

Decision of the Executive Board of Rail Freight Corridor N°2
Making operational the Rail Freight Corridor N°2

Having regard to

- Regulation (EU) No 913/2010 of the European Parliament and of the Council of 22 September 2010 concerning a European rail network for competitive freight, and, in particular, its Article 9(1) stating the implementation plan drawn up by the Management board has to be submitted for approval to the Executive board 6 months before making the freight corridor operational.

Whereas

- The Governance Structure of Rail Freight Corridor N°2, as referred to in article 8 of Regulation (EU) No 913/2010, has been established and its mission statement has been adopted by consensus at the Antwerp Conference on 27 June 2011;
- The Chairperson of the Executive Board of Rail Freight Corridors N°2 has informed the European Commission of the establishment of his Board by letter dated 29 June 2011;
- The European Commission has replied by letter dated 19 October 2011, welcoming the establishment of the Executive Board of Rail Freight Corridor N°2;
- The Executive Board adopted its framework for the allocation of the infrastructure capacity on the freight corridor in accordance with article 14(1) of Regulation 913/2010/EU by a decision signed on 20 December 2012 which has been published in the Official Journal of the European Union on 6 March 2013 (2013/C 65/04);
- Switzerland is in the process of integrating provisions in its legislation, which will be equivalent to the Regulation 913/2010/EU;
- The European Deployment Plan on ERTMS (2012/88/EU) gives a framework for the deployment of ERTMS on corridor C (Rotterdam) - Antwerp - Luxembourg - Lyon /Basel;
- The Member States notified to the European Commission in December 2012 the detailed timeline for equipping the corridor sections with ERTMS and/or the corridor sections already equipped. The discussion with European Commission are ongoing ;
- Directive 2008/57/EC provides the EU legal framework for authorization of ERTMS equipment;
- The Management board will monitor C-OSS and report on customer satisfaction survey from 2014 onwards;
- The Management board will publish an updated Corridor Information Document on an annual basis;
- The Management board will seek prior agreement by the Executive board on any substantial modifications in the corridor implementation plan, in particular on modifications regarding the line definitions, the services of the C-OSS and the implementation of ERTMS.

The Executive board decides:

In accordance with Article 3 of Regulation 913/2010, to make operational the corridor by approving the following elements described inter alia in the draft implementation plan published on the website of the corridor 2 on the date of the 8th of November 2013

- the governance structure of the corridor, comprising the Executive Board, the Management Board and the Advisory Groups (Article 8 of Regulation 913/2010);
- the designated railway lines and terminals (Articles 2a and 9§1a of Regulation 913/2010);
- the creation of the Corridor One-Stop-Shop (Article 13 of Regulation 913/2010);
- the published capacity of the corridor (reserve of capacity and path catalogue for the corridor timetable) (Articles 9§1b, 14 of Regulation 913/2010);

- the defined harmonised processes and rules for handling capacity requests, capacity allocation and traffic management (Articles 9§1c, 12, 13, 14, 15, 16, 17, 18 and 19 of Regulation 913/2010).

to not approve the Implementation Plan due to discussion between the members of the Executive board on the ERTMS deployment along the corridor.

to seek reaching an agreement on the Implementation Plan at the latest for September 2014 by setting up a working group composed of representatives of the Management board and the Executive board.

This working group will take into consideration the notifications and the reaction of European Commission on these as well as national deployment plans.

Signed in English and in French in Brussels the 12th of December 2013,