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COMMISSION IMPLEMENTING DECISION (EU) 2024/1888

of 10 July 2024

on the Seine – Scheldt cross-border project on the North Sea – Mediterranean and Atlantic Core Network Corridors and repealing Implementing Decision (EU) 2019/1118

(notified under document C(2024) 4754)

(Only the Dutch and French texts are authentic)

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 is a key policy objective of the Union. The Commission Communication ‘The European Green Deal’ ⁽²⁾ of 11 December 2019 has confirmed and strengthened the Union’s ambitions towards fighting climate change. In this context, fostering inland waterways transport to move goods and passengers, as outlined by the Sustainable and Smart Mobility Strategy ⁽³⁾, is an important Union transport policy and a long-standing priority for the implementation of the TEN-T network.
- (2) 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.
- (3) Through connecting France, Belgium, the Netherlands, and beyond Germany, the Seine-Scheldt network has a clear cross-border dimension.
- (4) The Seine – Scheldt Network and the related Seine, Scheldt and Meuse river basins are pre-identified cross-border links on the North Sea – Mediterranean Core Network Corridor and the section Le Havre – Paris is on the Atlantic Core Network Corridor in the Regulation (EU) 2021/1153 of the European Parliament and of the Council ⁽⁴⁾. 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 implement it. Moreover, the Work Plans for the North Sea – Mediterranean Core Network Corridor emphasizes the need to ensure completion of the Seine – Scheldt project as the foundation for establishing a fully functioning multimodal transport corridor.
- (5) 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.

⁽¹⁾ OJ L 348, 20.12.2013, p. 1, ELI: <http://data.europa.eu/eli/reg/2013/1315/oj>.

⁽²⁾ Communication from the Commission to the European Parliament, the European Council, the Council, the European Economic and Social Committee and the Committee of the Regions ‘The European Green Deal’, COM(2019)640 final.

⁽³⁾ Communication from the Commission to the European Parliament, the European Council, the Council, the European Economic and Social Committee and the Committee of the Regions, ‘Sustainable and Smart Mobility Strategy – putting European transport on track for the future’, COM (2020) 789 final.

⁽⁴⁾ Regulation (EU) 2021/1153 of the European Parliament and of the Council of 7 July 2021 establishing the Connecting Europe Facility and repealing Regulations (EU) No 1316/2013 and (EU) No 283/2014 (OJ L 249, 14.7.2021, p. 38, ELI: <http://data.europa.eu/eli/reg/2021/1153/oj>).

- (6) 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.
- (7) 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 and modal shift objectives of the Work Plans 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.
- (8) The clear identification of the necessary actions to further implement and 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. Union co-financing has a leverage effect on national and regional decision-making for the implementation of the actions.
- (9) 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 Union, under different funding programmes. Activities are currently performed under all related Grant agreements of the Connecting Europe Facility signed since 2014.
- (10) Since the adoption of the Commission Implementing Decision (EU) 2019/1118 ⁽ⁱ⁾, the Seine-Scheldt project has clearly entered an important new and very visible stage as main studies have been concluded. Works are on-going on numerous sites including sector 1 of the Canal Seine – Nord Europe, the reconstruction of weirs and upgrade of locks on the Upper and Lower Seine as well as the cross-border Lys.
- (11) Major achievements to date include inter alia (i) the upgrade of the Upper Scheldt in Wallonia to the ECMT class Va gauge since January 2020, including the adaptation of the Tournai crossing to a one-way ECMT class Va gauge; (ii) the entry into service of new ECMT class Vb locks in St-Baafs-Vijve and Harelbeke as of August 2020, thus improving the Lys, the constituent link of the Seine-Scheldt route in Flanders; (iii) the re-opening of the cross-border Condé-Pommeroeul canal with ECMT class Va in November 2023.
- (12) In accordance with article 5 of the Implementing Decision (EU) 2019/1118, a review has been carried out to update the timetable of the remaining actions.
- (13) 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), le Service Public de Wallonie (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.

⁽ⁱ⁾ 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, (OJ L 176, 1.7.2019, p. 61, ELI: http://data.europa.eu/eli/dec_impl/2019/1118/oj).

