

Strategic documents in development of inland navigation on the Polish and Belarusian section of E40

Dokumenty strategiczne w rozwój żeglugi śródlądowej w polskiej i białoruskiej części E40

Wkład autorów:

A – Study Design
B – Data Collection
C – Statistical Analysis
D – Manuscript Preparation
E – Literature Search
F – Funds Collection

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Article history: Received: 10.01.2016 Accepted: 06.05.2016 Published: 16.05.2016

Abstract: The international waterway E40 is incorporated into the network of inland waterways of transnational importance. It's a kind of link between the two water basins of the Baltic Sea and the Black Sea. The route runs through three countries, Poland, Belarus and Ukraine. The article shows a review of strategic documents regarding the revitalization of this connection at regional, national and international levels. Due to the fact that the sections running through the territory of Poland and Belarus require major modernization works, the authors of the article focus mainly on the analysis of the selected documents related to those countries. The entire section of the Ukrainian stretch of the waterway is basically navigable and does not require major modernization works. The article will be useful to create a strategy for the revitalization of the international waterway E40 in Poland, and will facilitate any decision on accession and signing of the European Agreement on the Main Inland Waterways of International Importance (AGN) convention by Poland. The article can also provide material to support development policies of companies conducting their business based on infrastructure located along the E40 waterway.

Keywords: Strategic documents, AGN, waterway E40, revitalization, inland navigation

Streszczenie: Międzynarodowa droga wodna E40 wpisana jest w sieć dróg wodnych śródlądowych o znaczeniu ponadnarodowym. Stanowi swoisty łącznik dwóch akwenów: Morza Bałtyckiego i Morza Czarnego. Jej trasa przebiega przez trzy kraje Polskę, Białoruś i Ukrainę. Artykuł ma charakter przeglądowy i przedstawia analizę strategicznych dokumentów rozwojowych wpisanych w rewitalizację tego połączenia na poziomie regionalnym, krajowym i międzynarodowym. Z uwagi, iż odcinki przebiegające przez tereny Polski i Białorusi wymagają największych prac modernizacyjnych, autorzy artykułu skupili się głównie na analizie wybranych dokumentów kierowanych do tych krajów. Ukraiński odcinek drogi wodnej jest w zasadzie na całym odcinku żeglowny i nie wymaga większych prac modernizacyjnych. Artykuł będzie przydatny do stworzenia strategii rewitalizacji międzynarodowej drogi wodnej E40 w Polsce oraz ułatwi podjęcie decyzji dotyczącej przystąpienia i podpisania przez Polskę konwencji AGN. Artykuł może również stanowić materiał wspomagający politykę i rozwój firm prowadzących swoją działalność w oparciu o infrastrukturę zlokalizowaną wzdłuż drogi wodnej E40..

Słowa kluczowe: Dokumenty strategiczne, AGN, droga wodna E40, rewitalizacja, żegluga śródlądowa

Introduction

The International Waterway E40 links the Baltic and Black Seas running from Gdansk via Polish, Belarusian and Ukrainian territory up to Kherson. It is considered as an integral part of the European inland waterways network, important

for sustainable development of TEN-T (Trans-European Transport Networks). Currently the route is navigable only from the Black Sea up to the Polish-Belarusian border. There is a lack of a fully navigable link between Dnieper and Vistula and it is the major obstacle, not only technically but legally and organisationally as well, in the development of efficient inland water-

way transport on the entire route E40. The article's focus is on the essential strategic documents regarding development of navigation on the Polish and Belarusian section of E 40. Particular attention was put on the issue of “missing links”. There are a number of international, national and regional legal acts and provisions governing the subject of navigation, restoration and operation on inland waterways, which are binding and have to be respected.

Inland waterways in the EU strategic documents

Strategy “EUROPE 2020”

“EUROPE 2020. A strategy for smart, sustainable and inclusive growth”, is a key document for mid-term EU development strategy. It was adopted by the European Council on 17 June 2010.

At the European Union level there are several instruments for the implementation of EUROPE 2020 Strategy, namely seven flagship initiatives and 10 Integrated Guidelines regarding economic policy and employment measures in each member – state. As an example of a flagship initiative, there can be mentioned the “European platform against poverty”, which aims to ensure social and territorial cohesion by helping the

poor and socially excluded to get access to the labour market. EU countries, including Poland, are obliged to implement the stipulations of the Strategy with corresponding national regulations and policies.

