CONFRONTATION AND COOPERATION

1000 YEARS OF POLISH–GERMAN–RUSSIAN RELATIONS

VOL. I(VI)2020: 3–8

DOI: 10.2478/conc-2020-0001

Wojciech Fabiszewski

Uniwersytet Warmińsko-Mazurski w Olsztynie

The Fight for Free Navigation. Construction of the Channel by the Vistula Spit as Part of the Political Struggle with the Russian Federation

Key words: Vistula Lagoon, Vistula Spit, Vistula Spit Channel, Elbląg, Sea Port in Elbląg

Abstract

As a consequence of Stalin's decision, the Vistula Lagoon was divided between Poland and the Soviet Union. Since the Soviet fleet created a naval base in Baltisko, from 1945 the possibility of using the waterway through the Bay by Poland was practically excluded. The Soviet side allowed Poland to use the Gulf outlet only to a small extent.

In practice, this meant the destruction of the seaport in Elbląg, but also radically limited the possibilities of economic development of this part of Poland, which for many centuries operated on the basis of the Polish economy.

After 1989, the Russian side made it even more impossible for the Polish side to use transport routes through the Bay.

Ultimately, Poland decided to build a canal through the Vistula Spit. This channel is to enable the revitalization of the port in Elbląg, but also the northern areas of Poland.

The article presents the arguments of the Polish side, including economic ones, justifying the implementation of this undertaking.

Introduction

The Baltic Sea for Poland has always been a “window to the world”, enabling trade with other countries, as well as giving impetus to the economic development of import regions. The struggle from access to the sea coast has often been dramatic in the history of our country and required many sacrifices. One of the regions whose development may depend on access to the sea shore is Warmia, Powiśle and Żuławy located near the Vistula Lagoon and the port in Elbląg. Unfortunately, the region's development possibilities depend on the Russian

Federation, which seems to follow the Halford John Mackinder rule that who controls Eastern Europe controls Eurasia, and who controls Eurasia controls the world. A manifestation of this approach may be, inter alia, the financial, economic and political dependence of Belarus and the outbreak of war in eastern Ukraine.

Poland's involvement in the affairs of Ukraine and the role of a guide on the way to European structures significantly worsened the not so good relations with the Russian Federation. These geopolitical turmoil caused a change in the approach to the idea of the Vistula Spit excavation, which would enable the develop-

ment of the port in Elbląg. The very idea of building a channel connecting the Vistula Lagoon with the Gulf of Gdańsk has appeared in public debate in Poland for several years, or at least since the first government of Law and Justice. Usually this idea was louder before the elections – parliamentary, presidential or local government.

Finally, after years of promises with the currently favorable political situation, the Sejm adopted on February 24, 2017, and on April 4, 2017, a special act on investments in the construction of the waterway connecting the Vistula Lagoon with the Gulf of Gdańsk was signed by President Andrzej Duda. The purpose of the act is to improve the preparation and implementation of investments in the construction of a waterway connecting the Vistula Lagoon with the Gulf of Gdańsk. According to its creators, the Investment will allow free and year-round navigation of seagoing ships of all flags to the port in Elbląg and other ports of the Vistula Lagoon. The construction of the channel will be implemented primarily due to the public interest in ensuring state security¹.

Polish-Russian relations over the centuries have developed very differently from hostility through neutrality, to close cooperation. To date, the biggest problem in relations between countries is history, which also has an impact on economic cooperation. Progressing privatization in Russia and economic development means that the country could become a very important trade partner² 160, and consistent coexistence would benefit both Poland and the Russian Federation. A special positive signal for normalizing Polish-Russian relations would be to regulate the issue of shipping in the Pilawa Strait, which is being obstructed by international regulations.

Port in Elbląg – a victim of a lack of consistent cooperation

Due to the deteriorating Polish-Russian relations, the Elbląg port is getting worse and worse indicators, becoming a victim of the current political situation. The port in Elbląg is the only professional port on the Polish side of the Vistula Lagoon. The port traditions of

Elbląg date back to Prussian times in the 18th century³. Unfortunately, the importance of the city as a seaport decreased due to the USSR's failure to respect the provisions of the international agreement concluded after the war with Poland.

