



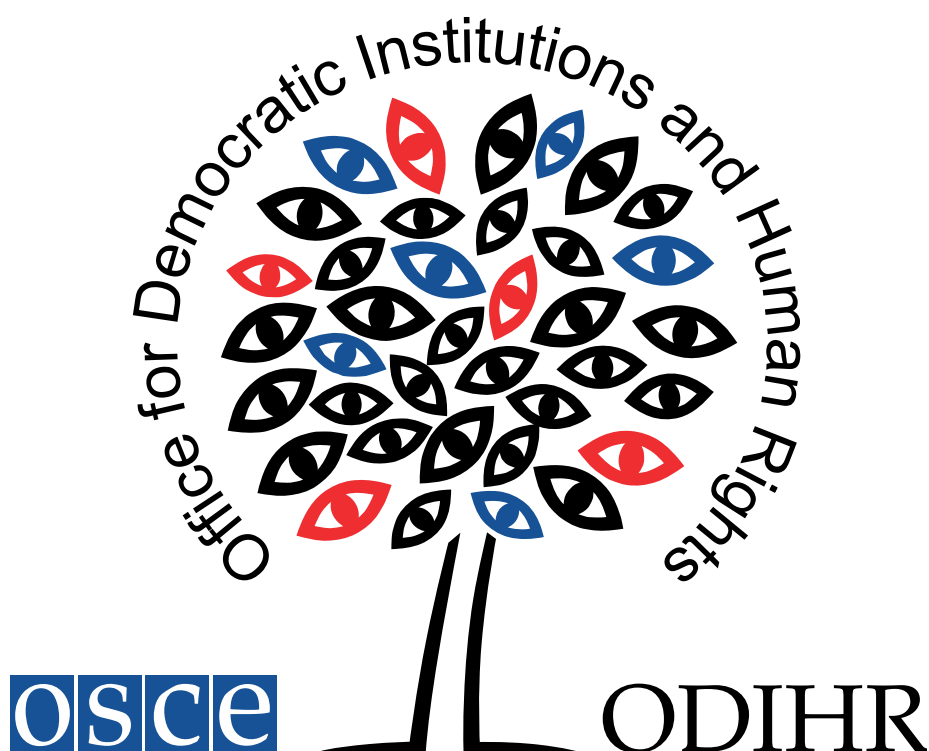
Office for Democratic Institutions and Human Rights

REPUBLIC OF POLAND

PRESIDENTIAL ELECTION

18 May and 1 June 2025

ODIHR Limited Election Observation Mission Final Report



Warsaw
20 October 2025

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**Republic of Poland
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I. EXECUTIVE SUMMARY

Following an invitation to observe the 18 May 2025 presidential election, and in accordance with its mandate, the OSCE Office for Democratic Institutions and Human Rights (ODIHR) established a Limited Election Observation Mission (LEOM) on 11 April. The ODIHR LEOM assessed the compliance of the election processes with OSCE commitments and other standards for democratic elections, as well as domestic legislation. For election days, the ODIHR LEOM was joined by the delegation of the Parliamentary Assembly of the Council of Europe (PACE) to form an International Election Observation Mission (IEOM).

In its Statement of Preliminary Findings and Conclusions for the first round of the presidential election issued on 19 May, the IEOM concluded that the election “was competitive, offering voters a genuine choice between distinct political alternatives, but it took place in a highly polarized political environment, which exacerbated existing societal divides and ongoing tensions over efforts to consolidate the rule of law. This also impacted the functioning of some key electoral oversight institutions, in particular judicial ones, weakening public trust in their effectiveness and independence in the lead-up to the election. Fundamental freedoms were respected throughout the vibrant campaign, but the use of intolerant rhetoric, particularly targeting vulnerable groups and often amplified online, remains of concern. Media coverage across the spectrum showed clear bias, limiting voters’ access to comprehensive information, thus influencing their ability to make a fully informed choice. Campaign finance regulations and their implementation did not sufficiently ensure transparency and equitable conditions among contestants. While the relevant authorities proactively countered multiple attempts of disinformation, cyberattacks and foreign interference, questions remain about the lack of fully effective co-ordination and enforcement of applicable legislation. The election administration at all levels managed the process efficiently, but transparency of decision-making was limited. On election day, in the limited number of polling stations observed by the IEOM, the various stages of the election process were assessed as professional, well organized and calm, but the secrecy of the vote was often not adhered to”.