White paper 2011

Transport has been always regarded as a key factor behind development and further integration of EU economies. The European Commission presents agreed frameworks of transport policy in the form of political documents commonly referred to as “white papers”. The currently binding document that determines the future of inland waterway transport is: White Paper 2011. Roadmap to a Single European Transport Area - Towards a competitive and resource efficient transport system. The document points out the strategic targets for EU transport until the year 2050. The white paper defines the essential challenges for the European transport system until the year 2050 which should be met taking into the account the following needs:

- ◆ more investment resulting in higher competitiveness of European transport,
- ◆ solving the increasing problem of congestion,
- ◆ balancing development of transport systems of Western and Eastern Europe,
- ◆ reducing dependence on crude oil and the emission of greenhouse gases.

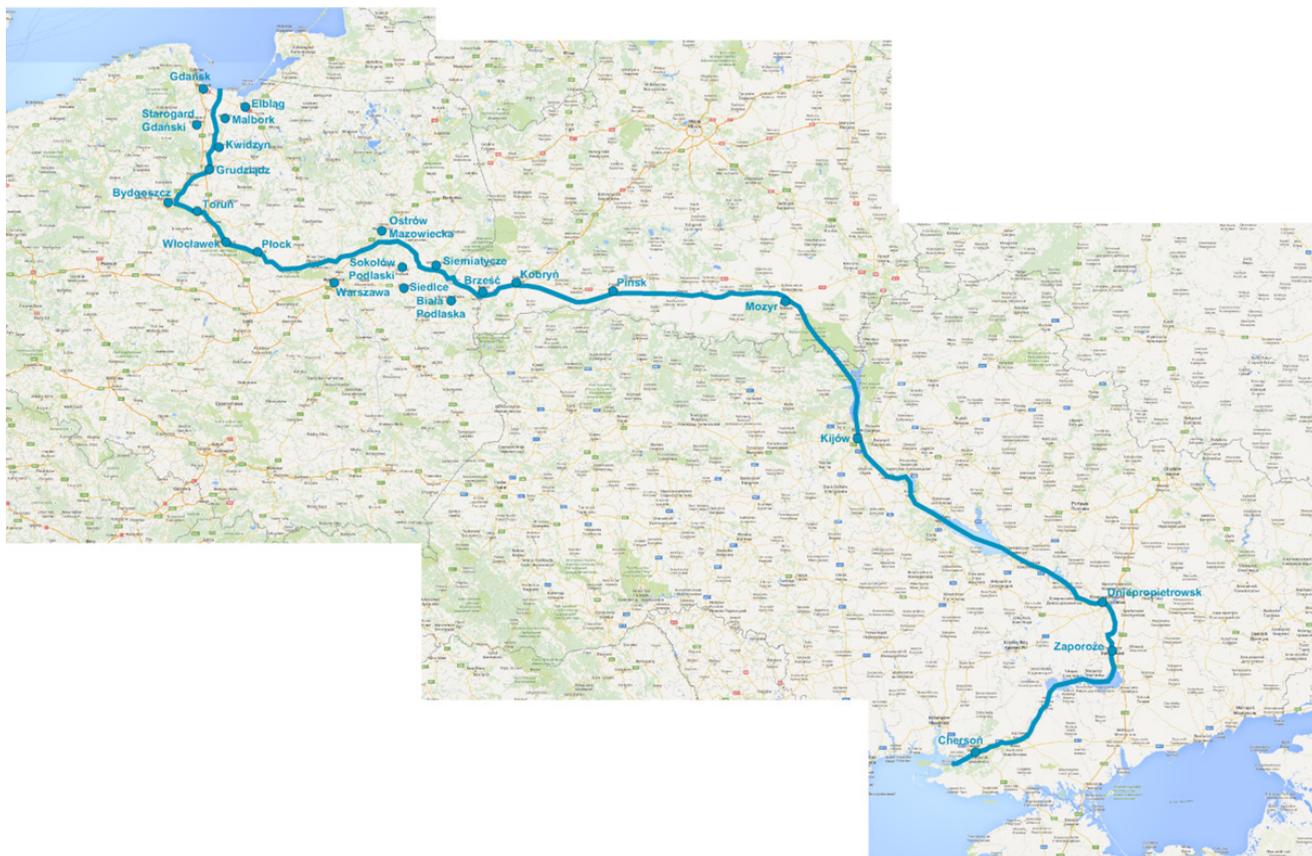


Fig1. International Inland Waterway E40
Source: Maritime Institute in Gdańsk. Economics and Law Department

