

# CASE STUDY:

## TEN-T: A chance for the river Oder

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## CONTENT

Case study: TEN-T: A chance for the river Oder .....	1
Abriviation list .....	2
1 Introduction .....	3
2 Analysis .....	4
2.1 Status Quo of the river Oder .....	4
2.2 Decision-making processes .....	6
2.2.1 Decision-making processes by the Federal Republic of Germany and the Republic of Poland .....	6
2.2.2 Decision-making processes by the Federal State of Brandenburg .....	9
2.2.3 Decision-making processes by stakeholders: Chamber's Union Elbe/Oder .....	12
3 Conclusion .....	15
4 Bibliography .....	19

## ABRIVIATION LIST

<b>AGN</b>	European Agreement on Main Inland Waterways of International Importance
<b>COM</b>	European Commission
<b>EU</b>	European Union
<b>FRG</b>	Federal Republic of Germany
<b>HoFriWa</b>	Hohensaaten-Friedrichstahler-waterway
<b>HOW</b>	Havel-Oder-Waterway
<b>IWW</b>	Inland waterways
<b>MS</b>	Member States of the European Union
<b>SOW</b>	Spree-Oder-Waterway
<b>TEN-T</b>	Trans European Network - Transport



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## 1 INTRODUCTION

There are 23.506 kilometres of inland waterways within TEN-T. However, one of the crucial waterways represented by about 100 kilometres, has a total river length of 840.9 kilometres: The Oder. It connects three European countries (Czech Republic, Germany and Poland). The German Oder waterway network includes the Oder itself and the parallel class IV waterways Hohensaaten-Friedrichsthaler-waterway (HoFriWa) and West Oder, which is part of the Havel-Oder-waterway (HOW). Furthermore, the Spree-Oder-Waterway (SOW) is part of the Oder waterway network. It allows connections to the Western ports via Berlin, Magdeburg and Hamburg and even the ports of Amsterdam, Antwerp and Rotterdam. As the Oder flows into the Baltic Sea, there is also a connection to all the seaports of the Baltic Sea Region as well as through the Vistula canal to the center of Poland. As the HOW is part of the TEN-T core network but not part of a core network corridor it's the priority of this analysis will be on the channels HOW and SOW in Germany and only partly on the Oder in Poland and the Grenzoder, which is the border between Germany and Poland.

Until today, the channeled waterway has the same parameters as decades before, but the vessels and customer requirements have made significant changes. "However, large parts of the river are framed by floodplains and floodplain forests, which are of outstanding ecological value and under nature protection. The floodplains host a large variety of birds, insect, amphibians, molluscs and fishes." (Glaeser, 2005)

These circumstances are the reason why there is nearly no freight traffic on the waterway. The Trans-European Transport Network (TEN-T) is the chance for the Oder's network to become an efficient inland waterway system in the heart of the EU. TEN-T defines the approach to a dual layered transport network on the European continent. (European Commission (9), 2013) The policy based on the so-called Comprehensive Network and a Core Network. The Core Network should be completed by 2030 and is "[...] constituted of the strategically most important parts of the Comprehensive Network, [...]. This will later allow the identification of key projects of European interest on a network configuration that already includes current missing links (including multimodal connection nodes and routes) and bottlenecks, and identifies needs for multimodal connecting platforms development." (European Commission (9), 2013) Furthermore, the core network is the basis for the nine core network corridors<sup>1</sup>. The Corridors will allow synchronized investments and infrastructure works and supports efficient, innovative and multimodal transport services.

A comprehensive network of routes will support the new core TEN-T network; it "[...] should ensure accessibility of all regions of the Union. It includes all infrastructure network components, as well as the connecting points between the modes. [...] features minimum infrastructure standards, set out in the TEN-T Guidelines that aim at interoperability wherever necessary for seamless traffic flows across the network." (European Commission (9), 2013). The Baltic Sea Region and especially the Oder region

<sup>1</sup> The nine corridors are: The Scandinavian-Mediterranean Corridor, the North Sea-Baltic Corridor, the North Sea-Mediterranean Corridor, the Baltic-Adriatic Corridor, the Orient/East-Med Corridor, the Rhine-Alpine Corridor, the Atlantic Corridor, the Rhine-Danube Corridor and the Mediterranean Corridor (European Commission (3). DG MOVE, n.d.)



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nearly reached their limit of freight traffic on roads and railways, but the inland waterways (IWW) and the Baltic Sea itself still have capacity for transport.

## 2 ANALYSIS

First it is necessary to examine a successful integration process of a waterway into TEN-T by the example Rheine-Main-Danube waterway. This project affects firstly the MS, which these rivers are passing by. In most of the MS, the elimination of bottlenecks and other infrastructural works has been set out in national infrastructure plans before the application for TEN-T. Furthermore in most of the MS feasibility studies and environmental impact assessments were conducted for their parts of the whole waterway corridor. The MS has worked closely together to find solutions to enhance the waterway. Rheine-Main-Danube is priority project 18 of TEN-T. To be part of TEN-T, a waterway has to fulfill certain criteria, which firstly needs to be fulfilled by the MS itself. If the MS has made the first step to develop into a waterway, the TEN-T will establish further steps to create a functioning infrastructural network.