- (14) 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. The Inter-Governmental Commission has provided a report on the progress of the implementation on 27 January 2022. This review reports also on the progress together with the necessary proposals for adjusting and further elaborating the overall timetable. The considerable effects of the covid pandemic 2020-2022 on the implementation conditions of the project have mainly led to the adapted timetable in article 2.
- (15) 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.
- (16) Member States concerned should comply with Union environmental legislation, in particular, the provisions of Directive 2011/92/EU of the European Parliament and of the Council ⁽⁶⁾ on the assessment of the effects of certain public and private projects on the environment, Directive 2001/42/EC of the European Parliament and of the Council ⁽⁷⁾ on the assessment of the effects of certain plans and programmes on the environment, Directive 2009/147/EC of the European Parliament and of the Council ⁽⁸⁾ on the conservation of wild birds, Council Directive 92/43/EEC ⁽⁹⁾ on the conservation of natural habitats and of wild flora and fauna, Directive 2000/60/EC of the European Parliament and of the Council ⁽¹⁰⁾ establishing a framework for community policy in the field of water.
- (17) 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.
- (18) As the actions necessary for the completion of the Seine – Scheldt cross-border project are now set out in this Decision, Implementing Decision (EU) 2019/1118 should be repealed.
- (19) The measures provided for in this Decision have been approved by Belgium and France.
- (20) 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.

⁽⁶⁾ Directive 2011/92/EU of the European Parliament and of the Council of 13 December 2011 on the assessment of the effects of certain public and private projects on the environment (OJ L 26, 28.1.2012, p. 1, ELI: <http://data.europa.eu/eli/dir/2011/92/oj>).

⁽⁷⁾ Directive 2001/42/EC of the European Parliament and of the Council of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment (OJ L 197, 21.7.2001, p. 30, ELI: <http://data.europa.eu/eli/dir/2001/42/oj>).

⁽⁸⁾ Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds (OJ L 20, 26.1.2010, p. 7, ELI: <http://data.europa.eu/eli/dir/2009/147/oj>).

⁽⁹⁾ Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (OJ L 206, 22.7.1992, p. 7, ELI: <http://data.europa.eu/eli/dir/1992/43/oj>).

⁽¹⁰⁾ Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy (OJ L 327, 22.12.2000, p. 1, ELI: <http://data.europa.eu/eli/dir/2000/60/oj>).

*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 2028, rehabilitation of locks (such as Evry and Vigneux), and lengthening and deepening of the Ablon lock by December 2029;
 - establishment of the remote control of the locks and weirs, by December 2027;
 - improvement of the facilities for navigation and services to the users, by December 2027;
 - Completion of preparatory studies by December 2025, preparatory works to upgrade the section between Bray-sur-Seine and Nogent-sur-Seine (28 km, including the construction of a new canal of 10 kilometres) to ECMT class Va by December 2028, and start of the main works by December 2030;
- (b) Seine-Aval, from Suresnes to Le Havre: upgrades and improvement of the navigation conditions, by December 2027
 - rehabilitation of the locks (such as Méricourt Bougival, Suresnes, Andrésey, Notre-Dame-dela-Garenne, Amfreville) and lengthening of one of the locks in Méricourt, by December 2026;
 - modernization of the weirs (Port-Mort, Poses, Méricourt, Bougival, Suresnes, Andrésey, Denouval), by December 2027, including the reinforcement of the embankment of Croissy-sur-Seine by December 2025;
 - establishment of the remote control of the locks and weirs, by December 2027;
 - improvement of the facilities for navigation and services to the users, by December 2027;
 - construction of the footbridge of Poses-Amfreville, by December 2026;
- (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 between Creil and Compiègne (MAGEO : dredging, banks reshaping and bridge pier protection, creation of the Verneuil hydraulic compensation site and environmental features) by December 2028;
 - reconstruction of the bridge of Mours, by December 2028;
 - establishment of the remote control of the locks and weirs, by December 2027;
- (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 2030
 - (1) sector 1 from Compiègne to Passel (18,6 km), including the construction of the lock of Montmacq:
 - completion of the works by December 2029;
 - entry into operation of the waterway section by June 2030;

