

Nature Conservation in Europe: Approaches and Lessons

Annex PL.5. Nature Conservation History in the Present Polish Territory Until 1945

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The territory of present-day Poland from the end of the eighteenth century until 1918 was a part of the Austrian, Prussian and Russian empires. The first legislation on nature protection for its intrinsic value in the present Polish territory was established in 1868, as legal acts protecting the Alpine Marmot (*Marmota marmota*) and the Tatra Chamois (*Rupicapra rupicapra tatrica*) in the Tatra Mountains. The legislation, which came into force the next year after approval from the Austrian emperor, was amongst the first of its kind in Europe. Even before the legislation, in 1866 the guard against chamois and marmot poaching was established in the Tatra mountains, as a private initiative funded by zoologists Eugeniusz Janota and Maksymilian Sila-Nowicki, and agreed with the landowners.

In 1874, the Act on the protection of wild birds, bats and hedgehogs was established. This included an obligation for teachers to explain the background and rules of protection of these animals during school courses, which was a pioneering step in nature conservation education. The practical implementations were mainly private initiatives.

In 1886 the first nature reserve Pieniaki Memento (Pamiętka Pieniacka, c.20 ha, now in Ukraine) was established by the landowner Włodzimierz Dzieduszycki. The second was the Barnowiec Reserve established in 1903 by Earl Adam Stadnicki (originally 2.5 ha but later extended to 44 ha and existing until today). From c.1916 c.100 ha of old-growth forest was protected by the landowner also in Gorce Mountains (presently in Gorce National Park). The idea of nature conservation became part of the programme of scientific societies and the excursionists association, The Tatra Society.

Parallel initiatives were undertaken by the Prussian administration, managing western and northern parts of what is today Poland; mainly inspired by naturalist Hugo Conventz. The State Office for Care of Nature Monuments was established in Gdańsk, with Hugo Conventz as director. Some ministerial decrees in the early 1900s asked regional administrations for surveys of rare plants and trees that should be protected, as well as rare bird species. In 1915 German naturalists directed by Hugo Conventz established the c.3 000 ha 'Naturschutzpark' in Białowieża Forest, on the Russian territory occupied by the German army, prohibiting felling within the area. This later became the core area of Białowieża National Park¹.

In the Russian partition of the today's Poland no legal forms of nature conservation appeared, although the idea arose amongst some citizens. In 1907 the landowner, Earl Karol Raczyński established a c.100 ha 'natural park' near Złoty Potok in the Jura Upland (now the Parkowe Nature Reserve).

Almost straight after Poland gained independence, in 1919 a ministerial decree declared protection of several natural monuments, including certain rocks, stones, caves, gypsum karst, old trees, and some animal and plant species. In 1921 the constitution of independent Poland declared that the citizens' right to use 'land, water, minerals and other nature treasures' may be limited for public reasons. The number of nature reserves increased rapidly, and in 1921 protection of the Naturschutzpark, part of Białowieża Forest was re-established under the name 'Forest District Reserve'; which was later transformed into Białowieża National Park. In the same year a 440 ha reserve was created in Czornohora Mountains (now in Ukraine), and later enlarged to c.823 ha. The idea of National Parks inspired Polish naturalists: in 1929 the famous Polish botanist Władysław Szafer published the concept of a network of six National Parks in Poland: in Białowieża Forest, the Świętokrzyskie Mountains, the Babia Góra Mountains, the Pieniny Mountains, the Tatra Mountains and Czornohora. In 1932 the first areas in Poland — in Białowieża Forest, Pieniny and Wielkopolska — were indeed announced as National Parks, even though their legal basis had yet to be clarified.

¹ Described further in online Annex PL.4 www.cambridge.org/natureconservation

Work on the draft of the national Nature Conservation Act was started, but finalised only in 1934. Even without a formal act, nature conservation work became active and widespread.

The first modern Nature Conservation Act establishing unified legal rules for the whole of Poland was established in 1934. The protection consisted mainly of bans on destructive activities, and access restrictions but also expressed the possibility for active conservation. Details of protection rules were to be determined by regional authorities after consultation with the specialised national body (the State Council for Nature Protection). The minister was authorised to implement species protection but could not restrict the land use rights of landowners.

The government was also authorised to designate 'the areas especially beautiful and rich in nature's peculiarities' as National Parks. The Act enabled compensation for owners affected by the restrictions but also established the obligation of damage repair or compensation by the perpetrator and possibility (in exceptional cases) of owner expropriation if necessary for nature conservation. Serious penalties for violation of established rules were implemented. The Act also had the innovative measure that established the Nature Protection Fund, which is feed by donations but also by penalties and financial compensation for environmental damage.

Despite establishing these progressive and innovative regulations, in practice Polish nature conservation in the 1930s did not meet its potential. First of all, implementation of the Nature Conservation Act was slow and incomplete. The Nature Protection Fund was never established in practice. Only two species: the European Pond Turtle (*Emys orbicularis*) and Bison (*Bison bonasus*) were declared as nationally protected. Despite ongoing work to establish the Tatra National Park, in 1935–1937 large tourism investments that were destructive for nature were authorised and implemented in the Tatra Mountains (i.e. the cable car to Kasprowy Wierch and paved mountain path on Szpiglasowa Pass). In protest, the members of the State Council for Nature Protection and the Ministry Delegate for Nature Protection resigned.

Northern and western parts of today's Polish territory in 1918–1939 were parts of Germany. German nature conservation therefore applied in these areas, during which 172 nature reserves were established.

During the Second World War (1939–1945) the whole territory of Poland was under Soviet or German occupation. Although German occupational authorities maintained some nature conservation structures, such as a nature unit in the Office of the General-Governor, further progress was not significant.

Further details of the development of nature conservation policies, legislation and governance after the re-creation of Poland in 1945, are given in Section 24.3 of *Nature Conservation in Europe* (Pawlaczyk, 2023).

References

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