The main goals for TEN-T are providing **infrastructure without any bottlenecks, enhancing the mobility across European borders and strengthening the multimodal aspect** in the European infrastructure (European Commission (4). DG Move, n.d.). The upgrade of the waterway has to fit with certain criteria set out by the natural reserves but also with the international requirements for inland navigation and waterway standards.

### 2.1 Status Quo of the river Oder

“The Odra river is partly canalised and sluices allow intensive shipping between about 30 harbours and on 717 km water ways. The largest harbours at the Odra, Kostrzyn and Schwedt, have a turn-over below 500,000 t/a. Szczecin is the gate to the Odra river system and most important trans-shipment centre. The Odra is linked to other river systems via canals and e.g. 2 Mio t, mainly sand, gravel and coal, are transported between Szczecin and Berlin.” (Glaeser, 2005)

Name	German Classification	UNECE <sup>2</sup>	Poland
HOW	Class IV <sup>3</sup>	Va	
SOW	Class IV <sup>4</sup>	IV	
Oder	Class IV <sup>5</sup> (km 542,40 - km 704)	Class IV (Mouth of the Havel — Oder waterway — 82.0/125.0 11.45/11.45 36 4.54 IV C downstream Kostrzyn	Class Vb up from Szczecin up to Ognica, as Class III from there to the mouth of the river Wartha.

<sup>2</sup> Status and Parameters of European network of Inland Waterways (Blue Book res.30, res 49)

<sup>3</sup> The required length for pushed convoys in this class not fulfilled. Furthermore, limitations due to draught, water level and bridges.

<sup>4</sup> The required length for pushed convoys in this class not fulfilled. Furthermore, limitations due to draught, water level and bridges.

<sup>5</sup> Limitations due to draught, water level and bridges.



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The Oder waterway network is divided into different classes with different development aspects, as a main waterway has a higher priority in the field of restorations and expansions and blocks the improving of the whole waterway network.

The biggest challenge for the Oder in total is the upgrade to Class IV. Some parts (E30, 31, 70 and 71) of the Oder already meet the requirements of AGN and TEN-T and are part of TEN-T. Due to the negation in the last decades, the navigable conditions of the river Oder have deteriorated, reflected by lower exploitation parameters. Therefore, the Oder from km 542.4 to km 704.1 is not meeting the requirements regarding international important inland waterways. The consequences for not challenging the requirements in the past are now the current bottlenecks along the Oder. The crucial bottlenecks of the Oder on the German side are Hohenwutzen (km 656 - 659) and Reitwein (km 604 - 605) and on the Polish side Rudnica-Osinow Dolny (km 654 - 663), Gozdowice-Rudnica (km 645.5 - 654), Kostrzyn (km 613.5 – 614.7) and Slubice (km 581 - 585.7) (Hans Bärthel, 2009)

Next to these bottlenecks, there are technical bottlenecks, which are the crucial moments of that waterway. For example, the lock of Fürstenwalde (SOW) was build 125 years ago without any relevant modernization so far. The modernization of the lock would support the modernization of locks in Wernsdorf and Kersdorf, in the past years with a spending of 30 million Euros. By removing bottlenecks and completing missing links on inland waterways by the use of more efficient services in multimodal combinations, it will handle the bulk of transport flows in the single market. Being part of TEN-T will have much bigger impact, especially on the economic sphere. Furthermore, if there is an intact infrastructure, there will be even more spill-over effects in the social sphere. For example, there will be new investments possible, which will create new jobs and the general aims of TEN-T would be reached. Therefore, the elimination of the bottlenecks and updates of the CEMT classes are crucial for the core corridors. Nevertheless, it is of great importance for the MS that the EU is supporting the eliminations of the bottlenecks.

A European waterway network will have two main goals: improving navigation conditions and a higher capacity for the passage of vessels. To achieve a sufficient waterway network in Europe, it will be necessary to remove existing bottlenecks and to prevent new ones. For example existing locks have to be modernized and new ones need to be built to allow a faster passage of vessels and convoys and to increase the under bridge clearance. Additional facilities for ice breaking, hydrological services and dredging shall ensure a year-round navigability. An interconnection with other transport modes, in particular with railway and maritime transport, shall be provided. (European Commission (7)., 2016). It will promote equal opportunities for the economic sector, which are dealing with IWT.

Due to an expected increase of transport volume in the future, the multimodal approach is necessary to reduce the road and railway congestion and the emissions. For example there has been 3.3 Mio (in 2015) and 3.5 Mio (in 2016) cross-border journeys by trucks in Frankfurt (Oder) in 2015 (Bundesamt für Güterverkehr, 2017) . The investments in the waterway infrastructure to remove the bottlenecks, e.g. locks, bridges and to develop a mind change in the industry is of great necessity. The Oder waterway network could open up new possibilities for the European single market; it would create new routes and



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perspectives for the whole Baltic Sea Region. Furthermore, it would reduce the traffic on roads and railways. First, it is extremely important to upgrade the status of the waterway in Germany and in Poland to achieve these goals in the near future. The existing infrastructure like hinterland ports on the German side along the Oder, e.g. Port of Schwedt and Port of Eisenhüttenstadt could handle more freight traffic and the waterway is the alternative route in the region.

