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# Odra-Vistula Flood Management Project and the Expansion of the River Odra

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Meeting at World Bank - Nov 15th 2022  
Sahra Damus, Member of Parliament of Brandenburg



# Content

1. Objectives of the Odra-Vistula Project
2. How Project Execution conflicts with the Funding Goal of “flood protection”
3. Further Problems of the Project



# 1. Odra-Vistula Flood Management Project - Objectives of the Project

- Started July 23, 2015
- BRD Loan: US \$504.0 million equivalent
- co-funded by EU and COE Development Bank

## • Project Description:

*"The objectives of the project are to **increase access to flood protection** for people living in selected areas of the Odra River and the Upper Vistula River basins and to strengthen Poland's institutional capacity to **mitigate the impact of floods** more effectively"*



# Loan Agreement:

## **Part 1: Flood Protection of the Middle and Lower Odra**

Provision of support to the cities of Szczecin and Ślubice, the town of Gryfino, as well as other selected smaller towns along the Odra River to enhance protection against summer and winter floods, including through:

- (a) Constructing and reconstructing dikes and other Odra River bank protective works (such as revetments and parapets).
- (b) Dredging of the Odra River, canals and the harbor of Szczecin.
- (c) Carrying out river training related works for the recalibration and (re)construction of groynes and lateral submerged dams in the Odra River.
- (d) Restoring bends.
- (e) Raising five bridges to facilitate safe passage of icebreakers and expand navigation and mooring facilities.
- (f) Revitalizing the Miedzyodrze wetland, located upstream of the harbor of Szczecin, to help accommodate water surges and restore some of the ecological and touristic functions of the natural habitat.



Component	Total Population of Affected Counties	Population affected physically, economically or socially* by flood	Population affected physically** by flood
Component 1: Protection of the Middle and Lower Odra			
Sub-component 1.A: Flood protection of areas in Zachodniopomorskie Voievodship	1 718 861	1 221 518	21 686
Sub-component 1.B: Flood Protection of Middle and Lower Odra River	5 974 407	140 229	10 306
Sub-component 1.C: Flood protection of Słubice city	19 902	19 902	0****
Sub-total	7 713 170	1 381 649	31 992



# 1. Odra-Vistula Flood Management Project - Objectives of the Project

- **Environmental Assessment:**

*"The Project is categorized as environmental category B. [...] allow for public **consultation with public** affected by the implementation of the project and **with NGOs in the scope of environmental aspects** of implementation of the Project. The borrower initiates consultations at the earliest possible stage and the **consultations continue throughout entire implementation of the project.**" (Project Operations Manual)*

- **Criteria for selection of investments:**

*"(iii) creating **"room for the river" and flood wave retention capacity** upstream, rather than constraining river flow by dikes;*

*(iv) integration with environmental values and protection of habitats [...]"*

(Project Operations Manual)

- **World Bank Inspection Panel 2019/2020:**

Between June and October 2019 the Panel received nine Requests for Inspection of the project

In 2020 the WB Board of Executive Directors approved the Inspection Panel's recommendation **not** to investigate the Odra-Vistula Flood Management Project



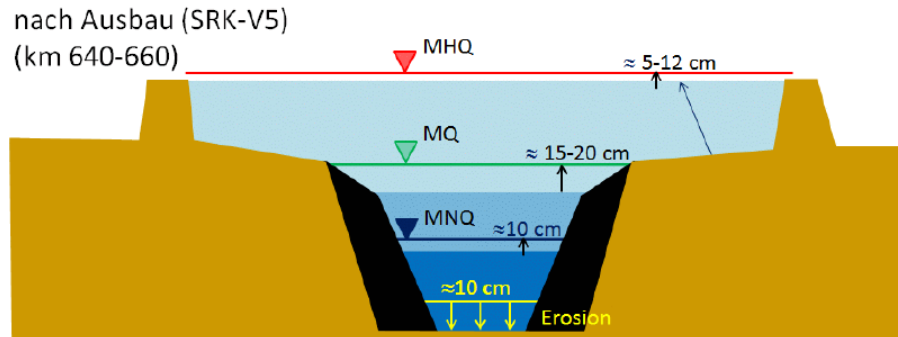
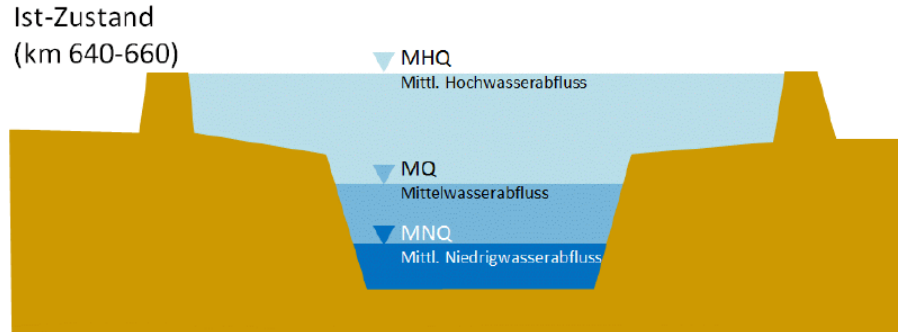
## **2. Conflicts of Project Execution with the Funding Goal of “flood protection”**