Among the initiatives there are those that directly address issues of inland waterway transport. The White Paper 2011 also stipulates that carriages longer than 300 km should be shifted to other transport modes than road transport (railways, inland waterway transport); 30% of road freight over 300 km should shift to other modes by 2030, and more than 50% by 2050. The Paper also postulates close integration of inland waterway transport with sea ports.

TEN-T Network Programme

Trans European TEN-T Network Programme aims to stimulate infrastructural investments resulting in the integrated transport network including all EU countries and transport modes.

There are no Polish inland waterways present on that list, despite the fact that investments into inland waterways in Germany and The Netherlands within Northern Sea-Baltic corridor were highlighted. It is the result of several years of neglected development of waterways and inland shipping infrastructure. This situation complicates the process of waterway restoration and transport potential of the fleet.

Polish waterways were not considered as an important element of European transport network. Only the Polish part of the Odra waterway from Szczecin to Berlin and ports in Szczecin, **Świnoujście**, Gdynia and Gdansk were included in the TEN-T base list.

On the 11th of December 2013, "Connecting Europe" investment plan with a 50 billion Euro value was established in order to enhance European transport, energy and digital network. This instrument is focused on investments in key infrastructure helping to create new workplaces and improve European competitiveness. Within "Connecting Europe", investments in TEN-T transport infrastructure, the creation of missing links and removal of bottlenecks will be financed with 26.25 billion Euro. This amount includes 11.305 billion Euro guaranteed within the Cohesion Fund for transport-related projects in participating countries.

European Fund for Strategic Investments (EFSI)

The Investment Plan for Europe consists of three interrelated elements:

- ◆ the first element focuses on new additional investments within three upcoming years, in the amount of minimum 315 billion Euro in order to maximize the influence of public resources and revive private investments;
- ◆ the second element gives direction to additional investments in order to make sure that they will meet the needs of real economy;
- ◆ the third element introduces sources supporting the implementation of regulations and aims to remove investment barriers to enhance European attractiveness and overall effectiveness of the whole plan.

EFSI includes a list of potential investment projects which might be financed. Poland presented a full range of transport-related projects within ESIF, from which only few relate to the E40 waterway.

Proposed investments on the E40 include:

- ◆ Development of barrage below Wloclawek - amount of 0,04 billion Euro;
- ◆ Modernization of Lower Vistula from km 847 + 000 to 772 + 000 – amount of 0,02 billion Euro;
- ◆ Modernization of Lower Vistula from km 772 + 000 to 718 + 000 – amount of 0,02 billion Euro;
- ◆ Modernization of Lower Vistula from km 933 + 000 to 847 + 000 – amount of 0,017 billion Euro;
- ◆ Restoration of the canalized Brda River and investment in the infrastructure of the Bydgoszcz water node- 0,01 billion Euro;
- ◆ Project "Vistula", requiring the creation of a feasibility study of a project of hydroelectric power plant and dam development on the 1st stage and completion of investments in the 2nd stage- amount of 0,834 billion Euro.

The finalization of the above mentioned investments would improve the situation on the Polish part of the E40 waterway, however additional actions on the problematic Plock-Warsaw and Zegrze - Brest parts will be still needed.

The main EU regulations

The EU regulations listed below concern member states who implemented the complete EU legal conditions. Poland incorporated these regulations into national law system through several acts and assured their following. Other countries within the E40 can use their own separate legal regulations.

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. (Water Framework Directive, WFD)

The Water Directive is the answer to EU efforts for improved water protection through the introduction of integrated European water policy based on a clear, effective and coherent legal framework.

Directive 79/409/EEC - The Birds Directive

The main aim of the Birds Directive is to maintain bird populations at the level that meets ecological, scientific and cultural requirements.