The importance of a linkage between Berlin and the river Oder within the North-Sea-Baltic-Corridor is highlighted in its final report as follows: “The lack of the Elbe and Weser IWW connections to Hamburg and Bremen and the missing IWW link from Berlin to the river Oder are anomalies, as although they are covered under other corridors, logically they should be included on the North Sea-Baltic Corridor.” (Trautmann, 2015). In fact, the river Oder is part of the core network, but it is not part of any bordering core corridor, which is causing problems with the implementation of projects. It would logically be a part of the North-Sea Baltic Corridor but there are no projects identified yet which are planning for the Oder, even if “The available inland waterway system in the Netherlands, Belgium and Germany offers great opportunities for a modal shift to more sustainable transport. Several physical capacity bottlenecks concerning locks, CEMT classes, available height under bridges and required minimum draught have to be eliminated, however. [...]” (Trautmann, 2015). In the next TEN-T revision, the river Oder should be added to a core corridor, either the North-Sea-Baltic or the Orient-East-Med, because logically it would fit in both core corridors.

## 2.2 Decision-making processes

### 2.2.1 Decision-making processes by the Federal Republic of Germany and the Republic of Poland

*Involved: Federal Ministry for Transport and Digital Infrastructure of the Federal Republic of Germany, Ministerstwo Rozwoju of the Republic of Poland*

In the case of the river Oder, there have been several efforts of cooperation between FRG and the Republic of Poland. The most important one, in the recent past, was the “Polish-German Agreement on modernization of the Grenzoder” of the year 2015:

“[...] the purpose of the agreement is the prospective optimization of the flood discharge conditions at the Oder’s course between Poland and Germany to ensure stable navigation conditions, in particular for the deployment of the German-Polish icebreaker fleet. The ceremony as part of the 13th German-Polish intergovernmental consultations took place in the presence of Chancellor Angela Merkel and Prime Minister Ewa Kopacz.” (BMVI, 2015)

The Agreement shall improve the IWT, but also has a focus on the ecological issues. Furthermore, the Minister for Transport and Digital Infrastructure of Germany Alexander Dobrindt: “The waterway agreement is a symbol of the growing together of the neighbors [...]. Together we improve the navigability of the Oder and the water drainage – in the interest of the inhabitants of the border region on both sides of the Oder. This strengthens good neighborly relations, provides for economic dynamism and connects people with each other.” (BMVI, 2015)



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The Agreement was a good sign for the Oder region and its economy. Unfortunately, there has been no further discussions about the implementation of the agreement. Germany is financing the agreed projects. In the surrounding area of Szczecin like the deepening of the lake Jezioro Dąbie and the required ice breaking measures on the Polish side. The Polish government wants to develop the river completely along the Polish territory. The political decisions made in Germany are overall influencing the classification of the German inland waterway network. The focus on upgrading measures is limited only to those waterways with high traffic due to limited resources. "However [...]. The government adopted a resolution on the joint improvement of the situation on the waterways in the Polish and German border region, which should contribute to the economic development of the region as well as its protection against floods." (Wójcik, 2016).

Furthermore, there is a different point of view when it comes to the river Oder in Germany. Environmental issues have high priority in Germany. The political group of the Bündnis 90/Die Grünen in the German Bundestag want to protect the river Oder as a natural river in Germany.

Kleine Anfrage (small request) - 02.05.2016 (hib 254/2016)

The political group Bündnis 90/Die Grünen attacks in a Kleine Anfrage (18/8162) the possible expansion of the Oder into an international waterway. In the preamble, the Greens criticize that, inter alia, an agreement between Germany and Poland to improve the waterways in the border area endanger the "unique habitats and biodiversity" on the Oder. On the one hand, the questioners wants information from the Federal Government on the objectives of the National Strategy on Biological Diversity in relation to the Oder and its fulfillment. On the other hand, the Greens are interested in the Federal Government's assessment of the need for dike work on the Oder and on the compatibility of the German-Polish agreement with EU nature conservation objectives. (Bundesregierung, 2016)

It is not an interest conflict at all, but the environmental issue of a free flowing river and biological diversity have a much higher priority than shifting goods from the roads and railways to the waterways in the Oder region. This leads to another issue, which has to be examined to understand the decisions of the German Government:

The Federal Government does not aim for a traffic expansion of the Oder. Rather, the river is in the draft of the federal program "Blaues Band Deutschland" a "high importance for the construction of a biotope network of national importance". This emerges from a response of the Federal Government (18/8337) to a Kleine Anfrage (Small Request) from the political group Bündnis 90/Die Grünen (18/8162). Due to very low transport volumes, the Oder is anyway below the threshold to be classified in the core network of federal waterways, it says in the answer. [...] With regard to the cross-border effects of a project funded by the World Bank in the Polish region of Zwischenoder, no estimates are possible because the project "does not provide sufficient details", writes the Federal Government. It assumes that the German side will be involved by the Polish authorities "before the approval of the concrete projects" if "significant cross-border effects cannot be ruled out", the state replies. (Bundestag, 2016)

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The German Federal Government answer shows a problem: in the case of the river Oder, there seems a lack of information between both MS. TEN-T could bundle the interests of Germany and Poland, if the river Oder would be part of it. It seems that both MS are planning their infrastructure projects without asking the other government for advice and support. In this case, the EU could bring both MS to a table and develop together the infrastructure projects under the consideration of ecological and economical points of view. Furthermore, the public and all-important stakeholders would be integrated in the development processes, even cross bordering.

