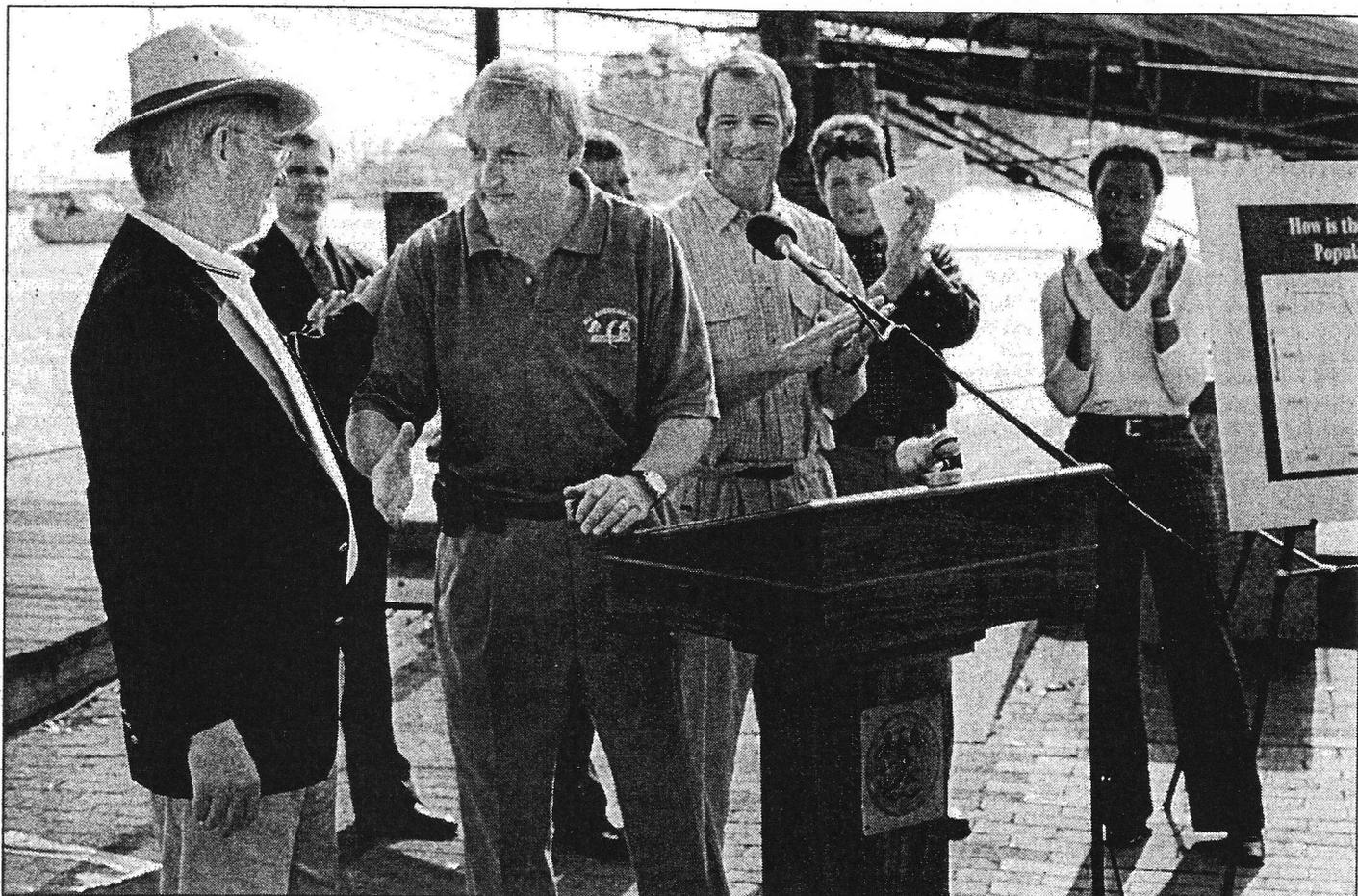
bao, Spain, and at what environmentalists say is a key time for the white marlin.