In its Statement of Preliminary Findings and Conclusions for the second round of the presidential election issued on 2 June, the IEOM concluded that the second round “was intensely contested, and while fundamental freedoms were respected in the dynamic campaign, the longstanding political polarization and societal divide deepened between the two rounds. Technical preparations were conducted professionally and efficiently, despite some regulatory shortcomings and limited transparency of the decision making of the election administration. Inadequate campaign conduct and finance regulations that enabled the involvement of public officials as well as frequent engagement of third parties in the campaign, including online, detracted from the accountability and integrity of the process. Multiple efforts were deployed to counter disinformation, foreign interference, and inauthentic online activity; however, their effectiveness was weakened by insufficient institutional co-ordination, limited and delayed public communication around the measures taken, and inconsistent responses by social platforms. The only televised debate offered little substantive exchange. The combination of media polarization and biased coverage, including by the public broadcaster, limited voters’ access to impartial information and their ability to meaningfully assess the platforms of the run-off candidates.

¹ The English version of this report is the only official document. An unofficial translation is available in Polish.

Concerns about the independence of the judiciary persisted, including with respect to electoral matters. On election day, in the limited number of polling stations observed by the IEOM, the various stages of the election process were assessed as well-organized, professional and calm, but as in the first round, the secrecy of the vote was often not adhered to”.

The election unfolded against the backdrop of a deeply polarized political environment, marked by sharp divides in societal narratives, media discourse and identity politics, and impacting the effective functioning of some institutions. The discourse was further shaped by the broader regional geopolitical context, border security, and migration. In domestic politics, restrictive abortion legislation and the temporary suspension of asylum rights in response to increased irregular migration at the Belarus border drew significant attention and international criticism.

The electoral legal framework, last amended in 2023, overall forms an adequate basis for the conduct of democratic elections. However, some aspects would benefit from further revision as many prior ODIHR recommendations remain unaddressed, including those related to suffrage rights of persons with intellectual or psychosocial disabilities, defamation laws, misuse of administrative resources, transparency of campaign finance, and gender equality in the election administration. While the election-related legal framework is generally applicable to both rounds, there are no specific provisions related to the second round, including those related to the timeframes for the official second-round campaign period, detracting from the overall legal clarity.

The election administration at all levels managed the election efficiently and met all legal deadlines. Although the National Election Commission (NEC) published all its decisions online and a link to follow live broadcasts of its sessions could be obtained upon request, its sessions were not fully open to the public, limiting transparency and contrary to international standards and good practice. Most ODIHR LEOM interlocutors expressed confidence in the election administration’s technical capacity but questioned the collegiality and impartiality of the NEC’s decision-making, in particular with respect to the decisions reducing public funding for one political party. While voter education was comprehensive and inclusive, training for polling staff was not standardized, with no additional training conducted in cases of resignations or prior to the second round. A coalition of civil society organizations, in co-operation with the Ombudsperson’s office, organized a campaign to improve accessibility of the electoral process for persons with disabilities.

Citizens who are at least 18 years old by election day are eligible to vote, except those whose voting rights have been temporarily revoked by a court decision as a result of deprivation of public or electoral rights based on a conviction for certain crimes. Restrictions on the right to vote for those with an intellectual or psychosocial disability remain, contrary to OSCE commitments and international standards. Voter lists were not available for public scrutiny, but voters had adequate opportunities to verify their own records and seek redress in case of omissions and inaccuracies. All ODIHR LEOM interlocutors expressed confidence in the accuracy of the voter register and the safeguards ensuring its integrity. The total number of registered voters was 29,252,340 for the first round and 29,363,722 for the second round.

Citizens who are at least 35 years old by election day and have suffrage rights can stand for president. In an inclusive process, the NEC registered 44 electoral committees and 13 candidates, including two women. Four potential candidates were rejected as following verification, the number of valid signatures submitted dropped below the required 100,000; one rejected candidate appealed to the Supreme Court which upheld the rejection. Overall, the signature collection and verification process were marked by limited transparency, and many ODIHR LEOM interlocutors voiced concerns over its integrity, stating that there is no effective mechanism to detect and investigate fraudulent entries, as also confirmed by the election administration.

The fundamental freedoms were respected throughout the campaign, and voters had a genuine choice between distinct political alternatives. Campaign messaging in the first round largely focused on policy issues, while the run-off revived the entrenched rivalry between the two main blocs, framed as a decisive zero-sum contest over Poland's future domestic and foreign policy. While the campaign was mostly calm, inflammatory and derogatory rhetoric targeting migrants, the LGBTI community, ethnic and religious groups, including xenophobic and anti-Ukrainian narratives, was present in some political actors' discourse, although more muted before the run-off. In the absence of sufficient legal regulations, public officials at various levels and across the political spectrum frequently campaigned on behalf of candidates, blurring the line between official duties and campaign activities, contrary to international good practice. No efforts to counteract such practices were made. A strong social network presence formed an integral part of most contestants' campaign strategies. Posting mostly focused on general campaigning, voter mobilization, and criticism of opponents, often echoing public debate on current events and polarizing issues.