### Overview of German and Polish Plans and Strategies

<p><b>Federal Transport Infrastructure Plan 2030 (Bundesverkehrswegeplan 2030)</b></p>	<p>Upgrading of the HOW (Second Priority)</p> <p>Advanced replacement of three locks at SOW (Additional requirements)</p>
<p><b>National Strategy for Inland Navigation of Poland (Strategia rozwoju śródlądowych dróg wodnych w Polsce na lata 2016-2020 z perspektywą do 2030 roku)</b></p>	<p>Oder Waterway (E-30) - the achievement of international class navigability and inclusion in the European network of waterways.</p> <ol style="list-style-type: none"> <li>1. Removal of the current bottlenecks.</li> <li>2. The adaptation of the Odra Waterway to the parameters of class Va.</li> <li>3. Construction on the territory of the Polish section of the missing connection Danube-Oder-Elbe.</li> <li>4. Construction of the Canal Silesia.</li> </ol>
<p><b>Polish-German agreement on modernization of the Grenzoder</b></p>	<p>A common flow control concept for a better water discharge at the Grenzoder for stable conditions for the ice breaking due to removal of bottlenecks.</p> <p>Upgrading of the Klützer Querfahrt (Polish territory) for sea shipping between the port of Schwedt and the Baltic Sea.</p> <p>Dredging of the Jezioro Dąbie to guarantee the ice breaking and the ice carriage of the Grenzoder</p> <p>Financial support up to 6.200.000 Euro provided by Germany for the constructions on the polish side (Jezioro Dąbie and Klützer Querfahrt)</p> <p>Establishment of a Joint Committee to promote the implementation of the Agreement. Both countries will preside on an annually rotating basis.</p>

As a first step, the agreed projects of both national states and the bilateral agreement have to be fulfilled, as a basis for the TEN-T revision. The need for inland navigation is raising in the German and Polish regions, and first TEN-T could offers benefits as European political priority and co-funding eligibility.





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Furthermore, TEN-T is promoting an ecological way of enhancing waterways. Nevertheless, a common political of the MS is the basis for a positive development of the whole region. For a successful integration of the river Oder into TEN-T common strategies with concrete timelines, have to be developed. Furthermore, there is a need of concrete implementation plans, which guarantee a consensus interest of both countries. The focus should be on greater cooperation between the two governments, as a bottom-up approach to the Oder is not appropriate.

### 2.2.2 Decision-making processes by the Federal State of Brandenburg

*Involved:* The State Government of the Federal State of Brandenburg, the Federal State Parliament of Brandenburg and the Ministry for Infrastructure and Spatial Planning of the Federal State of Brandenburg

The Federal State of Brandenburg is located in the northeast of Germany, covers an area of 29,478 square kilometers, has 2.48 million inhabitants and forms a metropolitan area with the German capital Berlin. Brandenburg has a common border with the Republic of Poland, which is formed by the river Oder. The federal state passed by two important German waterways: the river Elbe in the Southern and Western part and the river Oder in the East. The Federal State Government of Brandenburg has established the importance of waterways in their coalition agreement between SPD Brandenburg and DIE LINKE Brandenburg for the 6th term of office of the Brandenburg federal state parliament (2014-2019): "Wherever possible, freight transport has to be shifted to railways and waterways. The coalition is committed to the resumption of the Teltow Canal and the Oder-Spree Waterway in the trans-European waterway network."

It can be assumed, that the Federal government of the Federal State of Brandenburg is in awareness of the importance of TEN-T for the waterway infrastructure. In this case, only the Teltow Canal and the Oder-Spree-Waterway are mentioned due to the HOW is already part of TEN-T and the Oder (Grenzoder) is a federal waterway, so it is managed by the Federal Republic of Germany. This issue is causing problems in the decision-making processes.

Following up, questions made by the Members of the Federal State Parliament of Brandenburg to the Federal Government of Brandenburg shall be analyzed, as the members are the directly elected representatives of the public and representing the interests and needs of the region. The Federal State Brandenburg recognized the high potential of modal split for the region:

**Question 871 SPD parliament party Member of Parliament Barbara Hackenschmidt (15.02.2012 Fragestunde): Use of the waterways:** The current plans of the Federal Transport Minister for the categorization of the federal waterways are opposed to the economically and ecologically necessary modal shift to inland vessels in Brandenburg. Thus, the existing potential of inland waterways would not be tapped both; economically and in the field of water tourism.

**Answer of Federal State Government of question 871: Minister of Infrastructure and Agriculture**



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The Federal Ministry of Transport, Building and Urban Development was commissioned [...] to develop a prioritization in the form of a categorization according to the quantity of goods transported. The chronic underfunding of the necessities to maintain and extend the inland waterways set it off. However, for Brandenburg, the waterways are also a significant locational factor in terms of infrastructure. In the past years, especially the federal government has invested considerable financial resources. However, continuous cruise for a competitive domestic cargo vessel in key relations is still lacking, so that the existing freight transport potential for inland waterway transport is not exhausted. The State Government has early initiated activities concerning transport policy to change the approach of categorization of federal waterways to prioritize the use of federal budgets. [...] Beyond that, there has been various correspondence and discussions in the matter with the Federal Government.