- a) rise of the flood wave**
- b) icebrakers being used as a pretext for expansion**
- c) actual plan: expansion for freight shipping**



## a) rise of the flood wave

Deepening and narrowing of the river leads to a higher flood wave (DNR 2018/CFR 2014)



Mittelfristige Wirkung nach 40 Jahren laut Stromregelungskonzeption: Ansteigen des Wasserspiegels auch bei Hochwasser – 12 cm am “Krummen Ort” bei Hohenwutzen (km 661)





# a) rise of the flood wave

Concept for regulation of the Oder river (2014)

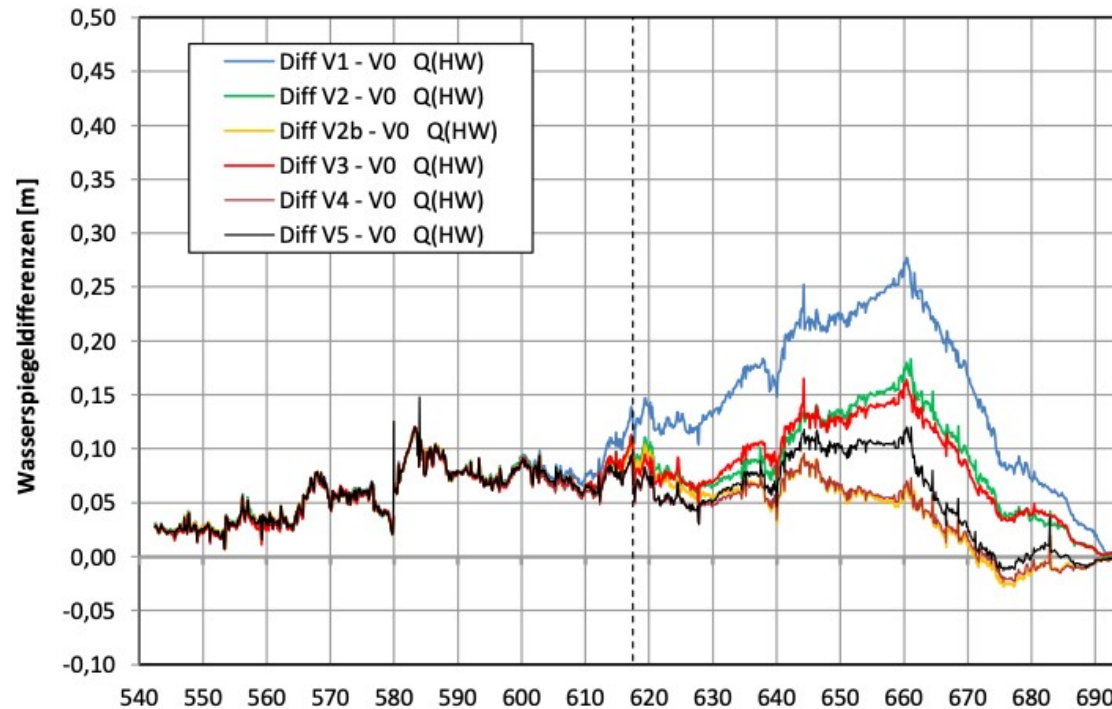


Bild 6-80: Wasserspiegeländerungen bei  $Q(HW)$  bei den Varianten SRK-V1, SRK-V2, SRK-V2b, SRK-V3, SRK-V4 und SRK-V5 gegenüber SKR-V0 nach 40 Jahren ( $Q_{HW} = 1300 \text{ m}^3/\text{s}$  bzw.  $2050 \text{ m}^3/\text{s}$ )