Authorities deployed a range of mechanisms to protect the electoral process from external interference, disinformation, and cyberattacks, however, inter-institutional co-ordination appeared insufficiently streamlined, and public communication on threats and countermeasures remained limited and often generic. The delayed, inconsistent, and non-transparent handling of a case involving third-party Facebook ads with unclear origins before the first round raised concerns about the adequacy and timeliness of institutional responses, potentially diminishing public confidence in the institutions involved. The late designation of a Digital Services Co-ordinator under the European Union Digital Services Act, only five days before the first round, and the pending adoption of full national implementing legislation meant that key regulatory gaps remained, including the absence of a user redress mechanism, designated trusted flaggers, and oversight arrangements for smaller platforms, and continued to translate into insufficient co-ordination and transparency on interactions with social network platforms.

While equality between women and men is constitutionally guaranteed and women secured a record-high 29.4 per cent of the *Sejm* seats in the 2023 parliamentary elections, authorities and political parties have thus far made insufficient efforts to enhance women's active participation, and women remain underrepresented in public and political life. Contrary to prior ODIHR recommendations, there are no provisions for representation of each gender at any level of the election administration, and all NEC members are men. Women's involvement as speakers at campaign events observed by the ODIHR LEOM and in campaign leadership remained limited.

Campaign finance regulations and their implementation did not ensure equality of opportunity for contestants, effective oversight, transparency and accountability, and most prior ODIHR recommendations remain unaddressed. The law does not require financial reporting, disclosure of the total amount of received donations, of the funds transferred from political parties, or the expenditure prior to the first-round election day or between rounds. A number of third parties campaigned but these were not subject to limits and disclosure requirements, undermining transparency. Two online campaigns in favour of Mr. Trzaskowski, were referred for investigation, on suspicion of foreign funding. The NEC, mandated with campaign finance oversight, is not entitled to act upon alleged violations during the campaign. The NEC receives the audited financial reports of contestants three months after election day and publishes them in 30 days, but not in a searchable format and without the auditing reports and the identity of donors, which does not allow for public scrutiny. Some prescribed sanctions are disproportionate while others are not dissuasive.

The media coverage reflected the highly polarized environment, with most outlets monitored by the ODIHR LEOM, including public media, aligning along political and ideological camps, often engaging in negative campaigning, which limited voters' access to comprehensive information and hampered informed choice. The transition of public media management through a process that departed from

established legal procedures failed to ensure impartiality, despite some reporting improvements. Funding suspensions and persistently low license-fee collection necessitated *ad hoc* government funding which, along with insufficient independence safeguards, undermined editorial freedom and financial sustainability. The media regulator KRRiT, perceived as politicized by the majority of ODIHR LEOM interlocutors, conducted limited campaign monitoring and publicly criticized only outlets unfavourable to Mr. Nawrocki, reinforcing perceptions of selective enforcement. Despite recent improvements in media freedoms, such as fewer incidents of journalist intimidation and reduced government advertising, comprehensive reforms remain essential to strengthen editorial and financial independence of public media, ensure depoliticization of KRRiT, provide for transparency of state advertising, and establish effective legal safeguards against criminal and civil defamation legislation abuse.

The law provides for expedient administrative and judicial remedies for election disputes and broad legal standing to candidates' electoral committees. Undermining transparency and contrary to OSCE commitments and international good practice, Supreme Court hearings in election-related cases, including on the final election results, are closed to the public and do not provide the appealing party the opportunity to be heard. Also, complaints against results of the first round are considered "premature" and declared inadmissible on formal grounds, not ensuring effective legal address. The cases heard by the Supreme Court were decided within the legal timeframe and the decisions were grounded and well-reasoned. Nevertheless, concerns persisted over the independence of the Court's Chamber for Extraordinary Control and Public Policy, tasked with validating election results leading to a reduction in public trust of the judiciary, potentially impacting on the public acceptance of any decision made by this chamber.

The Election Code provides for election observation, including by citizen observers and candidate proxies. However, citizen observers are not entitled to observe the work of the NEC and have limited rights during observation of election day, contrary to international good practice and prior ODIHR recommendations. Several civil society organizations contributed to the transparency of the process by observing various aspects of the electoral process, including election-day proceedings.

In line with the methodology for limited election observation missions, the IEOM did not undertake systematic or comprehensive observation of election-day proceedings for either round of the election. In the limited number of polling stations observed by the IEOM, the election process in both rounds was assessed as professional, well-organized and calm. Established procedures were generally adhered to, including during the count and tabulation, but the secrecy of the vote was often not ensured, which is of concern. The observed vote count and tabulation were conducted transparently.

Following several challenges and claims about errors in filling out results protocols, on 11 June, the Supreme Court authorized a recount of ballots in 13 polling stations and inspected 8 additional ones. The Supreme Court received over 54,000 challenges to the election results, of which it dismissed 53,558 without further action and found 21 to be valid, declaring that none of them, individually or collectively, could alter the election outcome or influence the final results. On 1 July, within the established deadline, amid controversies and concerns including with regards to the Chamber's legitimacy and independence, procedural flaws, and allegations by the Prosecutor General about denied access to case files on election protests, the Chamber confirmed the validity of the election results in a process that lacked full transparency.