The most important statement of the Federal government of Brandenburg is obviously, "However, continuous cruise for a competitive domestic cargo vessel in key relations is still lacking, so that the existing freight transport potential for inland waterway transport is not exhausted. The State Government has early initiated activities concerning transport policy to change the approach of categorization of federal waterways to prioritize the use of federal budgets." The Minister states out, that the Land Brandenburg is actively promoting the waterways but due to the categorization made by the Federal state it is a problem to fulfil the needs of the region. Even if the Federal State Brandenburg would like to promote waterways in the future, the political willingness of the BMVI is needed to achieve the aims of the EU and of the public.

**Question by SPD Parliamentarian Mike Bischoff during 91st session Potsdam, Wednesday, and 02-04-2014:** [...] What is the current state of the cross-border expansion of the Hohensaatener-Friedrichsthaler waterway?

**Answer of the State Government. Minister for Infrastructure and Agriculture Vogelsänger:** For several years, the draft of the international agreement "Improvement of the situation on the waterways in the German-Polish border area" between the Polish and German partners is being negotiated. The draft was finally negotiated at the end of 2013 and is in Germany in the Foreign Office now for signature. Relating to the correspondence concerning the accessibility of the inland port in Schwedt (Oder) with seagoing inland waterway vessels it is agreed in Article 10 that the Polish partners will dig out the Klützer Querfahrt. The German Contracting Party finances these necessary measures, with up to € 500,000 Euros. The mentioned kind of ships can already run in one-way traffic on the Hohensaaten-Friedrichsthaler waterway to Schwedt.

The answer of the Brandenburg Ministry of Infrastructure is a reference to the German-Polish Agreement. As the Oder and its waterway network in Germany, are part of the federal waterways, so the Federal Republic of Germany is in charge for the modernization of the Oder. Nevertheless, the application for TEN-T is a duty of the federal states. They apply with projects to the Federal Government, which is in charge for reporting it to the EU. Minister Vogelsänger summarizes the application process by the Federal State of Brandenburg in the previous period as following:



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Landtag Brandenburg P-AEE 5/365. Wahlperiode. Ausschuss für Europaangelegenheiten und Entwicklungspolitik. 36. Sitzung (öffentlich). 14. August 2013

Minister Vogelsänger explains that there was a new state of trans-European transport network. One of the previous TEN-V corridors, which leads into the capital region, ended more or less in a cul-de-sac in Berlin. The new TEN-V planning's would intend a core network. That would be a consensus between the Council, the Commission and the European Parliament. Numerous MEPs – including representatives of Berlin and Brandenburg – were committed to creating total axes. One of the arguments – even the joint country planning department – has always been to strengthen the Baltic-Adriatic corridor. Brandenburg is just in the middle of it. The northern connection to Rostock and the connection to direction of Szczecin was important. Brandenburg is centrally located.

TEN-T is a great instrument for the Federal State of Brandenburg, as Brandenburg is centrally located in Europe and opens the way to the Central and Eastern European countries of the EU and even to Belarus and Russia. In 2013, Brandenburg arguments with its location for the completely European infrastructure. On the one hand, Brandenburg achieved its aims for road and railways, as three TEN-T core corridors are crossing the state. On the other hand all goals were not achieved. The waterways, as the SOW is a missing link in TEN-T at all, and the HOW is part of the core network, without being part of a core corridor.

**In its original wording of the ‚Kleine Anfrage 3414‘ of 27/02/14 (Small Request)**

**Question 2:**

Did the state government espouse to use the unissued funds of the Federal Ministry of Transport for the locks in Kleinmachnow and Fürstenwalde?

**To question 1 and 2:**

The investment funds in the federal budget for federal waterways are managed solely by the Federal Administration. The state of Brandenburg has no impact on that and there is no reliable information. I therefore refer to the Federal Government to answer the question regarding the title 'Federal Waterway'.

**To question 5:**

According to the Office of Statistics Berlin-Brandenburg 4.2 million tons of goods were handled in 2013. That is 5.5 % more than last year. Especially coal, crude oil, natural gas, agricultural products and rubbish has been transported by barge.

The extension of waterways for freight traffic in the state of Brandenburg for a continuous economic utilization has not yet taken place. At present weak points like waterway expansion between Elbe and Oder (Traffic project German Unity N°17) and the ship lift Niederfinow are not completed yet. It lacks the expansion of the locks Kleinmachnow and Fürstenwalde. Thus the existing potential for inland waterway transport in Brandenburg is not completely accessible.



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#### To question 6 and 7:

The use of the Oder-Spree-waterway by the haulage industry is going to stagnate, if the locks will not be expanded. The haulage industry will increasingly use the road for the transport of goods. The slack on waterways will remain unused.

In case of a soon implementation of the locks, the regional haulage industry clearly declared to enhance the usage of Oder-Spree-waterway and Teltow canal. This also applies to our eastern partner Poland.