Rampant overfishing by foreign fleets has caused the marlin population to drop from 24 percent to 12 percent of healthy levels in the last two years, according to experts from the World Wildlife Fund and the National Audubon Society. The numbers are still falling fast, they said.

The worst offenders, they say, are the Spanish, who receive hefty subsidies from

See MARLIN, B4, Col. 3

## MARYLAND



BY CRAIG HERNDON FOR THE WASHINGTON POST

Ocean City Mayor James Mathias Jr., center, thanks Gov. Parris N. Glendening for his leadership on the white marlin and other environmental issues. Also with Mathias is Ocean City charter boat captain Mark Sampson.

## Governors Urge Action to Save White Marlin

MARLIN, From B1

the European Union to keep their fishing industry alive. They drag huge nets with hundreds of hooks behind their fishing trawlers, and catch anything they can: bluefin tuna, swordfish, white marlin and their larger cousin the blue marlin, and even sea turtles, environmentalists say.

"The bad guy is Spain," said Bart S. Fisher, an attorney representing the World Wildlife Fund. "They go in there and vacuum the area."

According to the petition, the European Union reported catching 193 tons of white marlin, exceeding its 85.5-ton quota. The petition also contended that Europe's catch is likely to be much greater than reported. The fishing activity is eight times what the fish population can sustain, according to Russell B. Dunn, the director of government relations for the Living Oceans Program of the National Audubon Society.

A spokesman for the Commerce Department

said he had not seen the petition, but he referred to a congressional briefing on the white marlin in early September, during which the National Oceanic and Atmospheric Administration concluded that "while the white marlin population has declined, they are not at a level that merits Endangered Species Act protection."

"It's something that we're going to continue to monitor," said Trevor Francis, the spokesman, adding that the status of the species would be reevaluated in 2007.

Unlike the Europeans, fishermen in the United States release about 95 percent of the white marlin caught. There is no market for the fish in the United States, where virtually no one eats it. But the pointy-nosed, big-finned fish is the icon of the recreational fishing industry. Reaching 200 pounds and growing up to nine feet, it is an anglers' favorite, famous for its feistiness.

For that reason, the white marlin has a special place in the hearts of Marylanders—particularly in the seaside resort of Ocean City,

which calls itself the "white marlin capital of the world." The city is home to about 200 charter boats that go as far as 80 miles offshore in quest of the fish.

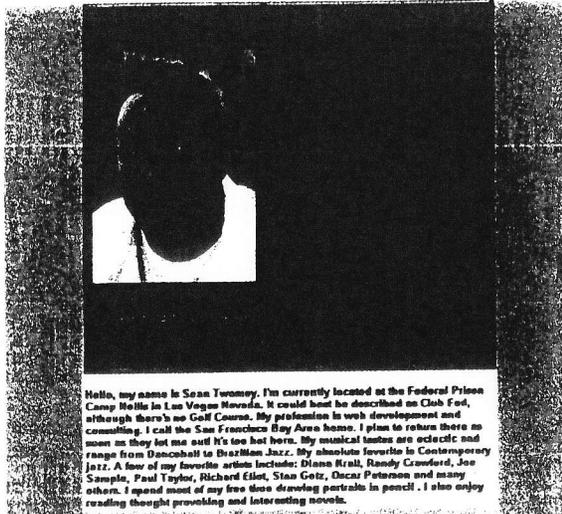
"When you hook them, they fight very strong and jump a lot," said Mark Sampson, the president of the Ocean City Charter Captains' Association. "They're beautiful, magnificent fish."

Sampson called the petition "a great step in the right direction."

Still, a struggle lies ahead, particularly at a time when the Bush administration has more pressing foreign policy issues on its hands, like trying to gain European support for military action in Iraq.

