

Polish Law Change Unleashes 'Massacre' Of Trees

New law allows private landowners to cut down any number of trees without applying for permission or even informing authorities



The group Polish Mothers on Tree Stumps breastfeed their babies on recently felled trees around Kraków to protest the law change. Photograph: Tomasz Wiech/Polish Mothers on Tree Stumps

A controversial change to Polish environmental law has unleashed what campaigners describe as a “massacre” of trees across the country.

The new amendment, commonly known as “Szyszko’s law”, after Jan Szyszko, Poland’s environment minister, removes the obligation for private landowners to apply for permission to cut down trees, pay compensation or plant new trees, or even to inform local authorities that trees have been or will be removed.

The change came into force on 1 January and has led to a surge in tree-felling, with activists reporting newly cleared spaces in cities, towns and parts of the countryside all over Poland.

“The law allows any tree on private property to be cut down by the owner, even if it is 200 years old,” said Joanna Mazgajska of the Institute of Zoology at the Polish

Academy of Sciences. “Many private citizens regard trees on their land as a nuisance. They don’t report, they just cut – its barbarism.”

Although the new law prohibits private landowners from engaging in commercial developments themselves on land that has recently been cleared of trees, it contains a loophole: there is nothing stopping them from selling the land to developers as soon as the trees have been cut down.

“A company can sell a plot of land to a private individual for a nominal fee, the individual cuts down the trees, and then sells it back to the company. Legally, there is nothing stopping them from doing so,” said Dagmara Misztela of the campaign group Gdzie Jest Drzewo (Where’s The Tree). “We used to advise local people on how to register an objection to trees being cut down in their area, but now there is no objection process at all.”

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Because people are no longer required to report or record trees that have been felled, there are no reliable statistics as to how many have been cut down since the law was passed. However, both those who have benefited from the changes and those who oppose them agree that the evidence of a major change is overwhelming.

“Before the new law, we would receive between five and 10 inquiries daily,” one owner of a tree-cutting business told the Guardian. “But in January and February, we would sometimes receive 200 inquiries in a single day.”

Paweł Szypulski of [Greenpeace](#) Poland said: “We used to receive around one telephone call a day from people concerned about trees being cut down in their area. But suddenly we had two telephones ringing all day long.”

In the southern city of Kraków, a group of women calling themselves Polish Mothers on Tree Stumps are raising awareness of the issue on social media by posting photos of themselves sitting on tree stumps and breast-feeding their children.

Cecylia Malik, founder of Polish Mothers on Tree Stumps. Photograph: Piotr Dziurdzia/Polish Mothers on Tree Stumps

“Every day, I go around Kraków with my husband and son to find a new place where trees have been cut down, and every day we find one,” said Cecylia Malik, who founded the campaign, which has since spread across the country. “Since the passing of the new law, we have done 50 in a row.”

For some, the planting of trees amounts to dissident activity. When an opposition MP wrote to the president of the city of Kielce to ask for permission to plant some oak trees in a part of the city where a number of trees had been cut down, Wojciech Lubawski, who is an independent but is aligned with Poland’s ruling Law and Justice party, refused on the grounds that “such an initiative could be regarded as involving our city in an anti-government protest”.

A professor of forestry, environment minister Szyszko, is openly disdainful of environmental campaigners and mainstream ecologists, espousing an environmental philosophy that critics describe as geared towards sacrificing Poland’s natural resources for the sake of economic development and the financial interests of foresters.

Minister of environment, Jan Szyszko. Photograph: Karol Serewis/Getty Images

“We must accept two assumptions,” Szyszko told a meeting in February organised by Poland’s National Fund for Environmental Protection. “First, that it is man that is the subject of sustainable development, and so man has not only the right, but the duty to use natural resources. Second, that human development is not detrimental to the environment.”

Szyszko attracted widespread criticism last year for his decision to sanction large-scale logging in the Białowieża forest, some of Europe’s last remaining primeval woodland. In defence of the move he has cited the book of Genesis, which exhorts mankind not only to “replenish the earth”, but also to “subdue it”.

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When serving as environment minister the last time the Law and Justice party were in power, from 2005-07, Szyszko suffered a massive defeat when environmental campaigners successfully blocked his attempt to sanction the building of a motorway through the Rospuda Valley in north-eastern Poland.

Back in office, Szyszko appears to have those same campaigners in his sights. In a November letter to senior ministers, he outlined ambitious plans that activists argue amount to the wholesale dismantling of Poland’s environmental monitoring and protection regime.

“The existing system ... requires a thorough overhaul,” read Szyszko’s letter, which was subsequently leaked to Greenpeace Poland.

“Dominated by ideologically driven unprofessionals, it serves the development of bureaucracy and, while having virtually no influence on the environment situation and its assessment, paralyses the development of investments,” he wrote.

Under the plans, no body that receives funding from grants – as opposed to members’ fees – would be allowed to participate in the consultation process on environmental projects, effectively excluding the vast majority of NGOs.

“This isn’t just about big organisations like Greenpeace, this would also exclude the hundreds of local organisations that fight for the rights of residents – whether from the effects of coal, open-pit mining, or logging – all over Poland,” said Szypulski.

Cecylia Malik has taken 50 photographs on different felled trees around Kraków.
Photograph: Piotr Dziurdzia/Polish Mothers on Tree Stumps

But those plans appear to have been shelved for the time being, as the government responds to popular hostility to Szyszko’s law.

Jarosław Kaczyński, the Law and Justice party’s chairman, has declared his intention to have the law amended. But efforts to close the loophole allowing developers to take advantage of the new regime have hit a snag.

As currently drafted, the new amendment to the law contains a paragraph that would ban professional activity of any kind on a property on which trees have been cut down. In practice, this would prevent anyone from working from home after a tree had been cleared from their garden.

As a result, the proposed correction remains stalled in the Polish parliament, with developers able to continue to take advantage of the law’s present drafting.

“We just want an end to this catastrophic process, which is harming us and our children,” said Malik. “The scale is really horrible.”

- This article was amended on 11 April 2017 to clarify that Białowieża forest is not Europe’s last remaining primeval woodland.

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