



Joint declaration: Germany, Poland, European Commission, Council of Europe Development Bank and World Bank must

**STOP labeling expansion for economic interests as "flood protection"
 STOP measures that actually deteriorate flood protection and infringe EU Environmental Law;
 STOP the expansion of the River Oder!**

We urge the European Commission and the German and Polish governments to stop the cross-border expansion projects on the Oder River and on the "Klucz-Ustowo ditch" (German: "Klützer Querfahrt"/ Polish: "przekop Klucz-Ustowo") and to protect people and the environment from their destructive effects.

Scientists, Environmental associations, social movements and political parties in Poland and Germany have been following the expansion projects on the Oder and on the “Klucz-Ustowo ditch” with great concern. Both projects are agreed in a German-Polish agreement from 2015 and partially financed by the Council of Europe Development Bank (CEB), the World Bank and by EU co-funding.

Three main arguments have been identified in relation to this issue:

1. The planned measures will deteriorate and not increase flood protection:

Although it has been claimed, that the expansion of Oder serves flood protection, in contrary it has become clear, that it will increase the risk of flooding on both sides of the border, especially for the region of the “Oderbruch” (Polish: “Kotlina Freienwaldzka”). This is stated even in the official “Concept for Regulation” for Border Oder conducted by the German Federal Waterways Engineering and Research Institute (BAW). Therefore, the Ministry of Agriculture, Environment and Climate Protection of the State of Brandenburg — authority responsible for flood protection in the most endangered regions — rejects this “flood protection” project. The plans also violate EU law and endanger not only the environment, but also agriculture on both sides of the river. This has also been confirmed by the Leibniz Institute of Freshwater Ecology and Inland Fisheries (IGB), Germany’s largest freshwater research center. The main argument for justifying expansion is, that the measures are needed to guarantee navigability for icebreakers used to avoid ice jam floods. But German shipping authorities have confirmed that icebreakers have always been able to finish their operations without problems.

2. Expansion of the River Oder will infringe EU-Environmental Law and release of CO₂:

The expansion plans for the Oder would lead to unacceptable damage to ecosystems, intensified by the ongoing climate crisis. These “flood control” measures violate European environmental law and will have significant effects on ecosystems and biodiversity, since they will endanger natural landscapes which are habitats for valuable and protected species. This applies in particular to the habitat types and species protected by the EU Flora-Fauna-Habitat (FFH) Directive in the numerous. Natura 2000 sites along the Oder and in particular the natural features of the “Lower Oder Valley National Park”.

Therefore, these projects are not compatible either with the EU Water Framework Directive (WFD) nor the EU Habitats Directive. They are also not compatible with the EU Environmental Liability Directive nor with the EU Directives on the Assessment and Management of Flood Risks, Environmental Impact Assessment (EIA) and Strategic Environmental Assessment (SEA). In short, these plans cannot be reconciled with the European “Green Deal” and the associated goals of the EU with regard to combating environmental degradation. In addition, the desiccation of the floodplains will lead to an enormous release of CO₂.

3. Using World Bank, CEB and EU Funds for expansion instead of flood protection is a misuse of funds:

The Polish government has applied for EU, CEB and World Bank funds based on the goal of flood protection - and only for this purpose can the funds be used. But it has become clear, that the expansion of the Oder is a shipping project serving primarily the interests of a few companies - and contrary to the official project goals, the flood risk could even increase. Since it has become

clear that the project primarily serves economic interests, the funds cannot be used. The EU, the CEB and the World Bank therefore have to check if funding conditions are violated.

We urge the **Government of the Republic of Poland** and the **Federal Government of Germany**:

- to stop labeling an inland navigation project as a “flood protection” project, because the flood protection is even deteriorated by the project,
- to stop all plans which involve the expansion on the Oder,
- to take ambitious steps to preserve and protect the natural landscapes and ecosystems along the Oder in full compliance with EU Law.