This report offers a number of recommendations to support efforts to bring elections in Poland closer in line with OSCE commitments and other international obligations and standards for democratic elections to which it has committed. Priority recommendations relate to conducting a comprehensive review of the election-related legislation in an inclusive manner, ensuring a clear separation between campaigning and the performance of public functions, enhancing the transparency of campaign finances

and regulating third-party campaign financing, improving the transparency of the NEC's decision-making, amending the legal framework to guarantee the editorial and financial independence of public service media, decriminalizing defamation and libel, providing for effective dispute resolution mechanism, and strengthening efforts to enhance women's participation in public and political life. ODIHR stands ready to assist the authorities to further improve the electoral process and to address the recommendations contained in this and previous reports.

II. INTRODUCTION AND ACKNOWLEDGMENTS

Following an invitation to observe the 18 May 2025 presidential election, in accordance with its mandate and based on the recommendations of a Needs Assessment Mission conducted from 27 to 31 January, the OSCE Office for Democratic Institutions and Human Rights (ODIHR) established a Limited Election Observation Mission (LEOM) on 11 April. The mission, led by Dunja Mijatović, consisted of a 13-member core team based in Warsaw and 16 long-term observers (LTOs) deployed on 19 April to 8 locations around the country. Core team members and LTOs came from 18 OSCE participating States, and 52 per cent of mission members were women. The ODIHR LEOM remained in country until 10 June to follow post-election developments.

For election days, the ODIHR LEOM was joined by delegations of the Parliamentary Assembly of the Council of Europe (PACE) to form an International Election Observation Mission (IEOM). Each of the institutions involved in the IEOM has endorsed the 2005 Declaration of Principles for International Election Observation. The Acting Head of the PACE delegation for the first round of the presidential election was Liliana Tanguy, and Iulian Bulai headed the delegation for the second round. On the first-round election day, 67 observers from 30 countries were deployed across the country, including 34 observers from ODIHR and a 33-member PACE delegation. Women accounted for 55 per cent of IEOM observers in the first round. On the second-round election day, 42 observers from 24 countries were deployed, including 34 by ODIHR and an 8-member delegation from the PACE. Women made up 52 per cent of observers in the second round.

The ODIHR LEOM assessed the compliance of the election processes with OSCE commitments and other standards for democratic elections, as well as domestic legislation. This final report follows Statements of Preliminary Findings and Conclusions which were released at press conferences in Warsaw on 19 May and 2 June 2025.²

The ODIHR LEOM wishes to thank the Polish authorities for the invitation to observe the presidential election, and the National Election Commission (NEC) and National Election Office for their assistance. The ODIHR LEOM also expresses its appreciation to other state and local institutions, candidates and their electoral committees, political parties, media and civil society organizations, representatives of the international community and other interlocutors for sharing their views and for their co-operation.

III. BACKGROUND AND POLITICAL CONTEXT

On 15 January 2025, the Speaker of the *Sejm* called the presidential election for 18 May. Poland is a semi-presidential republic with a directly elected president as head of state and a government led by a prime minister approved by parliament. Legislative authority lies with a bicameral parliament comprising the lower house (*Sejm*) and the upper house (*Senat*). The president has the right of legislative initiative and the power to veto bills and refer them to the Constitutional Tribunal or return them to the *Sejm*.

² See previous [ODIHR election reports on Poland](#).

The October 2023 parliamentary elections marked the end of eight years of PiS-led governance, bringing to power a coalition government headed by Prime Minister Donald Tusk.³ The outgoing president, Andrzej Duda, affiliated with the Law and Justice party (*Prawo i Sprawiedliwość*, PiS), was completing his second and final term. Many ODIHR LEOM interlocutors assessed the election as particularly high-stake, noting that its outcome could significantly influence the political environment and future reform efforts, including related to institutional functioning, rule of law, and independence of the judiciary and public media.

The election unfolded in a deeply polarized environment, marked by sharp divides in societal narratives, media discourse and identity politics, which has also impacted the effective functioning of some institutions, with the government questioning the legitimacy of key judicial and media regulatory bodies due to appointments made under the previous government and a perceived lack of their independence. The election and the campaign discourse were further shaped by the broader regional geopolitical context, including the war caused by the Russian Federation's invasion of Ukraine, border security, and migration. In domestic politics, restrictive abortion legislation and the temporary suspension of asylum rights in response to increased irregular migration at the Belarus-Polish border drew significant attention and international criticism.⁴ In May 2024, based on initiated measures to restore the rule of law and the independence of the judiciary,⁵ the European Commission closed the Article 7(1) proceedings against Poland, citing substantial progress in aligning with European Union (EU) standards.⁶