## b) icebreakers being used as a pretext for measures

- icebreakers need 1,40m | freight ships (Euro-class) = 1,80m
- **Parliamentary Question at German Parliament:**  
*“In the years 2014 to 2020, **no critical conditions** occurred **due to the water depth** that would have prevented an icebreaker operation.” (Drucksache 19/28110, p. 7)*
- **flood risk in low water scenario is almost improbable**
- **dredging at weak points is the better option with less impact on nature**



## b) icebreakers being used as a pretext for measures

- **Andrzej Kreft** (former president of RZGW Szczecin, 2020, Gazeta Wborcza):

*“Sir, the Germans would not give us any permission for shipping, but we managed to turn the subject around. [...] We said that we were not concerned about shipping, but about flood protection and deepening the river because of the icebreakers. [...]”*

*„Proszę pana, żadnej zgody na żeglugę Niemcy by nam nie dali, ale udało nam się odwrócić temat. [...] Powiedzieliśmy, że nie chodzi nam o żeglugę, ale o ochronę przeciwpowodziową i pogłębienie rzeki ze względu na lodołamacze.“*



## c) Actual Plan: Expansion for freight shipping

**Marek Gróbarczyk** (Deputy Infrastructure Minister): “The modernization of the Oder via construction of weirs and a container terminal is our priority. No step back”. 29.08.2022 via twitter

**Stanisław Gawłowski** (former State Secretary, Polish Ministry of Environment, 2020 Gazeta Wyborcza):

*“We had no chance to finance shipping in accordance with EU law and environmental protection, but we managed to take a loan from the World Bank for flood safety [...] I consider this my success. But when PiS came to power, they almost ruined it for me. [...] They started bragging that they were doing shipping. I was afraid that the World Bank would withdraw that loan from us. I once met the Bank's director from Washington at the airport, I had trouble explaining it to him. But eventually PiS found out that they could not talk about it so openly.”*

*„Na sfinansowanie żeglugi zgodnie z prawem Unii i ochroną środowiska nie mieliśmy szans, ale udało się wziąć w Banku Światowym pożyczkę na bezpieczeństwo powodziowe [...] Uważam to za mój sukces. Za to jak PiS doszedł do władzy, to mi prawie to zaprzepaścili. [...] Zaczęli się chwalić, że robią żeglugę. Bałem się, że Bank Światowy nam tę pożyczkę cofnie. Spotkałem kiedyś na lotnisku dyrektora Banku z Waszyngtonu, miałem problem, żeby mu to wyjaśnić. Ale w końcu się w PiS połapali, że nie mogą tak otwarcie o tym mówić.“*



# c) Actual Plan: Expansion for freight shipping

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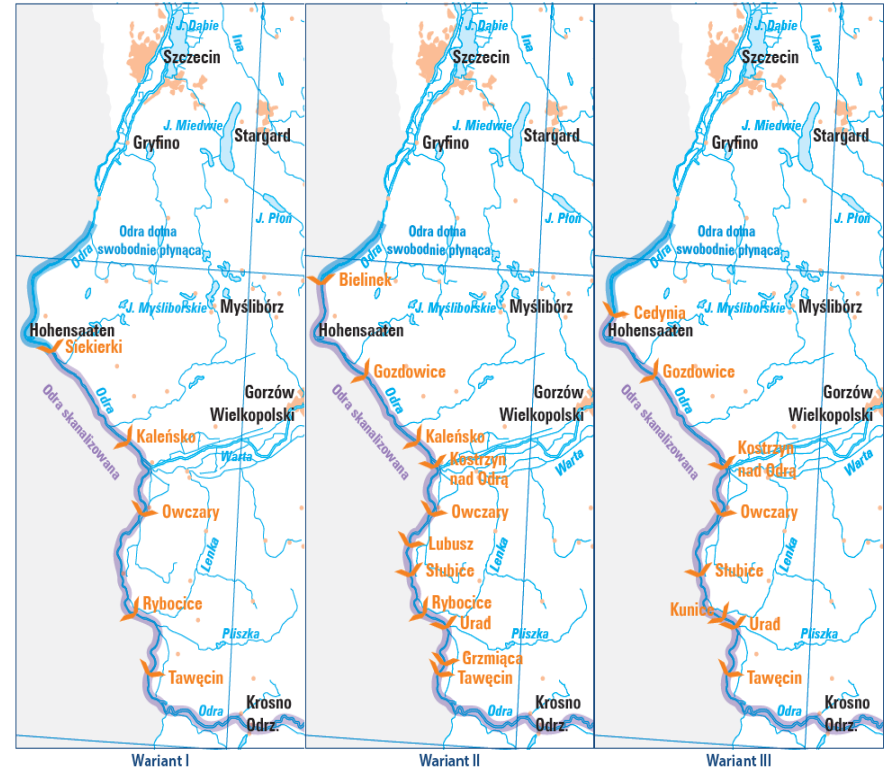
**PRIORITY I:**  
The Oder River Waterway (E-30)  
- achievement of international navigability class and integration in the European waterway network