Currently, the port has been thoroughly renovated, and 139.5 thousand tonnes of goods are transhipped annually and over 41 thousand passengers are processed⁴. However, these are not the port's total capabilities, which according to the manager's data reach a million tonnes of transhipped goods annually. Unfortunately, the only direct connection to the open sea is the Pilavian Strait, controlled and located in the Russian Federation, which makes virtually no movement of ships possible. How can the potential of the port be exploited, which perhaps would also affect the development of the entire Warmian-Masurian region? In the media, as well as during the parliamentary debate, there are usually two solutions, which include signing a new agreement with the government of the Russian Federation or digging the Vistula Spit⁵. An alternative to the construction of the canal on the Spit is also mentioned, which is the clearing of the Żuławy waterway.

Termination through international agreements

The opportunity to regulate shipping in the Strait of Pilaw region was an agreement signed on September 1, 2009, which lasted for 5 years, and then was automatically extended for another five-year period, but it does not regulate all possible cases. The best solution to this stalemate would be to sign a new international agreement that would replace the current agreement. This agreement would have to be constructed, however, in a different way than the Agreement between the Government of the Republic of Poland and the Government of the Russian Federation on sailing on the Vistula Lagoon⁶, because despite the increase in served

³ A. Groth, *Historia Elbląga*, t. II, Gdańsk 1997, s. 189–193.

⁴ Portal Port Elbląg, Przeladunki, <http://www.port.elblag.pl/page/show/5/przeladunki?lang=pl> (access 02.17.2017).

⁵ Portal Niezależna, *Moc sprawcza Rzeczypospolitej. Elbląga dostęp do morza*, <http://niezalezna.pl/42699-moc-sprawcza-rzeczypospolitej-elblaga-dostep-do-morza> (access 02.07.2017).

⁶ Umowa Między Rządem Rzeczypospolitej Polskiej i Rządem Federacji Rosyjskiej o żegludze po Zalewie Wiślanym, M.P. z 2009 r., Nr 78, poz. 975.

¹ Polish Press Agency, Sejm: the act on the construction of the canal by the Vistula Spit was adopted, <http://www.pap.pl/aktualnosci/news,818235,sejm-przyjeto-ustawe-o-budowie-kanalu-przez-mierzę-wisłan.html> (access 15.06.2017).

² I. Budge, K. Newton, *Polityka nowej Europy. Od Atlantyku do Uralu*, Warszawa 2001, p. 137–138.

connections, the Russian authorities can still control the movement of ships towards Elbląg, which is not a good solution.

This is because in Article 3, paragraph 3 of the above mentioned of the contract, it is envisaged that the number of vessels crossing the border may be limited or its total closure if necessary to ensure the security of the State party. This is an important record because there is a war port in Baltiysk (Pilau), which is why each exercise closes the trail. In connection with the situation that is taking place in Ukraine, military maneuvers by Russian forces are very often preventing the free movement of ships.

The second downside of the current agreement is that it does not regulate the movement of third-country flag vessels heading to the port of Elbląg. These situations are governed by the internal law of the Russian Federation, which says that shipowners heading to the Polish part of the Vistula Lagoon must submit an application for such a possibility 15 days before the planned crossing, and only the day before they receive the decision. This raises the high risk and uncertainty of planned intentions, because the only side affecting which ships may call at the port of Elbląg is the Russian side.

In addition, the agreement signed by Donald Tusk and Vladimir Putin significantly limits the rights of the Polish party set out in the United Nations Convention on the Law of the Sea of December 10, 1982, signed in Montego Bay, which speaks of the law of harmless flow. According to it, the Pilawska Strait is a dead-end strait. In addition, economic interests were not taken into account when determining the baselines regulating areas and the division of waters⁷.

Until the outbreak of the Ukrainian-Russian conflict and the annexation of Crimea, actions to sign a new agreement and diplomatic settlement of the dispute were considered by the ruling Civic Platform as the most appropriate. At the same time, representatives of the authorities spoke in crude words about the idea of cutting the spit. Donald Tusk said that "I am afraid to think what they will want to dig, what course the river will want to change, what sea to drain to win the election, our opponents. I would suggest a bath in the Vistula Lagoon, the water is still cool and maybe it will cool down these imperial ideas a little," while Radosław Sikorski said that "Law and Justice with pseudo-patri-

otism promises an anti-Russian charge and building something that is not necessarily profitable. I think that the local authority in Elbląg would be able to make better use of the PLN billion spent on this investment"⁸.