- (2) sector 2 from Passel to Allaines (46 km) crossing 33 municipalities, Sector 3 from Allaines to Etricourt-Manancourt (15 km) crossing 3 municipalities and Sector 4 from Etricourt-Manancourt to Aubencheul-au-Bac (28 km) crossing 11 municipalities, including the construction of the locks of Noyon, Catigny, Allaines, Marquion-Bourlon, Oisy-Le-Verger and the junction lock with the Canal du Nord to the south of the lock of Allaines, of the storage basin of Louette and of the canal bridge (pont-canal) of 1,33 km crossing the Somme Valley:
- single environmental authorization by August 2024;
 - start of the main works by September 2025;
 - completion of the works by June 2030 ;
 - entry into operation of the waterway section by December 2030.
- (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: with the aim of gradually calibrating the canal to ECMT class Va (bidirectional) and class Vb (unidirectional), and improving the navigation conditions, by December 2027
- (1) on all sections:
- a first phase of preliminary studies to increase the capacity of the locks (by doubling and/or lengthening), by June 2025;
 - establishment of the remote control of the locks, by December 2025;
 - Conduct studies identifying measures adapting the height of engineering structures on the axe Dunkerque-Escaut for the passage of vessels carrying three layers of containers, by September 2027;
 - progressively securing the navigation conditions for ECMT class Va vessels, by December 2027;
- (2) section from Arleux to Deulemont:
- upgrade of the Deûle to ECMT class Va (bidirectional) and class Vb (unidirectional), by June 2024
 - lengthening of the Quesnoy-sur-Deûle lock, by December 2026;
- (3) 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 2027;
 - studies of rehabilitation of downstream head and solid ground of the Fontinettes lock, by December 2030;
- (f) Walloon Backbone, from Pommerœul to Namur: upgrade to ECMT class Va, by December 2030
- on all sections: the establishment of the remote control for weirs and locks, by December 2030
- (1) Section from Pommerœul to Seneffe: upgrade to ECMT class Va, including the adaptation of the Nimy-Blaton-Péronnes canal and the construction of the Obourg lock (ECMT class Va) next to the existing one (ECMT class IV), completion of the works by December 2030;
- (2) Section from Seneffe to Charleroi: upgrade to ECMT class Va and the construction of new locks respectively in Marchienne, Gosselies and Viesville (ECMT class Va) next to the existing ones (ECMT class IV), completion by December 2030;
- (3) Section from Charleroi to Namur:
- improvement of crossing possibilities and navigation conditions, with studies to be finalised by December 2024 and works by 2030;

- (g) Upper Scheldt:
- (1) in the region of Wallonia (Belgium): capacity increase by duplication of the locks and securing of the lock sites, through the adaptation of the locks of Hérinnes and Kain, with finalisation of the studies by December 2026 and of the works by December 2030;
 - (2) in the region of Flanders (Belgium): finalisation of the studies for an upgrade of the locks to ECMT class Vb by June 2024, and drawing up of a technical and financial implementation plan by June 2025;
- (h) Lys: upgrade to ECMT class Vb (unidirectional) and Va (bidirectional), enabling 3 layers of containers, by December 2030, including:
- (1) in the region of Flanders (Belgium), between Ghent and Wervik:
 - ECMT class Vb calibration, including lifting up of bridges enabling 3 layers of containers:
 - on the section Deinze-St-Baafs-Vijve by December 2026;
 - on the section St-Baafs-Vijve- Harelbeke by December 2028;
 - on the sections Harelbeke-Menen and Menen-Wervik by December 2030;
 - (2) in the region of Wallonia (Belgium), on the municipality of Comines: securing the navigation, especially with the modernization of the weir and lock in Comines, by December 2030;
 - (3) in France, between Deûlémont and Comines: upgrade to ECMT class Vb, by December 2025;
- (i) connecting network in Flanders:
- (1) studies for the upgrade of the Flemish inland waterway sections connecting directly to the Seine-Scheldt main link, by December 2024:
 - upgrade to ECMT class Va, enabling 3 layers of containers, of the connections to the maritime ports of Zeebrugge (canal Ghent – Bruges) and Antwerp (Upper-Seascheldt) by December 2024;
 - upgrade to ECMT class Va of the canals Roeselare-Lys and Bossuit-Kortrijk by December 2024;
 - (2) drawing up of a technical and financial implementation plan, including a detailed priority assessment, for the necessary upgrades on the above sections, by December 2025;
- (j) Connecting network in Wallonia:
- from Péronnes to Pommeroeul, on the Nimy-Blaton-Péronnes Canal: conduct studies, in particular for the modernization to a fully-fledged ECMT class IV, by December 2030 and drawing up of a technical and financial implementation plan of the necessary modernisation, by December 2030;
- (k) Seneffe – Antwerp,
- (1) on the Flemish and Walloon sections: conduct studies, in particular for the upgrade to a fully-fledged ECMT class IV, by December 2024, and drawing up of a technical and financial implementation plan of the necessary upgrades, by December 2025;
 - (2) on the Walloon section:
 - Modernisation and securisation of sites of the inclined plane of Ronquières and the lock of Ittre by December 2030
 - the establishment of the remote control for the Ittre lock by December 2030;