- I.1. Removal of bottlenecks.
- I.2. Adaptation of the Oder River Waterway to the parameters of class Va.
- I.3. Building the Polish section of the missing Danube-Oder-Elbe link.
- I.4. Construction of the Silesian Canal.



PRIORITY I: The Oder River Waterway

5. On the border section:
  - a. Start talks on canalisation of the border Oder river. Renegotiate the existing intergovernmental agreement for elements related to the canalisation and agree on a common concept of the border Oder river **canalisation**.
  - b. Start and carry out upgrade and repair of existing river engineering facilities in accordance with the concept of the border Oder watercourse regulation in the most limiting places, agreed with Germany.
  - c. Implement harmonised river information services (RIS) on the border section of the Oder.
5. On the border Oder river, depending on the outcome of negotiations with Germany:
  - a. Start **canalisation** in accordance with the established concept and schedule, adjusting to the works on the national section through selective extension of the border section to successively improve navigation conditions.
  - b. Further upgrade of river engineering facilities, supported by dredging downstream of the last dam in the direction of Szczecin (along with Dąbie lake).



Rysunek 9. Projektowane stopnie wodne na odcinku granicznym rzeki Odry wymagane dla IV klasy żeglowności w trzech wariantach  
Źródło: Opracowanie własne RZGW Szczecin na podstawie Śródlądowe Drogi Wodne w Polsce (KZGW)



# 3. Further Problems of the Project

- a) recent catastrophe
- b) climate change
- c) EU environmental law
- d) communication and public participation



# a) Recent Catastrophe

## Science:

**“1. River engineering works to deepen or regulate the Oder should be discontinued.”**

(First recommendation of IGB Policy Brief - The Future of the Oder, p. 6)

## NGOs:

**“1. Immediate stop of the expansion of the Oder River”**

(Key Points for an Action Program to Revitalize the Oder River Use the Crisis as an Opportunity!, p.1)



## b) Climate Change

- German-Polish Treaty to Expansion of the Oder (2015) / Concept for Stream Regulation (2014) were adopted **before summer droughts became usual**
- **Climate Change was not taken into account**
  - low water in summer
  - torrential rains
  - more frequent and heavy floods
  - on the contrary ice and ice floods became more sporadic





## c) EU environmental law

- **Cross-border Environmental Impact Assessment was inadequate / insufficient**
- German-Polish Treaty to Expansion of the Oder (2015) / Concept for Stream Regulation (2014) with **no consideration of the EU-Water Framework Directive**
- **Legal opinion commissioned by MEPs Ska Keller and Sergey Lagodinsky:**  
"The project is not compatible with the requirements for European site protection from Art. 6 (2) and (3) of the Habitats Directive" (p. 4)  
All questions concerning the non-eligibility of the project are on p. 86 ff.



# d) Communication and Public Participation

- **deadline** for dealing with the appeals from Germany (NGOs and Ministry of Environment - Brandenburg) has been **postponed 7 times by Polish authorities (2 years period)**
  - **start of construction works** at the river **without decision** on the appeals
  - **lawsuits** from Germany against immediate enforcement **successful** before the Polish administrative court, **but construction continued**
  - now: **new lawsuit from Brandenburg** against the results of the Environmental Impact Assessment
- > unilateral expansion of a border river



Thank you  
for your attention!



