Commission Implementing Decision (EU) 2019/1118 of 27 June 2019 on the Seine – Scheldt cross-border project on the North Sea – Mediterranean and Atlantic Core Network Corridors (notified under document C(2019) 4561) (Only the Dutch and French texts are authentic)

COMMISSION IMPLEMENTING DECISION (EU) 2019/1118

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on the Seine – Scheldt cross-border project on the North Sea – Mediterranean and Atlantic Core Network Corridors

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THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) No 1315/2013 of the European Parliament and of the Council of 11 December 2013 on Union guidelines for the development of the trans-European transport network and repealing Decision No 661/2010/EU[(1)], and in particular Article 47(2) thereof,

Whereas:

(1) Decarbonising transport, in particular through creating the conditions for an ambitious modal shift of long-distance freight traffic to energy-efficient transport modes is a key policy objective of the European Union. The Paris agreement has confirmed and strengthened the EU ambitions towards fighting climate change.

(2) In this context, fostering inland waterway transport to move goods is a clear priority of the EU transport policy and a long-standing priority of the TEN-T policy.

(3) Through the completion of the Seine – Scheldt network, the Seine basin will be directly linked by continuous high-gauge inland waterway to the Scheldt basin in the north of France, Belgium and the Netherlands and further, to other important European waterway basins such as the Rhine and the Maas. This will create a continuous, effective and consistent high capacity inland waterway network linking the numerous maritime and inland ports of this wider European cross-border region.

(4) Through connecting France, Belgium, the Netherlands, and beyond Germany, the Seine-Scheldt network has a clear cross-border dimension.

(5) The Seine – Scheldt project is pre-identified on the North Sea – Mediterranean Core Network Corridor and the section Le Havre – Paris is pre-identified on the Atlantic Core Network Corridor. The Declaration on the implementation of the TEN-T Core Network Corridor North Sea – Mediterranean (the Declaration of Tallinn) of 17 October 2013, signed by the Belgian, Dutch and French Transport Ministers and by the Transport Commissioner, has further underlined the commitment of the concerned parties to

Changes to legislation: *There are currently no known outstanding effects for the Commission Implementing Decision (EU) 2019/1118. (See end of Document for details)*

implement it. Moreover, the Work Plan for the North Sea – Mediterranean Core Network Corridor emphasises the need to ensure completion of the Seine – Scheldt project as the foundation for establishing a fully functioning multimodal transport corridor.

(6) One of the major objectives of the project is to ensure that the main Seine – Scheldt itineraries are at least of ECMT class Va and to secure good navigation conditions.

(7) All components of the project Seine – Scheldt are essential for its completion. Among them, the Canal Seine-Nord Europe is the main missing link, without which the Seine – Scheldt network cannot be realised.

(8) The Seine – Scheldt project is a complex cross-border project, involving Belgium (the regions of Flanders and Wallonia) and France and involving works aiming both at creating new infrastructure and at improving existing infrastructure with minimal impact on navigation. Sufficient coordination is therefore an important challenge. In order to support the coordinated and timely implementation of the project, it is necessary to adopt provisions laying down a description of the necessary actions and the timetable for their implementation. This would help achieving the cross-border objectives of the Work Plan for the North Sea – Mediterranean Core Network Corridor, as well as to complete the Seine – Scheldt project at the earliest possible date and, in any case, by 2030 at the latest.

(9) The clear identification of the necessary actions to complete the Seine – Scheldt project and the timetable for their implementation is also important to plan and fully optimise the availability of European, national and regional funding as well as private financing. EU co-financing has a leverage effect on national and regional decision-making for the implementation of the actions.

(10) Belgium (the regions of Flanders and Wallonia) and France have already carried out significant works (studies and infrastructure works) contributing to the realisation of the Seine-Scheldt project. Most of them have been co-financed by the European Union, under different programmes. Activities are currently performed under a Grant Agreement of the Connecting Europe Facility (2014-EU-TM-0373-M, 'Seine-Escaut 2020'), involving Union funding up to 50 % of the eligible costs.