However, due to the annexation of Crimea and Russia's obvious violation of international law, politicians changed their minds in favor of building the channel because the geopolitical situation has changed so it is impossible to achieve a satisfactory agreement. Bogdan Borusewicz spoke about this in an interview with Radio Olsztyn⁹.

Crossing the Vistula Spit

Forced by many, mainly Law and Justice politicians, the idea is to build a canal through the Vistula Spit, often called the Z-Z channel (Bay-Lagoon in Polish: Zatoka-Zalew) in Skowronki. It is an alternative that shortens the Elbląg-Tricity road by 100 km. However, this is a very expensive project. Construction of the canal could cost up to PLN 800 million, and would also cause huge unforeseen ecological effects on the spit ecosystem. The idea, forced very much by politicians, has a chance to be implemented in the new EU perspective for 2014–2020. Among other things, due to the plans to build the channel, the Ministry of Maritime Economy was appointed, headed by Marek Gróbarczyk, a construction supporter.

According to the Maritime Office in Gdynia, the construction of a waterway through the Vistula Spit will shorten by 50 nautical miles (94 km) the waterway from the port in Elbląg to the Tri-City ports. Thanks to the construction of the waterway, the seaport in Elbląg will reach the level of transshipment up to 3.5 million tons per year, which is 3 million tons more than it would have achieved without cutting the Spit.

The canal would be built around the town of Nowy Świat. The plans assume that the channel will be 1.1 km long and 5 meters deep. A 200-meter sluice will be built next to the canal, thanks to which the difference in water levels in the Vistula Lagoon and the Baltic Sea

⁸ Portal Niezależna, *Przed wyborami Platforma zawłaszczona program PiS. Jednak przekopią Mierzeję Wiślaną*, <http://niezalezna.pl/58261-przed-wyborami-platforma-zawlaszcza-program-pis-jednak-przekopia-mierzeje-wislana> (dostęp 11.07.2017).

⁹ Portal Radio Olsztyn, *Bogdan Borusewicz: w obecnej sytuacji przekop Mierzei jest konieczny*, <http://ro.com.pl/bogdan-borusewicz-w-obecnjej-sytuacji-przekop-mierzei-jest-konieczny/01151156> (dostęp 12.07.2017).

⁷ Konwencja Narodów Zjednoczonych o prawie morza, Montego Bay 10.12.1982, p. 6.

will be leveled, and the sea and floodplain waters will not mix¹⁰. Over the canal, two drawbridges would be built, which would allow communication of Krynica Morska, which would be on the island with the rest of the spit. In addition to work related to the excavation itself, other complementary work should be carried out. It is about constructing approaches to floodwaters, deepening of fairways, construction of breakwaters, two drawbridges and extension of the sea port in Elbląg. The fairway from the canal to the port in Elbląg is to be 5 m deep, and the annual cost of its maintenance is to be PLN 5 million¹¹.

However, there are many contraindications to its construction. The most important of them is economic profitability. One of the few small cargo ships, "Laila", which sailed to Elbląg several times a year, can successfully cross the inland route – through Szkarpawa. Maybe – but it doesn't swim because there are no loads, there is no need. Traffic on the Vistula Lagoon took place in a completely different direction – on the Elbląg – Kaliningrad section, i.e. all the time along the floodplain trail, without going out to the sea. Barges with coal and "white fleet" ships with duty-free shops operated here.

According to many, the development of tourism will not be significant either. Due to the low average depth of the lagoon, sea yachts will not use ports located on the inside of the spit. Inland yachts, on the other hand, can now use the Lagoon without any obstacles. This is because it is a difficult reservoir, which is why they will not take advantage of the opportunity to go out to sea.

