

Cross-border infrastructure linking the Union and the United Kingdom through the Channel Fixed Link

2021/0228(COD) - 13/07/2021 - Legislative proposal

PURPOSE: to amend Regulation (EU) 2020/2222 in order to ensure the continuity of cross-border rail services with the UK beyond 30 September 2021.

PROPOSED ACT: Regulation of the European Parliament and of the Council.

ROLE OF THE EUROPEAN PARLIAMENT: the European Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with the Council.

BACKGROUND: in order to ensure connectivity between the EU and the UK after the end of the transitional period referred to in Article 126 of the Agreement on the Withdrawal of the United Kingdom from the European Union and to guarantee the continuity of the activities of railway undertakings established and licensed in the UK operating on the cross-Channel fixed link, [Regulation \(EU\) 2020/2222](#) established measures to ensure the continuity of EU cross-border rail services with the UK.

Regulation (EU) 2020/2222:

- extended until 30 September 2021 the period of validity of the licences issued by the United Kingdom to rail operators established in its territory, as well as that of the safety certificates issued to those undertakings by the Intergovernmental Commission established pursuant to the Treaty between the UK and France concerning the construction and operation by private concessionaires of a channel fixed link, signed at Canterbury on 12 February 1986 (the ‘Treaty of Canterbury’);
- extended the period of validity of the safety authorisation of the Channel Fixed Link infrastructure manager issued by the said Intergovernmental Commission until 28 February 2021.

Decision (EU) 2020/1531 of the European Parliament and of the Council empowers France and the United Kingdom to conclude an international agreement concerning the construction and operation of a Channel Fixed Link (‘the Treaty of Canterbury’) as regards the application of railway safety rules within the Channel Fixed Link. However, no agreement has been concluded yet or is likely to be concluded soon.

In this context, France and the UK have negotiated a cross-border agreement on safety certificates. France has also negotiated a cross-border agreement on the licensing of railway undertakings.

Additional time is needed to complete the formal procedures required under the law of both Parties for the provisional application or entry into force of these agreements. These procedures are expected to extend for six months after the expiry, on 30 September 2021, of the contingency measures currently in force.

CONTENT: the proposed amendment to Regulation (EU) 2020/2222 aims to extend the contingency measures concerning the validity of licences and safety certificates in order to ensure the continuity of operations on the Channel fixed link. The end of the proposed extension is **31 March 2022**.