Equality between women and men is guaranteed by the Constitution. However, women remain underrepresented in public and political life, particularly in leadership roles, including in political parties. Despite this systemic underrepresentation, in the 2023 elections, women won a record-high 135 seats in the *Sejm* (29.4 per cent), but only 19 seats (19 per cent) in the Senate. Women currently hold the highest proportion of ministerial posts (10 out of 27) of all past governments.⁷ While there is a steady gradual upward trend in the representation of women at various levels of self-governance, on average it remains below 30 per cent and the parity aspired to by international standards.⁸ This underrepresentation in both elected and appointed positions indicates that further efforts by the authorities and political parties are needed to enhance women's active participation in political life. According to many ODIHR LEOM interlocutors, women's full and equal participation continues to be

³ The governing coalition comprises the Civic Coalition (*Koalicja Obywatelska*, KO; 157 *Sejm* seats), Third Way (*Trzecia Droga*; 65), and the New Left (*Lewica*; 26). The Law and Justice party (*Prawo i Sprawiedliwość*, PiS) gained 194 seats, and the Confederation Freedom and Independence (Confederation; *Konfederacja*) 18 seats.

⁴ In a [December 2024 report](#), the United Nations (UN) Committee on the Elimination of All Forms of Discrimination against Women found that Poland's abortion law breached several human rights, calling for liberalization. In February 2025, the Representative of the UN High Commissioner for Refugees [warned](#) that the temporary asylum rights suspension violates the 1951 Refugee Convention and European Union law.

⁵ In this respect, see also several recent Venice Commission opinions on draft legislative reforms regarding the Polish judicial system: Urgent Joint [Opinion](#) of the Venice Commission and the Directorate General Human Rights and Rule of Law on the draft law amending the Law on the National Council of the Judiciary of Poland; Joint [Opinion](#) of the Venice Commission and the Directorate General Human Rights and Rule of Law on the draft amendments to the Law on the Public Prosecutor's Office; Joint [Opinion](#) of the Venice Commission and the Directorate General Human Rights and Rule of Law on European standards regulating the status of judges; [Opinion](#) on the draft constitutional amendments concerning the Constitutional Tribunal and two laws on the Constitutional Tribunal.

⁶ In its [2024 report](#), the Commission stated that "there is no longer a clear risk of a serious breach of the rule of law by Poland and [that it] withdrew its reasoned proposal of December 2017, thereby closing the Article 7(1) TEU procedure for Poland".

⁷ The proposed government put forward by Prime Minister Mateusz Morawiecki (PiS) in November 2023, with 10 women among the 18 ministers, failed to receive a parliamentary vote of confidence.

⁸ The [2024 CEDAW Committee General Recommendation No. 40](#) recommends parity between women and men in decision-making systems. The Council of Europe's [recommendation](#) on balanced participation of women and men in political and public decision making refers to representation of men and women in all decision-making bodies in political or public life not falling below 40 per cent.

constrained by entrenched perceptions of politics as male-dominated, gendered and demeaning references, and disproportionate exposure to aggressive speech and online harassment.⁹

In line with international standards and OSCE commitments, authorities should take additional steps to enhance women's participation in the electoral process and political decision-making. Political parties should identify and address barriers to women's involvement in politics, especially in leadership roles, including by conducting gender audits and reviewing internal practices hindering women's effective representation within party structures.

IV. ELECTORAL SYSTEM AND LEGAL FRAMEWORK

The president is directly elected in a single, country-wide constituency for a five-year term, with a limit of two terms. If no candidate receives the absolute majority of valid votes cast in the first round, a second round is held two weeks later between the two candidates who received the most votes. The winner of the second round is determined by a simple majority of the valid votes cast.

Presidential elections are primarily governed by the 1997 Constitution, the 2011 Election Code (last amended in 2025), the 1990 Law on Assemblies (amended in 2016), and the 1997 Political Parties Act (last amended in 2023). Poland is party to major international and regional instruments related to the holding of democratic elections.¹⁰

The election-related legislation was last substantively amended in 2023, before that year's parliamentary elections.¹¹ The current governing coalition has passed several bills amending the legal framework, but all of these were either vetoed or referred to the Constitutional Tribunal by the outgoing President in 2024 for review of their constitutionality, effectively blocking the government's agenda and exacerbating the long-standing political divide.¹² The ODIHR LEOM was informed of several initiatives by the relevant authorities, civil society organizations (CSOs), and professional legal associations to amend the legislation to align it with prior ODIHR recommendations. All of these drafts remained pending before the election, with ODIHR LEOM interlocutors attributing this mainly to political divisions.¹³

Overall, electoral legal framework forms an adequate basis for the conduct of democratic elections. However, some provisions could benefit from further review, and many prior ODIHR recommendations remain unaddressed. These include suffrage rights of persons with intellectual or psychosocial disabilities, decriminalization of defamation, prevention of the misuse of administrative resources, transparency of campaign finance, gender equality in the election administration, and ability to

⁹ See [Women in Local Politics: Participation of Women Candidates in 2024 Elections](#), Institute of Public Affairs.