The idea of building a canal arouses huge controversy among environmentalists because the Vistula Spit itself is unique in terms of nature. It is covered by Natura 2000, which is designed to protect unique species. Opponents exchange a lot of arguments for rejecting the idea. These are, among others:

- strong transformation of the coastal zone of the Vistula Spit from the side of the Gulf of Gdańsk, including permanent disturbance of the dynamic balance of the shore;
- deterioration of the quality of the waters of the Vistula Lagoon;

- negative impact on the biosphere of the Vistula Spit and the Vistula Lagoon, in particular on the protected natural habitats and species of plants, fungi and animals in the Natura 2000 program;
- deterioration of people's environmental living conditions;
- violation of the specific "cultural property" which is the Vistula Lagoon as a collective grave of several thousand civilians who died in the waters of the Lagoon in the winter of 1945, escaping on ice from Soviet troops and threats in major emergencies, such as a sea disaster in the Lagoon or failure of the canal locks¹².

Despite the willingness of many people, the port of Elbląg will never be a full-fledged seaport, for example due to the channel that will limit the size of ships, as well as the location on the Vistula Lagoon, which is a relatively shallow reservoir. However, the chance for Elbląg may be the fact of being a feeder port, i.e. a smaller port closely cooperating with larger ports such as Gdańsk and Gdynia. The cooperation would consist in reloading goods from large vessels to smaller ones, and then transport to Elbląg, which would also favorably shorten the routes of less ecological road transport¹³.

It would fit very well into the Baltic Ukraine project. The ecological factor of relationships with a given area assumes that the seas do not only affect coastal states, but also the countries in their catchment. Therefore, in cooperation with the countries of the Baltic Sea region, Ukraine, Belarus, the Czech Republic, Slovakia and Norway should also be taken into account¹⁴. Therefore, the Ukrainian authorities would like to co-decide on matters of the Baltic Sea.

In 2009, an idea called "Baltic Ukraine" was created to increase the activity of our eastern neighbor in maritime policy¹⁵. This project was to be an opportunity for the development of the Elbląg port, as well as to strengthen cooperation with Ukraine and Belarus. It assumed that logistics centers built by investors from

¹² *Ibidem*.

¹³ Portal Gazeta.pl, *Przekopac Mierzeję Wiślaną czy nie? Trwa spór, a my omawiamy argumenty obu stron*, <http://trojmiasto.wyborcza.pl/trojmiasto/1,35635,19445234,przekopac-mierzeje-wislana-czy-nie-omawiamy-argumenty-odu-stron.html#ixzz41ZW5f5Kh> (access 05.07.2017).

¹⁴ Portal Port Europa, *Ukraina – nowy gracz na bałtyckiej scenie*, <http://porteuropa.eu/ukraina/polityka/592-ukraina-nowy-gracz-na-baltyckiej-scenie> (access 12.07.2017).

¹⁵ Portal Nasze Słowo, *Bałtycka Ukraina*, <http://www.nasze-slowo.pl/baltycka-ukraina> (access 12.07.2017).

¹⁰ Portal Jachting, *Przekop przez mierzeję zatwierdzony*, <http://www.jachting.pl/artikul/26-02-2016/przekop-przez-mierzeje-zatwierdzony> (access 07.07.2017).

¹¹ Portal Gazeta.pl, *Ekolodzy mówią nie dla przekopu mierzei. Napisali do Komisji Europejskiej*, <http://trojmiasto.wyborcza.pl/trojmiasto/1,35636,19674893,ekolodzy-mowia-nie-dla-przekopu-mierzei-napisali-do-komisji.html#ixzz41ZPxuxVu> (access 05.07.2017).

the east would be built around the port basin, who would be able to access the Baltic Sea¹⁶.

Unfortunately, the Civic Platform government did not include in its strategic tasks the construction of the bay-lagoon channel, and therefore the entire project collapsed. However, it is worth considering its continuation due to the war in eastern Ukraine and resumption of excavation plans. Making the port of Elbląg accessible to Ukrainian partners would be a real help, especially in the event of prolonged uncertainty in the coastal areas of Ukraine.

One of the most important arguments raised by construction opponents are high costs and economic profitability. The construction of the channel is to be amortized in 2040 after about 20 years of use.

According to the calculations of the Maritime Office, the construction of the canal is expected to cost approx. 800–900 million PLN, but the developed documents also contain very specific calculations of the expected economic profits from the construction of the channel in 2023–2040. During this period, the revenues of the Elbląg port are to increase by 114.6 PLN million.

