



EUROPEAN COMMISSION  
DIRECTORATE-GENERAL FOR MARITIME AFFAIRS AND FISHERIES

The Director-General

Brussels,  
MARE/C.1/CA/ms

Dear Mr. O'Donoghue,

Thank you for your letter of 24 May 2024 in which you share your concerns over the lack of consultation of the Pelagic Advisory Council on the planned emergency measures in the Bay of Biscay adopted by France under Article 13(2) of Regulation (EU) No 1380/2013 on the Common Fisheries Policy (CFP).

As I mentioned in my previous letter<sup>1</sup>, the Commission considers it is necessary to have good and timely consultations among and with all Member States and stakeholders on such topics.

You state that the lack of consultation by France of the Pelagic Advisory Council constitutes a situation of non-compliance with Article 13(2) of Regulation (EU) No 1380/2013, which also indicates that the consulting Member State “*may set a reasonable deadline*” not shorter than one month.

I would like to reassure you that my services did raise this matter directly in their exchanges with the French authorities on this file and we have stressed how important a proper consultation of the Advisory Councils is for the credibility of the CFP.

However, I would like to draw your attention to the fact that the Commission is granted the possibility to request that the “*Member State concerned amend or repeal that measure*” under Article 13(3) only in situations where it considers that “*a measure adopted under this article does not comply with the conditions set out in paragraph 1*”.

Let me at the same time add that we will pay special attention to the involvement of all concerned Advisory Councils in the future as well as of the Member States. I encourage the Pelagic Advisory Council to continue working on this sensitive topic, for which we expect new developments in the coming year(s). I am looking forward to our continued

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<sup>(1)</sup> Letter of 21 March 2024, our reference Ares(2024)2128039.

Mr. Sean O'Donoghue  
Chairman Pelagic AC  
sean@kfo.ie  
Louis Braillelaan 80  
2719 EK Zoetermeer  
The Netherlands

fruitful cooperation. Should you have any further questions on this reply, please contact Ms Cannelle Beauchesne via [Cannelle.BEAUCHESNE@ec.europa.eu](mailto:Cannelle.BEAUCHESNE@ec.europa.eu) and Ms Julia Rubeck, our Advisory Councils coordinator, via the functional mailbox [MARE-AC@ec.europa.eu](mailto:MARE-AC@ec.europa.eu).

Yours sincerely,

[e-Signed]  
Charlina VITCHEVA

c.c.: Anne-Marie Kats [a.kats@pelagic-ac.org](mailto:a.kats@pelagic-ac.org)  
Merel Barbosa [m.barbosa@pelagic-ac.org](mailto:m.barbosa@pelagic-ac.org)