Council Directive 92/43/EEC on the Conservation of natural habitats and of wild fauna and flora (Habitats Directive).

The Directive on the Conservation of natural habitats and wild fauna and flora was implemented 13 years after the Birds Directive and is much more detailed, with broader context. To-

gether with the Birds Directive it creates a background of the European environmental protection system Natura 2000.

Set of directives on NATURA 2000

The terms of Natura 2000 and its way of functioning is included in the Habitats Directive, however it often refers to the Birds Directive where several legal solutions on bird habitats are included.

Directive 2007/60/EC on the assessment and management of flood risks from 23.10.2007 (The Floods Directive).

The Floods Directive entered into force on 26.11.2007. It is on a par with the Water Framework Directive (WFD) and its content is consistent with WFD. The Floods Directive complements the EU legal framework in the aspect of water management. The main aim of the directive is to introduce frames for assessment and managements of flood risks in order to minimize negative consequences for human health, environment, cultural heritage and economic activities in the areas threatened by floods. Based on the preliminary flood risks assessment, member states determine areas of high probability flood risk for each area of the basin, management body and part of the international basin area loca-

ted on their territories. Member states also prepare maps of flood threats and flood risks in the most appropriate scale.

RIS Directive

The Directive on harmonised river information services (RIS) on European waterways from Class IV onwards requires member states to establish an information system on waterways based on the directive's technical specifications. The Directive creates a European framework for RIS concept's implementation and compatible interpretational new and existing European RIS systems. The implementation of RIS improves the safety and effectiveness of inland shipping and will make overall transport more environmentally friendly.

Other international regulations

AGN Convention - European Agreement on the Main Inland Waterways of International Importance

The AGN Convention was signed in Geneva on 16.01.2006. In order to make European waterways more effective and attrac-