The flow time from Gdańsk to Elbląg will be shortened by 9.5 hours. Ships will save 300,000 hours, i.e. PLN 490 million. Passenger traffic will increase from 40,000 up to 210 thousand people in 2040. It is also estimated that thanks to the construction of the channel by 100 percent the number of tourists will increase, which will generate revenues of PLN 1.5 billion over a 23-year period.

The increase in the number of tourists will expand the accommodation and catering base. It was estimated that in the period 2023–2045 there will be approx. 13,000 bed places and approx. 10 thousand gastronomic places, investments in this sector were estimated at PLN 750 million. We are also talking about improving the situation on the labor market – an increase in jobs is estimated at 3300 (to 2045), including about 170 in the maritime transport sector, 390 in the logistics sector, 33 in the industry sector and 2750 in the tourism sector. This is to bring an increase in budget revenues and savings of approximately PLN 1.16 billion (2023–2045)¹⁷.

If the Maritime Office's estimates became a fact, there could be a significant development of the Warmińsko-Mazurskie Voivodship, which belongs to the poorest regions in the country. Therefore, this is an indisputable argument for building the channel.

Equally important, if not the most important, is the fact that the construction of the channel would make Poland independent of Russia, which would lose its tool of influence on the economy of our country. Although the Vistula Lagoon is not a strategically important reservoir, the construction of the channel would allow it to be influenced by non-commercial entities without Russia's prior consent. In the context of exercises that often take place in the Kaliningrad Oblast, this could be important from the security point of view, especially after the Ukrainian-Russian conflict, in which we strongly supported Ukraine, which worsened our relations with Russia.

Compromise solution – Żuławy Waterway

The construction of the channel is very controversial, because both the arguments of the supporters and the arguments of the opponents are very significant. Hence, there are voices suggesting a compromise solution. It is the clearing of the route called the Żuławy Loop, or at least part of it connecting the Vistula with the Vistula Lagoon. Sailing and motorboat yachts now sail along this road, as well as sometimes barges or ships heading from Gdańsk to Elbląg. The argument for such a solution are, inter alia, economic and ecological considerations, because it would be necessary to slightly rebuild the existing waterways, and not destroy the valuable natural areas of the Vistula Spit.

The proposed waterway would run along the regulated „Przekop Wisła” through the Szkarpawa to the Vistula Lagoon. The benefits and prospects of such a solution are the regulation of the Vistula and Vistula Crossing to Tczew, which would also facilitate the inland navigation of larger vessels, especially those flowing from the river shipyard in Płock or Tczew.

The Szkarpawa River would have a greater depth, and hydrotechnical and collision overhead power lines would be rebuilt, which would also increase the safety of sailors and tourists¹⁸. It would be necessary to modernize the Gdańsk Głowa lock, bridges in Drewnica and Rybin, which would create an alternative route for the Zatoka-Zalew canal.

Thanks to this, ships to which goods would be transhipped in Tri-City ports or sets of barges could flow

¹⁶ Portal Port Europa, *loc.cit.*

¹⁷ Portal Gazeta.pl, *Przekopac...*, *loc.cit.*

¹⁸ Portal Zalew Wiślany, *Szkarpawa*, <http://www.zalewwislany.pl/rzeki-delty-wisly-petla-zulaw/szkarpawa> (access 10.07.2017).

to Elbląg via Szarpawa. Also for passenger navigation such a route could prove more interesting if it were possible to create small marinas enabling mooring and exchange of passengers. In addition, the Żuławy area would also be revived in this situation¹⁹.

Summary

There is no doubt that it is necessary to open navigation on the Vistula Lagoon to the sea. However, one should think very hard about how to solve the difficult situation. In the face of the Ukrainian-Russian conflict and Poland's support of Ukraine, it seems impossible to renegotiate the agreement on shipping in the Pilawa Strait. Due to the small size of the port in Elbląg and the ships calling at it, a reasonable decision would be to expand the canals and rivers leading to Gdańsk, which is a large European port and could serve as a transshipment terminal before the further route of goods to Elbląg. At the same time, one should return to the idea of the Baltic Ukraine project, which would become a real help and would enable further development of economic and political cooperation. Regardless of the option chosen for the development of the Warmian-Masurian region, it is necessary to increase the turnover of goods and passengers at the port in Elbląg.