(11) The cross-border dimension of the project requires setting up dedicated governance structures. Belgium (the regions of Flanders and Wallonia) and France closely cooperate since years, notably within the framework of the Inter-Governmental Commission for the preparation of the completion of the Seine – Scheldt project, established in September 2009. This Inter-Governmental Commission has the operational support of the Seine –Scheldt European Economic Interest Grouping (Seine-Scheldt EEIG) gathering Voies Navigables de France (VNF), the Société du canal Seine-Nord Europe (SCSNE), the Public Service of Wallonia (SPW) and De Vlaamse Waterweg NV. The Société du Canal Seine-Nord Europe, in charge of the construction of the canal Seine-Nord, has been set up in May 2017. These dedicated entities constitute an integrated management structure that supervise and coordinate the completion of the Seine – Scheldt project. The European Coordinator for the North Sea – Mediterranean Core Network Corridor and a representative of the Commission should regularly participate

in the meetings of the Inter-Governmental Commission and Seine-Scheldt EEIG as observers. Moreover, the European Coordinator and a representative of the Commission should participate in the meetings of the supervisory board (conseil de surveillance) of the SCSNE as observers. Further appropriate arrangements may be envisaged by France in order to keep the Commission duly involved in this supervisory board.

(12) In order to monitor progress of the implementation, the Member States should provide the Commission with regular reports on the matter, concerning the sections situated in their respective territories, and notify any delays encountered.

(13) The implementation timetable set out by this Decision should be without prejudice to the fulfilment of the requirements defined in the international and Union law, including provisions to protect the environment and human health. This timetable should allow to plan and fully optimise the availability of funding, without prejudging the financial commitment of a Member State or of the Union. It should, under no circumstances, compromise the Union's high standards for environmental protection and public participation.

(14) Without prejudice to Article 47(2) second subparagraph of Regulation (EU) No 1315/2013, it is appropriate to foresee a review clause in this Decision.

(15) The measures provided for in this Decision have been approved by Belgium and France.

(16) The measures provided for in this Decision are in accordance with the opinion of the Committee referred to in Article 52 of Regulation (EU) No 1315/2013,

HAS ADOPTED THIS DECISION:

Article 1

Subject matter

This Decision lays down a description of the actions and the implementation timetable for the cross-border project Seine – Scheldt, as well as related governance provisions.

Article 2

Actions and timetable

Belgium and France shall ensure the timely implementation of the following actions:

(a) Seine-Amont, from Nogent-sur-Seine to Paris: improvement of the navigation conditions, by December 2030
- — improvement of the navigation conditions, including the reconstruction of the weirs (Beaulieu, Livon, Vives-Eaux), by December 2027, and rehabilitation of the secondary locks (Coudray, Vives-Eaux, La Cave, Champagne), by December 2023;
- — establishment of the remote control of the locks and weirs, by December 2024;
- — improvement of the facilities for navigation and services to the users, by December 2027;

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(b) Seine-Aval, from Suresnes to Le Havre: upgrades and improvement of the navigation conditions, by December 2027

— lengthening and rehabilitation of the locks (such as Méricourt and Bougival), by December 2026;

— modernisation of the weirs (Port-Mort, Poses, Méricourt, Bougival, Suresnes, Andrésy), by December 2027, including the reinforcement of the embankment of Croissy-sur-Seine by December 2022;

— establishment of the remote control of the locks and weirs, by December 2024;

— improvement of the facilities for navigation and services to the users, by December 2027;

— construction of the footbridge of Poses-Amfreville, by December 2022 and construction of fish passes, by December 2030;

(c) Oise, from Conflans-Sainte-Honorine to Compiègne: upgrade to ECMT class Vb and improvement of navigation conditions, by December 2028