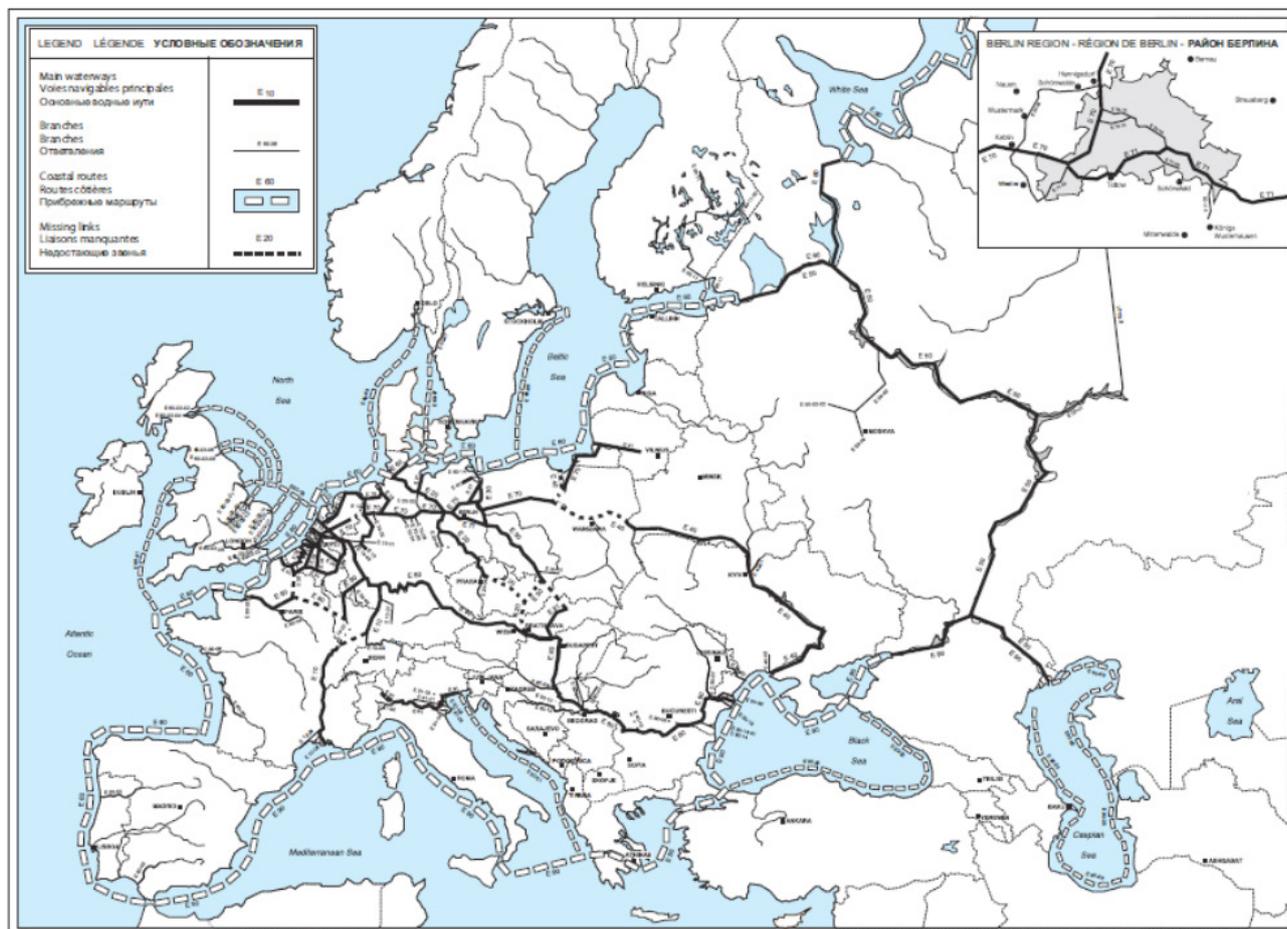


Fig1. European waterways with international importance highlighted in agn convention
Source: AGN Convention

tive for their users, the AGN Convention creates a legal framework facilitating coordination of development plans and investments on inland waterways of international importance in countries which ratified the document. The convention proposed the creation of an inland waterways network of international importance (marked with the letter "E") and main ports to service these waterways.

In the attachment to the Convention no 1, the following waterways with international importance were shown, including these going through Poland:

- ◆ E-30 – from Swinoujście via Szczecin, Odra Waterway to Wrocław, further Kozle including connection with the Danube river and arm of the river to Gliwice – E-30-01;
- ◆ E-31 – Szczecin – Westoder (Western Odra river) – Hohensaaten – Friedrichsthaler;
- ◆ E-40 – Gdańsk – Warsaw – Brest – Pinsk – Kiev – Kherson. Two arms have international aspects on this path: E-40-01 from Desna river mouth to Chernihiv in Ukraine and Boh river (Southern Bug) to river mouth in Mikolajowo E-40-02.
- ◆ E-70 – Rotterdam – Berlin – Kostrzyn – Bydgoszcz – Elbląg – Vistula Lagoon – Kaliningrad.

In Annex 2 to the Convention, inland waterway ports of international importance have been listed. In case of E40, the following ports of international importance are indicated: Gdańsk and Bydgoszcz (Polish ports) and Brest, Pinsk and Mozyrz (Belarus) and also Kiev, Czerkasy, Kremenczug Dniepropietrowsk, Zaporozhe, Nowa Kachowka and Kherson (Ukraine). In the branches of river, the ports of Milolajewo and Czernihow (Ukraine) are located. The convention describes and categorizes technical parameters of main EU waterways and channels and is the starting point for further laws and programmes on the inland transport development.

The Convention was ratified by the Republic of Belarus and Ukraine. Poland did not ratify the AGN convention despite many demands and pleas from the shipping stakeholders who think that the document will create legal conditions for further actions resulting in the revival of Polish inland shipping.

ECE UN Documents related to AGN convention

Blue Book ECE UN 2006

The Blue Book EKG UN of 2006. The document is based on the AGN convention and illustrates the state of international inland waterways 10 years after the document has been signed.

White Book UN ECE 2011

The document White Book UN ECE 2011, describes the state of inland waterway transport in Europe 15 years after signing the AGN convention. The intention of the document is to streng-

then the mechanisms of coordination of waterway development in Europe, according to the solutions accepted in the AGN convention.

The document points out that, for many European transport corridors inland waterway transport makes a competitive alternative for road and rail transport, since it offers a reliable, environmentally friendly, energy saving means of transport.

Polish strategic documents

The national system of strategic documents has been defined in the act of 6th December 2006 on the principles of conducting the development policy.