Bibliography

Legal sources

Konwencja Narodów Zjednoczonych o prawie morza, Montego Bay 10.12.1982. Umowa Między Rządem Rzeczypospolitej Polskiej i Rządem Federacji Rosyjskiej o żegludze po Zalewie Wiślanym, M. P. z 2009 r. Nr 78, poz. 975.

Literature

Budge I., Newton K., *Polityka nowej Europy. Od Atlantyku do Uralu*, Warszawa 2001.
 Groth A., *Historia Elbląga*, t. II, Gdańsk 1997.
 G. Górski, *Political Foundations of the Communist Poland 1944–1945, Confrontation and Cooperation, 1000 years of Polish, German, Russian Relations*, Vol. 1, De Gruyter Publications on-line, 2014, p. 5–11.
 Górski G., *Polonia Restituta. Ustrój państwa polskiego w XX wieku*, Lublin 2007.

Internet sources

Portal Gazeta.pl, *Ekolodzy mówią nie dla przekopu mierzei. Napisali do Komisji Europejskiej*, <http://trojmiasto.wyborcza.pl/trojmiasto/1,35636,19674893,ekolodzy-mowia-nie-dla-przekopu-mierzei-napisali-do-komisji.html#ixzz41ZPxuxVu>.
 Portal Gazeta.pl, *Przekopać Mierzę Wiślaną czy nie? Trwa spór, a my omawiamy argumenty obu stron*, <http://trojmiasto.wyborcza.pl/trojmiasto/1,35635,19445234,przekopac-mierzeje-wislana-czy-nie-omawiamy-argumenty-obu-stron.html#ixzz41ZW5f5Kh>.
 Portal Jachting, *Przekop przez mierzę zatwierdzony*, <http://www.jachting.pl/artukul/26-02-2016/przekop-przez-mierzeje-zatwierdzony>.
 Portal Nasze Słowo, *Baltycka Ukraina*, <http://www.nasze-slowo.pl/baltycka-ukraina>.
 Portal Niezależna, *Moc sprawcza Rzeczypospolitej. Elbląga dostęp do morza* <http://niezalezna.pl/42699-moc-sprawcza-rzeczypospolitej-elblaga-dostep-do-morza>.
 Portal Niezależna, *Przed wyborami Platforma zawłaszcza program PiS. Jednak przekopią Mierzę Wiślaną*, <http://niezalezna.pl/58261-przed-wyborami-platforma-zawłaszcza-program-pis-jednak-przekopia-mierzeje-wislana>.
 Portal Port Elbląg, *Przeładunki*, <http://www.port.elblag.pl/page/show/5/przeładunki?lang=pl>.
 Portal Port Europa, *Ukraina – nowy gracz na bałtyckiej scenie*, <http://port-europa.eu/ukraina/polityka/592-ukraina-nowy-gracz-na-baltyckiej-scenie>.
 Portal Radio Olsztyn, *Bogdan Borusewicz: w obecnej sytuacji przekop Mierzei jest konieczny*, <http://ro.com.pl/bogdan-borusewicz-w-obecnej-sytuacji-przekop-mierzei-jest-konieczny/01151156>.
 Portal W Gospodarce, *Międzynarodowa żegluga po wewnętrznych wodach Rzeczypospolitej na Zalewie Wiślanym zależy wyłącznie od decyzji Rosjan*, <http://wgospodarce.pl/opinie/20842-miedzynarodowa-zegluga-po-wewnetrznych-wodach-rzeczypospolitej-na-zalewie-wislanym-zalezy-wylacznie-od-decyzji-rosjan>.
 Portal Zalew Wiślany, Szarpawa, <http://www.zalewwislany.pl/rzeki-delta-wisly-petla-zulaw/szarpawa>.
 Portal Żagle, *O kanale Z-Z*, http://www.zagle.com.pl/wydarzenia/okana-le-z-z-w-rzeczypospolitej,1_6306.html.

¹⁹ Portal Żagle, http://www.zagle.com.pl/wydarzenia/okana-le-z-z-w-rzeczypospolitej,1_6306.html (access 15.07.2017).