

C I R C U L A R N O T E

By Treaty signed on 3 September 2008 the Governments of Denmark and Germany decided to construct and operate a fixed link across the Fehmarnbelt. Upon exchange of Instruments of Ratification by the Contracting States on 15 December 2009, the Treaty entered into force on 14 January 2010.

The fixed link across the Fehmarnbelt will lead to an appreciable improvement of the transportation of goods and people between Denmark and Germany as well as between the European continent and Scandinavia. With a fixed link across the Fehmarnbelt, the necessary conditions for a more intensive cultural and financial cooperation to the benefit of the European Union and the regions near the Fehmarnbelt will be established.

The project is progressing well. According to the treaty, a user financed fixed link for railway and road traffic across the Fehmarnbelt will be constructed and operated between Puttgarden and Rødbyhavn. The fixed link will be constructed as a combined railway and road link consisting of an electrified, two-track railway and a four-lane road link with the technical quality of a motorway.

The preferred technical solution of the fixed link is a cable-stayed bridge and the preferred alternative technical solution is an immersed tunnel. The technical solution will be decided when the results of the geotechnical investigations, the environmental impact assessment and the analysis of the navigational conditions in the Fehmarnbelt are available. Thus, the decision will take into consideration the passage of ships in the Fehmarnbelt. The project will allow for the free passage of ships with a clearance similar to the clearance of the fixed link across the Great Belt.

Denmark and Germany will upgrade the hinterland connections of the fixed link on their respective territory.

Denmark has established a company, Femern Bælt A/S, fully owned by the Danish Government in charge of the planning and design of the fixed link across the Fehmarnbelt. Denmark will decide on establishing a state-owned company in charge of construction, financing and operation of the fixed link, when the Danish Parliament has passed a law on construction of a fixed link across the Fehmarnbelt, expected around the year 2012. This company will be the owner of the fixed link.

Approval for the construction of the fixed link will be sought in accordance with applicable national and international law. Inter alia a procedure in accordance with the Convention on Environmental Impact Assessment in a Trans-boundary Context, done at Espoo (Finland) on 25 February 1991, will be carried out for the project. Furthermore, discussions of the project in other international forums (e.g. HELCOM, IMO etc.) are expected.

To all Heads of Mission  
Accredited to Denmark

Denmark and Germany shall in accordance with their national law ensure that the necessary approvals and permits for the construction of the fixed link will be available in due time.

Matters of public safety and order, as well as matters relating to emergency preparedness on the fixed link, fall within the competence of the authorities of the state concerned.

The fixed link across the Fehmarnbelt is planned to open for traffic in the year 2018.

The Treaty of 3 September 2008 and a courtesy translation into the English language of the Treaty and of the Danish Act No. 285 of 15 April 2009 on the Project are attached.

Copenhagen, 14 January 2010