¹⁰ These include the 1966 [International Covenant on Civil and Political Rights](#) (ICCPR), 1979 [Convention for the Elimination of All Forms of Discrimination against Women](#) (CEDAW), 2003 [Convention Against Corruption](#), and 2006 [Convention on the Rights of Persons with Disabilities](#) (CRPD). Poland is also a party to the 1950 [European Convention for the Protection of Human Rights and Fundamental Freedoms](#) (ECHR). Poland is also a member of the Council of Europe's European Commission for Democracy through Law (Venice Commission) and its Group of States against Corruption (GRECO).

¹¹ As noted in the 2023 [ODIHR opinion](#) on the Draft Act amending the Election Code, the process lacked meaningful consultations.

¹² These were related to reforming the structure and functioning of the Constitutional Tribunal, returning to the pre-2018 selection method for the National Judiciary Council, amendments to the Election Code introducing revisions to procedures for appointing electoral officials and expanding voting by mail, and changing the method of validating election results at the Supreme Court. The Constitutional Tribunal has yet to issue decisions and there is no applicable legal timeline.

¹³ These draft amendments relate to delineation of constituency boundaries, introduction of alternative voting methods, rules regarding legal incapacitation and voting rights of persons with intellectual and psychosocial disabilities, and composition and competencies of the NEC.

challenge the results of the first-round results to ensure effective and timely legal remedy. Moreover, while most legal provisions and NEC guidelines are applicable to both rounds, the Election Code lacks clarity on certain aspects pertaining to holding a second round, including the applicable campaign period and campaign expenditure limitations, and the NEC did not address these gaps, considering the first-round guidelines sufficient, detracting from legal clarity.

To supplement and clarify the legal framework, the NEC issued binding resolutions for lower-level election administration, as well as explanatory guidelines and clarifications for broadcasters, government administration authorities, and electoral committees.¹⁴ However, at times its overly legalistic interpretation of the law resulted in unreasonable restrictions, in particular with regards to the conduct and financing of the campaign (see *Campaign Finance* section).

A comprehensive legislative reform should be undertaken to implement outstanding ODIHR recommendations and further align the legal framework with OSCE commitments, international standards, and good practice. Such a revision should be done through an inclusive and transparent consultative process well in advance of the next elections, providing sufficient time for effective implementation.

V. ELECTION ADMINISTRATION

The presidential election was administered by a three-tier structure comprising the NEC and the National Election Office (NEO), 49 Constituency Election Commissions (CECs) and 49 regional NEO delegate offices, 2,602 election officers, and 31,627 Precinct Election Commissions (PECs).¹⁵

The NEC is a permanent body with an overall decision-making and supervisory role and it is composed of two judges nominated for nine years by the President of the Constitutional Tribunal and the President of the Supreme Administrative Court, respectively, and seven members nominated by political parties in proportion to their representation in the *Sejm*; all nine are formally appointed by the president.¹⁶ The NEC chairperson must be one of the two judges nominated by the courts. The NEO is the executive body of the NEC, responsible for the administrative, financial and logistical organization of elections.

While most ODIHR LEOM interlocutors expressed confidence in the capacity of the election administration at all levels to manage the technical aspects of the process, they raised concerns about the collegiality and impartiality of NEC's decision-making, in particular with respect to the recent decisions on reducing public funding for PiS, which impacted public trust in the work of the NEC.¹⁷

All current members of the NEC are men, as is the recently appointed head of the NEO.¹⁸ Twenty-four of the 49 Directors of the NEO Offices and some 41 per cent of CECs members are women. There are

¹⁴ Including on voter and candidate registration, the conduct and financing of election campaigns, the establishment of lower-level election commissions and electoral committees, and election day procedures.

¹⁵ These include 1,812 special PECs in medical facilities, penitentiaries, detention centres, student dormitories, and social welfare facilities, and on one ship and four platforms under the Polish flag.

¹⁶ The NEC members nominated by the *Sejm* cannot be more than three from a single party. They are elected from those qualified for the office of a judge or having a professional or academic legal background. The *Sejm*-designated members' term is four years and expires 150 days after the next elections for the *Sejm*.

¹⁷ On one occasion, a split vote precluded the NEC from adopting a decision. The decision concerning the interpretation of [NEC Decision 421/2024](#) and the subsequent letter to the Minister of Finance was discussed over six NEC sessions starting from 16 January 2025. During the NEC session of 23 April, NEC members postponed a decision on releasing the political party subsidies for 2025 on the grounds that such a decision needed to be taken by the full NEC composition. During the session of 5 May, the NEC had to vote on two separate drafts for the PiS subsidy and the Confederation subsidy in order to reach a final decision.