The answer of the Federal Government of Brandenburg lights up, that there is political willingness to integrate the waterways as transport routes and to achieve a modal split. However, the bottlenecks at the Oder waterway systems do not allow a modal split at the time. It is even mentioned, that the economy would support the usage of waterways in the region. This support has not changed in the last three years. Of course, the goods, which can be transported by vessels, have changed, as coal is not transported any longer in Germany. The most important statement by the Federal State Government of Brandenburg is "Thus the existing potential for inland waterway transport in Brandenburg is not completely accessible.", so far there are not equal opportunities in the eastern part of Germany, as the river Elbe has been promoted the last couple of years by the Federal Government of Germany. The Federal state of Brandenburg and Poland do not have no access to the European waterway network at all.

Brief, there is an urgent need to harmonize the interest and needs of the Federal State of Brandenburg and the Government of the Federal Republic of Germany to achieve the goals of an ecological and economical way of transport in the region.

#### 2.2.3 Decision-making processes by stakeholders: Chamber's Union Elbe/Oder

The Chamber's Union Elbe/Oder was founded in 2000 and is a cross-border co-operation between Chambers of Commerce and Industry and Chamber of Crafts along the rivers Elbe and Oder. The Chamber's Union aims to promote and strengthen the economic integration of its member countries Germany, Poland and Czech Republic. In this respect, an effective and sustainable infrastructure is required, to link differing national networks by multimodal transport solutions and the extension of land and sea based cross-border transport incl. inland navigation. The members of the Chamber's Unions are representing more than 3 Million enterprises on a national and international level to achieve one strong economic zone in Europe and to form a common European identity. The Chamber's Union has published several statements about the river Oder. Following there will be an examination of selected ones, beginning in the year 2012, with the Resolution of the participants of the conference „A new chance for the Oder“, which has taken place in Słubice on 19th October 2012.

#### "We therefore appeal:

To sign as soon as possible a bilateral agreement between the Republic of Poland and the Federal Republic of Germany, which allows the common development of concepts and timetables for



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operation economy on the Oder and to realize in a further step the required investment projects using funds of the EU budget 2014-2020.

To get the work of complex modernization of the Oder as important part of the European waterway network started. These measures are not only resulting from the need to use the Oder as a traffic route, but of essential importance for flood control, to ensure stable water conditions in the catchment area [...]. This is associated with a significant increase of the economical role of the adjacent regions of the Oder, which hereby could be fully integrated into the European waterways system. [...] As the Oder connects three MS, a common policy is important for realizing the modernization measures of this transport way."

Furthermore, the resolution puts a focus on the economic sphere:

"An Economic growth in the Oder neighboring towns and communities is of immense importance. It has been shown in practice that prices for transportation of goods and persons on rails or roads are decreasing, if inland navigation was offered as alternative transport mode. This benefits the companies, secures jobs and strengthens the competitiveness of the region."

The resolution of 2012 is a reference to the Polish-German agreement, too. Unlike the political decision makers, the Chamber's Union sets the focus on the economic sphere. Furthermore, the stakeholder describes the need of the modernization measures on flood control. As the Chamber's Union is representing the economy of the Oder regions in Germany, Poland and Czech, its appeal is in line with the real need of the economies in the regions. On the example of the transit of goods through the German locks in the past and the declination of transit in the last years:

Lock	Year	Number of ships	Volume of goods in 1.000 t
<b>Hohensaaten West</b>	1995	4490	1.373
	2008	5723	2.005
	2013	2657	1.115,42
<b>Hohensaaten East</b>	1995	10607	2.167
	2008	2858	224
	2013	2127	174,11
<b>Eisenhüttenstadt</b>	1995	3486	565
	2008	1068	180
	2013	236	19,25

As the table is showing, the decrease of lock transits has rapidly increased. The lock of Hohensaaten-West has 40% decrease from year 1995 to 2013, the lock of Hohensaaten-East has 80% decrease and the lock of Eisenhüttenstadt has a decrease of 93%. The decrease of transit and good traffic in the region can be explained with the flood in 1998 and the political change from transport to flood protection



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REGIONAL  
DEVELOPMENT  
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acts. Next to flood protection, an enhanced and usable waterway, including locks, is necessary for the region. The Chamber's Union, companies and local authorities signed the "Resolution Binnenwasserstraßen" (inland waterways) in 2012, which explains the high importance of a usable waterway for the region:

**Resolution Binnenwasserstraßen 24.09.2012:**

Shipping is only possible on complete, continuously usable waterways. The distances, which are about to be completed, need to be finalized.

In the past years about three million Euros were invested in the extension of inland waterway in East Germany. Until now it has not been possible to expand required distances throughout according to the necessary parameters.

With lack of the undetermined extension of the lock Fürstenwalde/Spree for about 14 Million Euros, the entire previous strengthening of the Spree-Oder-waterway stays without any effect.

The Spree-Oder waterway between Berlin and Eisenhüttenstadt strengthened in the last years, the locks Wernsdorf and Kersdorf have extended for 67 m to 115 m length, so that modern barges with economic payload can pass. However, the connection extension of the lock Fürstenwalde/Spree in the middle of the waterway is still missing. As long as this lock – the shortest between Duisburg and Eisenhüttenstadt – determines the capacity of the whole relation, not all investments already made come into effect. Besides the mentioned negative consequences, the planned waterway categorization would lead to the decoupling of our east-European neighbors from the waterway network in Middle and Western Europe. This has to be prevented considering the European integration.