— upgrade of the Oise river to ECMT class Vb (MAGEO: bank rescues and bridge piers between Creil and Compiègne, dredging, creation of the Venette landing stage), by June 2027;

— reconstruction of the bridge of Mours, by December 2025;

— establishment of the remote control of the locks and weirs, by December 2028;

(d) canal Seine-Nord Europe, from Compiègne to Aubencheul-au-Bac: construction and entry into operation, with ECMT class Vb and enabling three layers of containers, by December 2028

(1) sector 1 from Compiegne to Passel, including the construction of the lock of Montmacq:

— spatial territorial planning by September 2020;

— single environmental authorisation by September 2020;

— start of the main works by October 2020;

— completion of the works by December 2026;

— entry into operation by June 2027;

(2) sector 2 from Passel to Allaines (49 km) crossing 33 municipalities, Sector 3 from Allaines to Etricourt-Manancourt (11 km) crossing 3 municipalities and Sector 4 from Etricourt-Manancourt to Aubencheul-au-Bac (30 km) crossing 11 municipalities, including the construction of the locks of Noyon, Campagne, Allaines, Marquion-Bourlon, Oisy-Le-Verger and Moislains (the junction lock with the Canal du Nord), of the storage basin of Louette and of the canal bridge (pont-canal) of 1,33 km crossing the Somme Valley:

— spatial territorial planning by December 2022;

— single environmental authorisation by October 2022;

— start of the main works by December 2023;

— completion of the works by June 2028;

— entry into operation by December 2028;

(e) Dunkerque – Scheldt axis, including the canal of Dunkerque from Valenciennes to the Scheldt and to the Walloon backbone, and the Deûle in the direction of Gent: upgrade

to ECMT class Va (bidirectional) and class Vb (unidirectional), and improvement of the navigation conditions, by December 2027

(1) on all sections:
- — studies to increase the capacity of the locks (by doubling and/or lengthening), by December 2023;
- — establishment of the remote control of the locks, by December 2025;
- — securing of the navigation conditions for ECMT class V vessels, by December 2027;

(2) section from Arleux to Anzin: modernisation and rehabilitation of the Denain lock, by December 2022;

(3) section from Arleux to Halluin:
- — upgrade of the Deûle to ECMT class Va (bidirectional) and class Vb (unidirectional), by December 2022;
- — modernisation and rehabilitation of the locks (including Don and Grand-Carré), by December 2020, and lengthening of the Quesnoy-sur-Deûle lock, by December 2026;

(4) section from Bauvin to Dunkerque:
- — defenses of the riverbanks of the canal of Aire Neufossé (phases 1 and 2),by December 2026, and defenses of the riverbanks and rehabilitation of the waterline on the biefs of Fontinettes, by December 2023;
- — modernisation and rehabilitation of the Fontinettes lock, by December 2019;

(f) canal Condé-Pommerœul: reopening with ECMT class Va, by December 2022;

(g) Walloon Backbone, from Pommerœul to Namur: upgrade to ECMT class Va, by December 2028

(1) Pommerœul to Seneffe: upgrade to ECMT class Va, including the adaptation of the Nimy-Blaton-Péronnes canal and duplication of the Obourg lock, with finalisation of the studies by December 2022 and completion of the works by December 2027;

(2) Seneffe to Charleroi: upgrade to ECMT class Va and duplication of the locks (Marchienne, Gosselies and Viesville), with preparatory works by December 2022 and completion by December 2027;

(3) Charleroi to Namur:
- — adaptation of the Auvelais lock, by December 2022;
- — improvement of crossing possibilities, with studies to be finalised by December 2022 and works by 2028;

(h) Upper Scheldt:

(1) in the region of Wallonia (Belgium):
- — upgrade to ECMT class Va, including adaptation of the Tournai crossing to an unidirectional Va and adjustment of the ‘Pont des Trous’ and ‘Pont-à-Pont’, by December 2022;