# Sources and further literature

## Flood protection and icebreakers as a pretext for expansion in order to promote inland navigation

Szymanik, G. (2020): Zbudowaliśmy dwa za duże statki, więc orzemy całą Odrę, żeby mogły pływać. Brzmi głupio? To postuchajcie. In: Gazeta Wyborcza Duży Format, July 20th, 2020.

cf. attached Stromregelungskonzeption für die Grenzoder [Concept for regulation of the Oder river] (2014), Bundesanstalt für Wasserbau

cf. attached PDF overview document on possible misappropriation of the EU and World Bank Funds written by Marta Smigrowska-Mohn

cf. question and answer of the EU COM to the question for written answer E-001996/2021 by Ska Keller (Verts/ALE), Jutta Paulus (Verts/ALE), Sylwia Spurek (Verts/ALE)

cf. PDF document: "Polish government plan for Oder 2019" is a Polish presentation by Wody Polskie on the Oder Waterway Development Program (Program Rozwoju Odrzańskiej Drogi Wodnej)

Slide 31 onward is about the Odra River, slide 32 +33 shows the locations of the potential weirs

DNR 2018: [https://saveoder.org/wp-content/uploads/2021/08/2018\\_06\\_20\\_Oderprojekt\\_Zusammenfassung-final\\_DE.pdf](https://saveoder.org/wp-content/uploads/2021/08/2018_06_20_Oderprojekt_Zusammenfassung-final_DE.pdf)

In 2022 the Inland Waterways Program 2030 was published (KPŻ2030) until now only available in Polish, cd. For Odra river expansion p. 11,19ff, 36ff, 79

Although Germany has not been informed about these plans, public consultation as part of the SEA has already taken place from 11 July to 10 August 2022.

<https://www.mgm.gov.pl/wp-content/uploads/2017/11/assumptions-for-the-development-plans-of-inland-waterways-in-poland-for-2016-2020-with-2030-perspective.pdf>

[https://mgm.gov.pl/wp-content/uploads/2017/11/ekspertyza\\_rozwoju\\_srodladowych\\_drog\\_wodnych.pdf](https://mgm.gov.pl/wp-content/uploads/2017/11/ekspertyza_rozwoju_srodladowych_drog_wodnych.pdf)

## Inadequate consideration of the Water Framework Directive & violations of the EU Natura 2000 Habitats Directive

cf. legal opinion commissioned by MEPs Ska Keller and Sergey Lagodinsky : "The project is not compatible with the requirements for European site protection from Art. 6 (2) and (3) of the Habitats Directive." (p. 4) All questions concerning the non-eligibility of the project are on p. 86 ff. [https://www.skakeller.de/fileadmin/user\\_upload/Gutachten-Oder\\_GrueneEFA-Baumann.pdf](https://www.skakeller.de/fileadmin/user_upload/Gutachten-Oder_GrueneEFA-Baumann.pdf) cf. attached

Opinion on the World Bank's Odra-Vistula Flood Management Project Subcomponents 1B.1 and 1B.2 by Euronatur foundation

## EU Funding for Odra river expansion in the framework of the Odra-Vistula Flood Management Project

EU COM share of total project: US\$ 219.15 million. cf. World Bank website on the OVFMP

Oder river expansion in the List of Polish Projects co-financed by European funds (line 13954)

for Inland Waterways Program 2030, the investments for the 2nd stage of the Odra-Vistula Flood Management Project are also to be co-financed again: EU Funds: 472.600.000 PLN (96.743.012,15 €) (cf. table 18)

## Recommendations of Science and NGOs in view of the Oder catastrophe

Policy Brief: The future of the River Oder. Research-based recommendations for action in the wake of the man-made environmental disaster (IGB, Leibniz Institute of Freshwater Ecology and Inland Fisheries) [https://www.igb-berlin.de/sites/default/files/media-files/download-files/IGB\\_Policy\\_Brief\\_The\\_future\\_of\\_the\\_River\\_Oder\\_web.pdf](https://www.igb-berlin.de/sites/default/files/media-files/download-files/IGB_Policy_Brief_The_future_of_the_River_Oder_web.pdf)

Joint declaration against the Expansion of the Odra [https://backend.dnr.de/sites/default/files/Positionen/Joint-Declaration\\_Logos\\_final.pdf](https://backend.dnr.de/sites/default/files/Positionen/Joint-Declaration_Logos_final.pdf)

Demands for recovery of German Environmental NGOs <https://saveoder.org/wp-content/uploads/2022/08/NGO-Key-Points-for-an-Action-Program.pdf>

Demands of the Polish Environmental NGOS

## Legal actions taken by the Ministry of Environment of Brandenburg:

Appeal of the Ministry of Environment of the State of Brandenburg against the Decision 'No. 5/2020 of 18th March 2020 of the Regional Director for Environmental Protection in Szczecin - DE