The main group of documents designating the strategy of the country development are: the long-term country development strategy, the concept of the national spatial development plan, the mid-term strategy of the national development strategy and an aggregate of integrated development strategies, including the transport development strategy.

3.1 The Long-term Strategy of the Country Development

The Long-term Strategy of the Country Development (DSRK) - **"Poland 2030. The Third Wave of Modernity"**, defines the main trends, challenges and the concept of the country development and the necessary actions within the long-term perspective. The document indicates the actions referring to the road, rail and airport infrastructure. The inland waterways are not mentioned by that document.

3.2 The Concept of National Spatial Management

"The Concept of Country Spatial Management 2030" (KPZK) is the main national strategic document concerning the country's spatial management referring to DSRK. The problem of inland waterways is set in the essential scope of task three, where it is stated that: *In the scope of inland waterways transport (...) the Oder Inland Waterway modernisation will get priority, and in the scope of sea shipping the priority will be on investments focussed on improvement of accessibility to terminals in Polish sea ports of primary importance for the national economy (Szczecin, Świnoujście, Gdańsk, Gdynia) and complementary ports, such as Elbląg, in particular those on the land site incorporating the usability of inland waterways.*

Further it is stated that, within the perspective up to 2030 the Oder Waterway will be modernised to be upgraded to class III, including preservation of existing segments with class IV and above. Due to the lack of adequate water resources and in order to preserve the uniqueness of nature, the project of linking the Oder catchment area via Bydgoszcz up to Gdańsk and the Vistula from the estuary of Przemsza as well, will not be implemented. At the eastern stretch of Poland, the development of waterways is considered exclusively for the purpose of tourism.

3.3 Mid-term Management Strategy of the Country 2020

The Development Strategy of the Country 2020. Active Society, Competitive Economy, Efficient State (SSRK) is a

component of the instituted system of country development management. *The main objective of the mid-term strategy is the strengthening and exploration of industrial, social and institutional potential, which will assure faster and sustainable development of the country and improvement of living condition of the society.*

Regarding the inland waterway transport, it is stated that, *"The action will be undertaken on modernisation and development of the inland waterways transport infrastructure (navigable waterways and ports), which will be implemented as the financial resources are available.* That statement is the only one in the SSRK related to the subject of inland waterways infrastructure or inland shipping.

3.4 Transport Development Strategy 2020

The Transport Development Strategy 2020 (with the perspective up to 2030) (SRT) is a sectoral strategic document elaborated according to the act on the principles of implementing the development policy.

In the SRT, the main objective, two strategic objectives and particular objectives on transport development in Poland have been indicated and the objectives on the development of different kinds of transport as well.

In the SRT it is stated that, *"the perspectives of inland waterways transport development show, that freight transport has a chance of development at a moderately dynamic pace exclusively on the Oder Inland Waterway. In the long-term perspective, there is a possibility of utilising Vistula for transportation purposes, especially in the lower segment, in distributing freight from sea ports and in the upper segment (the Cascade of Upper Vistula)".*

In the SRT the following interventions related to inland waterways have been proposed:

- ◆ To continue the implementation of the RIS system on the main waterways;
- ◆ To achieve and maintain the navigation conditions defined in the European classification of inland waterways;
- ◆ To improve shipping and navigation conditions and to modernise the infrastructure on inland waterways of tourism significance;
- ◆ To develop the infrastructure of inland waterways, including the upgrade of operational parameters along with the improvement of accessibility to sea ports;
- ◆ To build a modern infrastructure of inland waterways of stable conditions for local and regional transportation;
- ◆ To adapt the infrastructure of settled Polish inland waterways or their segments to the requirements of the European inland waterway system;
- ◆ To aim at creating favourable conditions for utilising environmentally friendly transport modes for distances above 300 km.

Strategic documents of the Republic of Belarus

4.1 National Strategy of Social and Economic Sustainable Development of the Republic of Belarus till 2020

The national strategy of social and economic sustainable development of the Republic of Belarus up until 2020 was adopted by the National Commission for Development of the Republic of Belarus (protocol N11/15 IIP of 6th May 2004) and the Presidium of the Council of Ministers (protocol N25 of 22nd June 2004).