¹⁸ The Head of the NEO was selected in March 2025 with the participation of civil society in a procedure that involved public hearings of all candidates. NEO has seven departments, four of which are led by women.

355 women, and 176 men working at the NEO. Contrary to international standards and prior ODIHR recommendations, there are no provisions for representation of each gender at any level of the election administration, and no gender-specific data is officially aggregated.¹⁹

To facilitate the development of targeted strategies for enhancing women's participation, disaggregated data on gender representation in the election administration should be collected and published in a comprehensive manner.

All NEC decisions were published on the NEC website in a timely manner; however, NEC sessions were not public. The NEC Rules of Procedure allow for voting via email, and 25 of the 37 sessions held since the election was called were organized online.²⁰ While a link to watch live broadcasts of NEC sessions and access to the minutes of the sessions could be obtained upon request, including by CSOs,²¹ this practice, combined with the lack of a publicly announced agenda and the limited information available about NEC sessions, adversely impacted the transparency and accountability of the NEC's decision-making process, contrary to international standards.²²

To ensure full transparency of its decision-making, election administration should hold public sessions, issue invites and publish the draft agendas and minutes of relevant sessions in a timely manner.

The election administration at all levels managed the election efficiently and professionally and complied with all legal deadlines. The lower level comprised a complex horizontal structure of election commissioners, the NEO delegate offices and election officers, and the municipalities. The NEC appoints 100 election commissioners to the district level upon nomination by the Ministry of Internal

¹⁹ Article 7 of [CEDAW Convention](#) recommends that States Parties shall “take all appropriate measures to eliminate discrimination against women in the political and public life [...] including in the formulation of government policy and the implementation thereof and to hold public office and perform all public functions at all levels of government”. Paragraph 48d of the [CEDAW General Recommendation No. 23](#) recommends that States parties should provide “statistical data, disaggregated by sex, showing the percentage of women relative to men who enjoy those rights”. Paragraph 40.13 of the [1991 OSCE Moscow Document](#) commits participating States to “ensure the collection and analysis of data to assess adequately, monitor and improve the situation of women”. Gender-disaggregated data on the election administration in this report is not officially available and was obtained by the ODIHR LEOM via publicly available information on the composition of the election administration, or upon request by the NEO.

²⁰ The ODIHR LEOM reviewed records of NEC sessions from 16 January until 19 May (with two missing protocols from sessions held on 23 April and 5 May, as well as protocols No. 14 and No. 27), which showed that the NEC also voted via email in remote sessions which were not broadcast. According to the NEC, decisions to conduct voting via email were taken, with the consent of all NEC members to convene a meeting remotely, primarily for decisions that did not require discussion or had to be taken within a specified deadline. Additionally, the sessions held in person for the announcement of results for the first and second round were not publicly announced, and the ODIHR LEOM received no invitation to attend in person or link to watch the sessions live.

²¹ Interested parties can request a link to observe NEC sessions live, but no recordings are kept. Based on the NEC Rules of Procedures, the chairperson may invite observers to attend sessions in person, and accordingly, the ODIHR LEOM received invitation to attend two in-person NEC sessions during the deployment of the mission. The NEC informed the ODIHR LEOM that due to space constraints, candidate representatives could not observe sessions in person. During the sessions it attended, the ODIHR LEOM noted that some discussions were held internally without being broadcast, including concerning errors identified in a number of second-round results protocols. Based on the NEC Rules of Procedure, upon request of at least one NEC member, NEC sessions can be held internally.

²² [Paragraph 19 General Comment on Article 34 of the ICCPR](#) provides that “States parties should proactively put in the public domain Government information of public interest. States parties should make every effort to ensure easy, prompt, effective and practical access to such information”. Article 10(a) of the [UNCAC](#) states: “Adopting procedures or regulations allowing members of the general public to obtain, where appropriate, information on the organization, functioning and decision-making processes of its public administration and [...] on decisions and legal acts that concern members of the public”. See also Paragraph 81 of the [Council of Europe's Venice Commission Code of Good Practice in Electoral Matters](#) Explanatory Report, which recommends that “[t]he meetings of the central electoral commission should be open to everyone, including the media”.

Affairs, whereas the NEO is represented by the 49 NEO delegate offices and election officers.²³ CECs, which are temporary bodies formed anew for each election, were appointed on 31 March, and 96 of the 100 commissioners acted as their chairpersons or deputies. ODIHR LEOM long-term observers (LTOs) noted that in practice municipal officials took on the majority of duties being the most experienced in the technical conduct of the electoral process.

