

**Discrepancies in assessing the potential of the Bydgoszcz Logistics  
Node from the perspective of the European Commission  
REPORT**



**NOWYBURSZTYNOWYSZLAK**

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## **Introduction**

The European Commission, when submitting its proposal for the revision of the TEN-T network established by Regulation 1315/2013 of the European Parliament and of the Council on 14 December 2021, did not include Bydgoszcz among the nodes of the core network. At the end of March 2022, a group of signatories - represented by the New Amber Trail - submitted a petition to the European Parliament for the recognition of Bydgoszcz as a node of the TEN-T core network. In a position paper of 8 December 2022, the European Commission expressed the assessment that Bydgoszcz does not meet the criteria for a core network. The representative of the New Amber Trail took up a polemic against this view on 25 January 2023, during a meeting of the PETI Petitions Committee. The representative of the European Commission maintained his position, but did not indicate how Bydgoszcz does not meet the guidelines.

This report has been produced because of these confusions, in order to discuss these discrepancies in assessments and to highlight the arguments that Bydgoszcz does indeed meet the requested guidelines.

For a more efficient communication process, this document is based on the English version of the documents to avoid any potential ambiguities that may arise in the translation process.

## **From the perspective of EU regulations**

The key document governing the TEN-T network is the aforementioned 2013 Regulation 1315/2013 of the European Parliament and of the Council. For an analysis of the matter in terms of EU-wide uniform guidelines, reference can also be made to the European Commission's proposal (COM(2021) 812 of 14 December 2021).

The original title of this document reads: , 'Union guidelines for the development of the trans-European transport network and repealing', and is a document about guidelines for the principles of the TEN-T network.

The nodes of the TEN-T core network in this document are dedicated to Article 41, which indicates:

*1. The nodes of the core network are set out in Annex II and include:*

- (a) urban nodes, including their ports and airports;*
- (b) maritime ports and inland waterways ports;*
- (c) border crossing points to neighbouring countries;*
- (d) rail-road terminals;*
- (e) passenger and freight airports.*

Article 38 indicating the need to implement the TEN-T core network by the end of 2030 also seems crucial.

*Without prejudice to Article 1(4) and Article 41(2) and (3), Member States shall take the appropriate measures for the core network to be developed in order to comply with the provisions of this Chapter by 31 December 2030.*

Proposal for Revision (COM(2021) 812 of 14 December 2021, which as of today has no official

status. Attention should be drawn to Article 10:

*„The core network and extended core network shall consist of those parts of the comprehensive network which shall be developed as a matter of priority for achieving the objectives of the trans-European transport network policy. References to ‘core network’ in Regulation (EU) 2021/1153 shall be construed as including ‘extended core network’ as defined in this Regulation. References to ‘core network’ in Regulation (EU) [...] [on the deployment of alternative fuels infrastructure] shall be construed as references to ‘core network’ as defined in this Regulation. References to ‘comprehensive network’ in Regulation (EU) [...] [on the deployment of alternative fuels infrastructure] shall be construed as references to ‘extended core network’ and ‘comprehensive network’ as defined in this Regulation.”*

This provision indicates that the core network infrastructure should be built first, which, given the content of the regulations, may mean its creation before 2030.

With the above issues in mind, including above all the possible transshipments at the Bydgoszcz Emilinaowo road-rail terminal (above the minimum included in the regulation - more than 800,000 tonnes per year), a petition was submitted in March 2022.

### **Brief overview of the petition**

In the justification of the petition to the European Parliament, attempts were made to demonstrate, above all, that the forecasts for the Bydgoszcz-Emilianowo terminal developed for investment purposes (which is located in the area of the Bydgoszcz junction) are expected to reach over 1.1 million tons of transshipments in 2030 and almost 1.5 tonnes in 2031, well above the requirements for the TEN-T network. Therefore, by adopting the guidelines from Regulation 1315/2013 of 11 December 2013 and from the proposal (COM(2021)) 812 of 14 December 2021, the goal of implementing the TEN-T core network by 2030 will be achieved. The justification also indicated that the Bydgoszcz hub will be crucial for the development of logistics in Poland.

### **Position of the European Commission of 8 December 2022**

This letter (Annex 1 to this report) does not explicitly indicate that Bydgoszcz does not meet the guidelines included in Regulation 1315/2013 of 11 December 2013 and in the proposal (COM(2021) 812 of 14 December 2021.

The European Commission informs that the proposal for the revision of the TEN-T network (COM(2021) 812 is based on the following methodology:

*Only terminals, which are located at a branching or crossing points of core network rail links or near a core maritime or inland port, are part of the core network. This methodology was used for the preparation of the Commission proposal adopted on 14 December 2021 revising the TEN-T regulation of 20131.*

However, it must be made clear that this methodology does not follow directly from this guidance regulation and the proposal to revise it.

## ***New Amber Trail position statement of 25 January 2023***

On 25 January, during a meeting of the PETI Petitions Committee, the president of the New Amber Trail, referring to the guidelines indicated by the European Commission, indicated that this methodology requires one of three conditions to be met. He then pointed to two conditions

*-branching or crossing points of core network rail links*

Bydgoszcz, in the context of the revision proposal (COM(2021) 812, is located at the junction of two key TEN-T core network lines: no. 201, which runs from the seaport of Gdynia, and no. 131, which runs from the seaport of Gdańsk.



Source: (COM(2021) 812

*- near a core maritime*

Bydgoszcz is the first node in the TEN-T network where railway lines running directly from the seaports of Gdansk and Gdynia intersect, being able to form a so-called extended gate. This also allows us to speak of proximity to seaports.

The European Commission representative present at the meeting maintained the position that the guidelines should be followed, without in any way questioning that Bydgoszcz meets the conditions of "branching or crossing points of core network rail links" and "near a core maritime".

## ***Emerging ambiguities***

In theory, the location of the Bydgoszcz junction at the junction of two rail lines of the core network can be questioned, when based on the categorisation of rail lines of the core network into freight and passenger lines introduced by the proposed update of the Regulation (COM(2021) 812). In such a situation, it can be assumed that only one 'rail freight' line of the core network runs through Bydgoszcz. However, in this case, the proposal to revise the TEN-T network would not reflect real needs and would not serve the purpose for which it was established because:

**1. The seaport in Gdansk, the second largest (in terms of transshipment) in the Baltic Sea and the largest in the European Union, would be located outside the rail lines of the TEN-T core network;**

**2. The terminal near Tczew, planned by private capital for many years, would be located well outside the TEN-T network.**

### ***No equal criteria***

If we assume that the core network is formed only by nodes:

*„which are located at a branching or crossing points of core network ~~rail links~~ **rail freight** or near a core maritime or inland port, are part of the core network. This methodology was used for the preparation of the Commission proposal adopted on 14 December 2021 revising the TEN-T regulation of 20131.”*

**Then, following the principle of fairness, the core network should also not include nodes:**

- Vilnius;
- Toulouse;
- San Sebastian;

At the same time, Toulouse and Vilnius are at the crossroads of the core network and the comprehensive network, as is the case in Bydgoszcz, where we have two core lines, but with different destinations.

### ***Conclusion***

Given these arguments, the expectations of the local community for the inclusion of the Bydgoszcz node in the TEN-T core network have a substantial basis.