The document states that *"the strategic goal of sustainable development of Belarus is to achieve continuing improvement of the well-being, cultural and moral enrichment of society using the intellectual and innovative development of economy, social sector and spirituality and protection of the environment for present and future generations".*

The document is of a general nature, and does not contain specific statements concerning inland waterways or international waterways.

4.2 Water Strategy of the Republic of Belarus up until 2020.

The basic objectives realised by the strategy are the following:

- ◆ achieving a good state of surface and groundwater;
- ◆ ensuring water supplies for the population, industry and agriculture;
- ◆ decreasing the negative effects of floods and droughts;
- ◆ wider use of water infrastructure for recreation.

Chapter 10 of this document stated that the total length of inland waterways in Belarus is 3000 km, and navigation is carried out along 1600 km on the rivers Dnieper, Pripet, Berezina, Sozh, Neman, Western Dvina and the Dnieper-Bug Channel.

4.3 National Programme of Inland and Sea Transportation Development of the Republic of Belarus for the period of the 2011–2015.

The programme was adopted by the Act N1895 of the Council of Ministers of the Republic of Belarus of 24th December 2010 "On the adoption of the Programme for the development of internal water transport and sea transport for the period 2011–2015". The aim of the programme is to fulfil the demand of the economy and population for inland and sea transportation, and to ensure their stable development and improved competitiveness.

The programme assumes:

- ◆ an annual average of 12% growth of cargo transported on inland waterways,
- ◆ a 14% increase of passenger transport,
- ◆ a 60–65% increase of transport performance in relation to 2010,

- ◆ 16% improvement of profitability of production, works and services,
- ◆ decrease of imports by 15.5%.

It is planned that 60% of the hydro-technical structures on the Dnieper-Bug Channel are to be modernised in the period 2011-2015, resulting in improved conditions for navigation, better water management and better utilisation of the hydro-power potential. Also 130 km of waterways will be modernised. In comparison with the previous period 2005-2010, the value of investments in waterways is increased by 4.5 times. It is also planned to develop, during the years 2014-2015, a plan for reconstructing the E40 waterway on the Dnieper-Vistula stretch.

Conclusions

In 2004, EU enlargement included countries of central and eastern Europe which resulted in the increase of cargo transport. Therefore, modernisation of inland waterway navigation and investments into multimodal transport links are urgently needed.

Inland waterway transport makes a competitive alternative for road and rail transport for many European transport corridors, since it offers a reliable, environmentally friendly, energy saving means of transport. Therefore, development of inland waterway transport and links is supported by the European Union especially in the transport policy strategic documents and development programmes of the Pan European transport network TEN-T. A special programme have been established

which assigns funds to European member states. On the other hand, the EU has introduced a number of regulations that, as a consequence, limit investments into new inland waterways. A package of directives that constitute Natura 2000 - nature protection areas, which introduces legal and financial barriers for modernisation and construction of new hydro-technical objects.

The development of inland waterways is also supported by the UN, which regularly monitors its progress in Europe. In 1996 the AGN Convention was signed that defines standards for international inland waterways. The Convention was also ratified by Belarus and Ukraine. Poland has not ratified the Convention so far.

Existing Polish development plans for inland waterways give priority to the modernisation of Odra River transport system. The Vistula River, at its entire section that is a part of the E-40 international waterway, is not suitable for navigation required by cargo and passenger transport. Basically no waterway standards mentioned in the Polish legal documents are currently met by Vistula, including standards for international routes, not mentioning the missing link from Vistula to the Belarusian border.

Sections of E-40 in Belarus are navigable, even though some sections do not meet class IV standards.

In their strategic documents, Belarus emphasises the importance of E-40 and has undertaken a significant programme of modernisation of hydro-technical infrastructure and transport channels.

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Word count: 3800 Page count: 8 Tables: – Figures: 2 References: 19

Scientific Disciplines: Other

DOI: 10.5604/12307424.1202227

Full-text PDF: www.bullmaritimeinstitute.com/fulltxt.php?ICID=1202227

Cite this article as: Kalinowski M., Koba R., Kowalczyk U. : Strategic documents in development of inland navigation on the Polish and Belarusian section of E40: BMI, 2016; 31(1): 88-95

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Competing interests: The authors declare that they have no competing interests.

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