The bottleneck Lock of Fürstenwalde is a crucial bottleneck in the Oder waterway network. It could be removed with the help of TEN-T. Furthermore, an investment in the modernization would help to achieve the goals of TEN-T "Infrastructure without bottlenecks, enhancing the mobility across European borders and strengthening the multimodal aspect in the regions of Germany, Poland and Czech Republic. There is an urgent need of investment. The Corridors goals are synchronized investment in all transport modes. Brief TEN-T could be the solution for removing this bottleneck. Stakeholders, like the Chamber's Union are calling for support by the EU for the Oder region since years:

**Resolution of the Chamber's Union Elbe-Oder at the conference in Warsaw on 22<sup>nd</sup> May 2012**

'Enhancing growth opportunities in the Oder region by better transnational traffics'

The KEO (Chamber's Union Elbe/Oder) welcomes the draft regulation of the European Commission for the revision of the Trans-European Networks (TEN-T), 1 as this is the basis to create a European traffic network beyond the frontiers of the member states. In addition to the planned improvement of the hinterland connections of the seaports (For example, [...], the KEO welcomes especially [...] the inclusion of the Oder-Havel waterway in the TEN-T network, [...] to strengthen the Oder in the manner of ensuring that cross-border traffic on the Oder, the Oder-Spree Canal and the Oder-Havel Canal



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REGIONAL  
DEVELOPMENT  
FUND

continues. Already now, the Oder is navigable up to 1.80 m to Küstrin and from then upstream with a shallow water depth of 1.20 m.

The modernization of the Oder waterway is not just a traffic requirement. It also has a significant importance for flood protection (use of icebreakers) and the safeguarding of stable water conditions in the catchment area. Moreover the Oder waterway has a big meaning for the economic growth of the whole Oder region as it is fully integrated in the European waterway system.[...]

The KEO stands up for: [...]

2. An improvement / linking if the waterways, urgently needed is the ratification of the European Convention on the main inland waterways of international importance (AGN) by all Central European countries and entry of the Oder (E 30) and the connection Oder-Vistula (E 70) into the main network of trans-European transport networks. In the first proposal of the European Commission the Oder-Spree Canal was acknowledged as inland waterway from Berlin to Fürstenwalde. However, in the current draft this been crossed. We therefore demand the resumption of the initial planning and an extension to Eisenhüttenstadt to be able to ship the possible carryings volume of 2.75 tons from roads and rails to the waterway [...].

Nevertheless, the Chamber's Union is only a stakeholder in the decision-making process, its interest and needs have to be highly involved by the political decision makers to make sure, that TEN-T will be implemented in the next period.

### 3 CONCLUSION

**Question 364 by Mrs. Kircheis (SPD), Parliamentarian of the Federal State of Brandenburg:**

The Chamber's Union Elbe/Oder General Assembly adopted on the 6th Capital Conference, on 5./6. October 2015, two Resolutions for better navigability of the Central and Oberelbe, [...] as well as on transport modes in the Oder area. Both resolutions formulate recommendations for action. [...] How does the Federal State government evaluate the recommendations for action formulated in the resolution of the Elbe / Oder Chamber Union?

**Answer of Landtag Brandenburg - 6. Wahlperiode - Plenarprotokoll 6/20 - 16. Dezember 2015:  
Answer of Kathrin Schneider, Minister for Infrastructure and Spatial Planning:**

When these corridors shall develop their full potential, it requires further investment into roads, waterways and railways. In this regard, we welcome the commitment of the Chamber's Union Elbe/Oder at federal level for the maintenance and extension of the transport infrastructure in the region of Elbe and Oder very much. The resolutions define a number of individual government actions. The state government has registered important projects among for the draft of the new Federal Transport Infrastructure Plan. Shortly the Confederation has indicated that it has not yet finished its examination of these projects and therefore the presentation of the draft will unfortunately be delayed until next year. Overall, we will still make an effort for the extension of infrastructure, especially for the inland waterway in Brandenburg.



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The answer made by the Federal government sums up the efforts of the last years for the river Oder and its integration into the TEN-T network. There is a willingness by stakeholders and the federal state government of Brandenburg to achieve the goal of an efficient waterway network towards Poland to create a comprehensive single market for all MS.

TEN-T as a supportive tool could enhance the river Oder as an IWT under ecological and economical points of view, which will benefit the regions and last but not least the MS. Furthermore, TEN-T would achieve a better communication between the participating MS, primarily Germany and Poland and of course between both MS and the Czech Republic. However, not even the communication could enhance between the countries; TEN-T would support the border-crossing freight traffic in the ecological way of transport. The officials of Poland, which are dealing with TEN-T, should keep in mind, if they want to achieve the admission of the river Oder in TEN-T it needs the support of Germany. Nevertheless, for Germany TEN-T could be the solution, too. The FRG has to achieve the aims of the EU in the transport sector as well. As a lot of freight traffic is going from East to West and vis a vis, the waterways in the North-Eastern part of Germany has to be highly supported by the government, to congest the roads and railways. Additionally, TEN-T core corridors already implemented in the region, but to achieve the holistic approach of TEN-T in the Oder region, the IWW have to be included in the next years.