Glendening, speaking yesterday within sight of the shattered mast of the battleship USS Maine—allegedly blown up by the Spanish in 1898—which sits on the grounds of the U.S. Naval Academy, said: "For years, the white marlin population has been devastated. The time for action is past due."

# THE DIARY



"You may take my press releases, but you can never take my freedom." Twomey contemplates a stretch away from the City's bars and restaurants in Nevada Federal Penitentiary

## I'm not a number, I'm a PR man

Isn't the internet fab? How many of us have found long-lost friends and former colleagues by just typing a name into Google and clicking? It is even good for getting phone numbers that one has

can be divided in two.

In the West, most firms are happy to blare out popular classical compositions — while in Eastern Europe they deploy one-note keyboard bastardisations of the same works.

But one firm stands out from the crowd — the French boutique Cabinet Poulain.

The moment our researcher was told to hang on, he was

## Fishy tale

US firm Bryan Cave is very proud that it is investigating European fishing methods on behalf of the US Recreational Fishing Alliance (that's sports fishermen to us).

It's a great honour and Bryan Cave has put their best man on the job — the aptly named trade lawyer Bart Fisher.

## Home is where the heart isn't

The fashion at law firms these days seems to be to exaggerate coverage and management reach of the firm by denying it is based anywhere and disregarding any larger offices it has.

Baker & McKenzie's management are known to almost collapse in horror at the mention of them as a "US firm".

The latest firm to join in is Halliwell Landau, which, despite having over 50 partners and its management based in Manchester — and fewer than 15 partners elsewhere — has decided now that it does not want to be called a Manchester-based firm. Fine, but only if Manchester United can no longer be called a

based team. Actually, given their fan base, that's not a bad idea!

## Chain reaction

Affirmative action seems to be the order of the day for the legal profession in Bangladesh.

They were displeased with an increase in court fees and stamp duty and are keen to see an honest and independent judiciary. Unlike the more self-centred UK equivalents, these crazy cats were actually doing it for the ordinary folks, who will be denied fair access to legal services.

So rather than counting the crisp £50 notes lining their ever-bulging pockets, these lawyers took matters into their own hands... by forming human chains around court premises throughout the country.

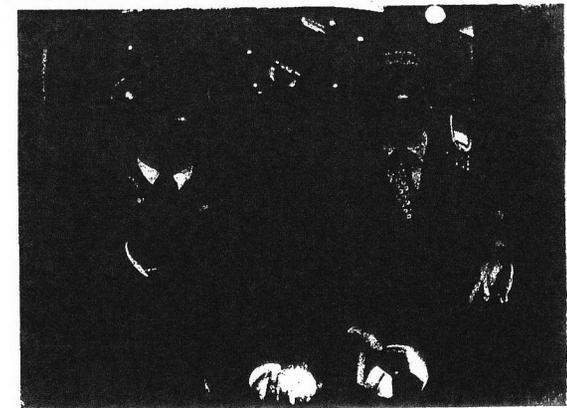
It is not known if this action was included in their billing hours.

## Horror story

While The Diary is well known for its love and respect of the City's top legal spin-meisters, it must concede some surprise at the response of one

marketing head to

## CAPTION COMPETITION



Northern stalwarts Addleshaw Booth & Co admitted to being rather worried about how it would cope with the feeling of cold turkey once the Commonwealth Games left town. Well, it looks as if a couple of people in the sports unit have taken it rather hard and have started smashing up office equipment outside the Manchester offices in Barbirolli Square.

Pictured above are sports partner James Whittaker and new recruit sports consultant Tony Singh taking it out on a mobile and a pocket PC.

We cannot think of a good caption for this, so we thought you might like to have a go. A world-famous Addleshaw Booth & Co baseball hat (quite the fashion among managing partners these days) and a Manchester 2002 pin badge for the best entry. All entries to [thed diary@gmuk.com](mailto:thed diary@gmuk.com)

enquiries from this paper.

And, just like in previous