We urge the **European Commission**:

- to listen to the citizens of Poland and Germany,
- to fully stop the co-funding of the CEB’s and World Bank’s “Flood Management” Project which deteriorates flood protection,
- to urge the CEB and the World Bank to also stop the funding for the above-mentioned reasons,
- to coordinate an investigation on this large-scale misuse of funding, together with the European Commission’s Anti-Fraud Office (OLAF), CEB’s Office of the Chief Compliance Officer and the World Bank’s Integrity Vice-Presidency, for the Flood Management Project (OVFMP),
- to immediately initiate infringement proceedings against the Polish government for illegal expansion work and violation of EU directives, because the Polish authorities have already granted permission for the expansion of Oder including its immediate enforceability
- to demand Polish and German authorities to comply with EU laws and stop the planned expansion of the Oder.

We urge the **CEB and World Bank**

- to stop the funding of economic interests under the false label of flood protection that even deteriorate flood protection.

We call on the **International Commission for the Protection of the Oder River against Pollution**:

- to listen to the citizens of Germany and Poland, and deal with the issue urgently,
- to only include such flood protection projects into the International flood risk management plans which are agreed by all flood protection authorities, based on independent scientific evidence.

Signatories:

Non-Governmental Organizations

International NGOs

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| European Environmental Bureau | Urgewald |
| International Rivers | World Sturgeon Conservation Society |
| Naturfreunde Internationale | World Fish Migration Foundation |
| Riverwatch – Society for the protection of rivers | WWF European Policy Office |

NGOs from Poland

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| Fundacja "ROZWÓJ TAK - ODKRYWKI NIE" (RT-ON) | Stowarzyszenie 515 |
| Fundacja Strefa Zieleni | Stepnicka Organizacja Turystyczna Nie Tylko Dla Orłów (SOT) |
| Polski Klub Ekologiczny | Ośrodek Inicjatyw Społecznych i Ekologicznych "Stary zagon" |
| Towarzystwo Przyjaciół Rzek Iny I Gowienicy (TPRIiG) | Ogólnopolskie Towarzystwo Ochrony Ptaków (OTOP) |
| Stowarzyszenie Ekologiczne EKO-UNIA | Towarzystwo Przyjaciół Słońska "Unitis Viribus" |

NGOs from Germany

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| Deutscher Naturschutzring (DNR) | Landesanglerverband Brandenburg |
| ADFC Frankfurt (Oder) | Landesfischereiverband Brandenburg/Berlin |
| ALNUS | Robin Wood |
| Bund für Umwelt und Naturschutz Deutschland (BUND) | Succow Foundation |
| BUND Brandenburg | NaturFreunde Deutschlands |
| Deutscher Kanuverband | NaturFreunde Landesverband Brandenburg |
| Deutsche Umwelthilfe (DUH) | Naturschutzbund Deutschland (NABU) |
| Gesellschaft zur Rettung des Störs | NABU Mecklenburg-Vorpommern |
| Bundesverband GRÜNE LIGA | Verein der Freunde des Deutsch-Polnischen Europa-Nationalparks Unteres Odertal |
| Grüne Liga Brandenburg | WWF Deutschland |
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Prof. Roman Żurek, Institute of Nature Conservation Polish Academy of Science

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Albatros Outdoor Natur- und AktivReisen
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Naturerlebnishof Uferloos

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Radlerhof Aurith

Politicians supporting the NGO's Joint Declaration

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Piotr Adamowicz, Member of Polish Parliament (non-party)

Tomasz Zimoch, Member of Polish Parliament (non-party)

Politicians from Germany

Political Parties

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Thomas Nord, Member of the German Parliament, THE LEFT

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Dr. Kirsten Tackmann, Member of the German Parliament, THE LEFT

Dr. Julia Verlinden, Member of the German Parliament, Alliance 90/The Greens

Members of the Landtag of Brandenburg

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Sebastian Walter, Member of the Parliament of Brandenburg, THE LEFT

Members of Abgeordnetenhaus of Berlin

Michael Efler, Member of the House of Representatives of Berlin, THE LEFT

On behalf of the signatories, the declaration was sent to the Government of the Republic of Poland, the Federal Government of Germany, the European Commission, the Council of Europe Development Bank, The World Bank and the International Commission for the Protection of the Odra River against Pollution in letters from the Deutscher Naturschutzring (German League for Nature and Environment) and EKO-UNIA dated March 22, 2021.