(l) general actions:

- (1) drawing up of a policy framework, coordinated between the different parties, to promote the full deployment of alternative fuels infrastructure along the whole Seine-Scheldt network, in line with the National Policy Frameworks submitted by Belgium and France in the context of Directive 2014/94/EU of the European Parliament and of the Council ⁽¹¹⁾, by December 2024, with a view to gradual implementation by December 2030;
- (2) implementation of integrated and efficient cross-border traffic and transport management services along the whole Seine-Scheldt network, including the full-scale RIS implementation according to Directive 2005/44/EC of the European Parliament and of the Council ⁽¹²⁾, by December 2028;
- (3) development of multimodal logistics platforms on the Seine – Scheldt network, by December 2030.

Article 3

Governance

1. The European Coordinator for the North Sea – Mediterranean Core Network Corridor and a representative of the European Commission shall be invited to participate as observer in the meetings of the supervisory board (conseil de surveillance) of the Société du canal Seine-Nord Europe.

2. The progress of the actions referred to in Article 2 shall be regularly discussed in the framework of the Intergovernmental Commission for the preparation of the completion of the Seine – Scheldt project, as well as in the framework of the Seine – Scheldt EEIG. The European Coordinator for the North Sea –Mediterranean Core Network Corridor and a representative of the Commission shall be invited to participate as observers in the meetings of the Intergovernmental Commission at least biannually and in the meetings of the Seine – Scheldt EEIG at least three times a year.

Article 4

Reporting

Belgium and France shall report at least once a year to the Commission and to the European Coordinator for the North Sea – Mediterranean Core Network Corridor on the progress in implementing the actions referred to in Article 2 and shall notify any delay encountered, specifying the causes for the delay and indicating the corrective measures taken. For this purpose those Member States may use, when appropriate, the content of the Annual Status Reports to be submitted under the Connecting Europe Facility Grant Agreements.

Article 5

Review

By 31 December 2027 at the latest, the Commission shall, following a request from Belgium and France, or at its own initiative, carry out a review of the actions and of the timetable referred to in Article 2, with the assistance of the European Coordinator for the North Sea – Mediterranean Core Network Corridor.

⁽¹¹⁾ Directive 2014/94/EU of the European Parliament and of the Council of 22 October 2014 on the deployment of alternative fuels infrastructure (OJ L 307, 28.10.2014, p. 1, ELI: <http://data.europa.eu/eli/dir/2014/94/oj>).

⁽¹²⁾ Directive 2005/44/EC of the European Parliament and of the Council of 7 September 2005 on harmonised river information services (RIS) on inland waterways in the Community (OJ L 255, 30.9.2005, p. 152, ELI: <http://data.europa.eu/eli/dir/2005/44/oj>).

*Article 6****Repeal***

Implementing Decision (EU) 2019/1118 is repealed.

Article 7

This Decision is addressed to the Kingdom of Belgium and the French Republic.

Done at Brussels, 10 July 2024.

For the Commission
Adina Ioana VĂLEAN
Member of the Commission