The EU's goal is a real modal split, to use less and cleaner energy and an efficient network of infrastructure. Furthermore, more environmentally sustainable transport modes shall be encouraged. So far, the Republic of Poland is supporting the EU wide goal of a modal split on inland navigation. Germany is supporting these goals in the western parts, where inland navigation is already part of the efficient transport network in Western Europe. According to statistics, in the eastern part there is the need of enhancing IWT and even the economy is supporting a modal split. First, the remove of bottlenecks of the infrastructure have to be completed and there has to be continuous water levels, to achieve these aims.

The possibility of increasing transport volumes on the Oder waterway depended on the intensification of commercial relationships, investments in infrastructure development, and significant changes in demand for related services. The stakeholders along the Oder should be involved in the decision-making processes. Even if the TEN-T revision is a political one, it is necessary to involve the public and economy. The potential of IWT seen by the federal state of Brandenburg and by NGO's like the Chamber's Union. However, TEN-T supports the cross border cooperation of the regions and is the solution for the Oder region. Only the inclusion of the river Oder into a TEN-T core network corridor can achieve a holistic approach in the European infrastructure. Furthermore, it supports equal opportunities for all regions in Europe, because the suppliers can be more comprehensive, if they are able to offer cost-efficient transport modes.





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#### 4. Decision making process of including a waterway into TEN-T: the river Oder

The first steps, for including the river Oder into TEN-T have been set out in the past. There are only a few steps and communication necessary to achieve the aim and to profit of TEN-T.

##### a. Problem definition/Agenda setting

The river Oder is a cross-bordering river, for including this waterway and the annexed waterway network, it is necessary that both MS, Poland and Germany, are having the same political willingness to including the waterway into TEN-T. However, there have to be national plans for waterways, which are defining the elimination of bottlenecks and other infrastructural works.

##### b. Formulation

Both MS has formulated their political willingness to eliminate crucial bottlenecks on the Grenzoder in the "Polish-German agreement on modernization of the Grenzoder". However, Poland has got the river Oder set out in their National strategy for Inland navigation with a high priority and has a high political willingness to include the waterway into TEN-T. Germany has set out the HOW and locks on the SOW in the actual Federal transport plan.

Nevertheless, both MS have to cooperate and communicate about a consensus, if there are slight changes in their plans.

##### c. Adaption

The next steps are feasibility studies and environmental impact assessment in both countries.

Nevertheless, both MS have to cooperate and communicate about a consensus, if there are slight changes in their plans.

##### d. Implementation

The national regional governments, involved stakeholders and the civil society should be informed. The national governments of both MS and the Federal states in Germany may not afford budget, if there will be a need during the implementation processes, if there is a need because of then identified risks or to support the regional development and economic growth, which are often the main aim of Federal state governments.

Nevertheless, both MS have to cooperate and communicate about a consensus, if there are slight changes in their plans.

##### e. Evaluation

The whole process has to be evaluated by all stakeholders and the EU.

##### f. Termination

If both countries will cooperate and will inform each other, the river Oder will be part of TEN-T in the next revision. If not, the whole process should start again, with a new problem definition.

**Table 1 Comparison: Requirements for Class IV of IWW of international importance and conditions of river Oder**

	Requirements of TEN-T <sup>6</sup>	Requirements of AGN	Conditions of Oder (Germany)
<b>Port of international importance</b>	Article 16 of TEN-T guideline: „[...] (d) Connecting inland port infrastructure to rail freight and road transport infrastructure; [...]”	<ul style="list-style-type: none"> <li>situated on a E waterway</li> <li>capable of accommodating vessels or pushed convoys</li> <li>connected with main roads and railway lines</li> </ul>	The Oder is partly defined as E waterway in AGN:  Directly connected ports with the German main road and railway system.
<b>Tonnage (t)</b>	Motor vessels and barges: 1.000-1.500  Pushed convoys: 1.250-1.450	Motor vessels and barges: 1.000 - 1.500  Pushed convoys: 1.250 - 1.450	n/a.
<b>Maximum Length (m)</b>	Motor vessels and barges: 80-85  Pushed convoys: 85	Motor vessels and barges: 80 - 85  Pushed convoys: 85	Motor vessels: E 31, E70: 82 m; E71: 67 m  Pushed convoys: E31: 135-156 m; E70: 82-125 m; E71: 91 m
<b>Beam (m)</b>	Motor vessels and barges: 9.5  Pushed convoys: 9.5	Motor vessels and barges: 9.5  Pushed convoys: 9.5	Motor vessels: E31; E70: 9,50-11,45m; E71: 8.25 m  Pushed convoys: E31: 8,25-11,45; E70: 9.50-11.45; E71: 8.25
<b>Draught (m)</b>	Motor vessels and barges: 2.50  Pushed convoys: 2.50 - 2.80	Motor vessels and barges: 2.50  Pushed convoys: 2.50 – 2.90	1.60 - 2.50
<b>Minimum height under bridges (m)</b>	5.25 or 7.00	5.25 or 7.00	4.00 – 4.54
<b>RIS</b>	+	n/a	-
<b>LNG</b>	+	-	-

<sup>6</sup> Requirements of IWW for TEN-T are defined in Classification of European Inland waterways (CEMT).



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