All registered electoral committees had the right to nominate PEC members by 18 April. All 44 electoral committees had representation on PECs, and ODIHR LEOM LTOs noted that in some cases, lower-level election authorities had to draw lots due to an excess of nominees.²⁴ Many ODIHR LEOM interlocutors, including within the NEC and NEO, alleged that most electoral committees without candidates were established with the sole purpose of nominating PEC members and of obtaining financial remuneration and that PEC members they nominated were often less reliable and interested in their duties.²⁵

The election administration conducted mandatory trainings. While the NEC provided guidelines and the NEO developed a presentation and excerpts of the law, the training format was decentralized. The trainings observed by ODIHR LEOM LTOs lacked a standardized format and differed in quality, length, and comprehensiveness, often lacking interactivity and detailed explanation of election-day procedures; in some cases, training were provided only to PEC chairpersons and deputies, potentially limiting the understanding of all procedures by other members.²⁶ Some 8,660 PEC members resigned before the first round, and some 8,280 before the second round, mostly due to personal reasons or after the trainings as they considered offered remuneration disproportionate to the workload. While the resignations did not affect the performance of PECs, additional training for the second-round replacements was only conducted in isolated cases.²⁷

To enhance professionalism of the lower-level election administration and ensure consistent implementation of election day procedures, standardized mandatory and comprehensive training could be considered for all PEC members. Consideration could be given to organizing additional training between the two rounds.

Voter education was comprehensive, with a variety of approaches and formats, including centrally produced materials such as NEC-produced TV spots. Local authorities and the lower-level election administration published election notices and provided information over the phone as well as through interviews and local media outlets. A number of CSOs conducted voter education initiatives targeting young and first-time voters; the ODIHR LEOM also noted several spots in sign language, including by

²³ Election officers are appointed by the NEO Head for six years from among professionals with extensive experience and a university degree. Election officers are on duty for the time of the elections and cannot be municipality staff at the location where they are serving. The election commissioners supervise the election officers and take decisions concerning compliance with the law and the work of the PECs, while the officers are tasked with training the PECs, delivery of postal votes, and reception of election material after election day; the municipalities provide voting premises and non-sensitive election material.

²⁴ Each PEC can have between 7 and 13 members, depending on the number of registered voters.

²⁵ Electoral committees have the exclusive right to nominate candidates for the election. Twenty-seven out of 44 electoral committees did not nominate presidential candidates, 17 submitted signatures in support of candidates, and 13 managed to field candidates for president.

²⁶ The ODIHR LEOM observed PEC trainings in Aleksandrów Łódzki, Białystok, Bydgoszcz, Ceglów, Chełm, Częstochowa, Gdańsk, Elbląg, Limanowa, Lublin, Olsztyn, Piła, Rzeszów, Sieradz, Sopot, Sulechów, Szczecin, Warsaw, Warsaw-Rembertów, Warta, Wrocław and Zamość. The Political Accountability Foundation, a CSO, carried out an analysis of PEC trainings across the country and pointed to the insufficient coverage of topics such as access for persons with disabilities, counting procedures and distribution of tasks, assessing the validity of ballots, and filling out the results protocol.

²⁷ Paragraph 84 of the Venice Commission's [Code of Good Practice in Electoral Matters](#) Explanatory Report recommends that "[m]embers of electoral commissions have to receive standardized training at all levels of the election administration. Such training should also be made available to the members of commissions appointed by political parties".

the NEC. The NEC website contained a high-contrast version and an additional option for sign interpretation. A coalition of 150 CSOs, together with the Ombudsperson's office, conducted a campaign "Elections accessible to all", raising awareness and monitoring the overall accessibility for persons with various forms of disabilities of the campaign and of polling stations on election day.²⁸ While authorities have made efforts to improve accessibility of the electoral process, obstacles to independent access to the electoral process remain.

Continuous efforts should be made in close co-operation with disabled persons' organizations, to ensure persons with disabilities can vote autonomously, including ensuring the premises and layout of polling stations are suitable for independent access and providing electoral information in formats accessible to persons with different types of disabilities.

VI. VOTER REGISTRATION

Citizens who are at least 18 years old by election day are eligible to vote, except for those whose voting rights have been temporarily revoked by a court decision as a result of deprivation of public or electoral rights based on a conviction for certain crimes.²⁹ Citizens declared incapacitated by a court decision on the basis of intellectual or psychosocial disability can also be deprived of their suffrage rights, contrary to OSCE commitments and other international standards.³⁰

All restrictions on the electoral rights of persons with intellectual or psychosocial disabilities should be removed in line with international obligations.

Voter registration is passive, and voter lists are updated on a continuous basis including between the two rounds. Any changes to the voter lists requested before the first round also applied to the second round, unless voter requested otherwise. Introduced in 2023, in line with an ODIHR recommendation, the Central Register of Voters (CRV), which is maintained by the Ministry of Digital Affairs (MDA), replaced more than 2,400 separate municipal registers and has improved the accuracy and functionality of the voter registration system.³¹ The CRV is based on the central civil registry and is linked to each voter's 11-digit Universal Electronic System for Registration of the Population number (PESEL). The CRV assigns voters to a designated PEC based on their last voting address, which can be their permanent

²⁸ By law, a minimum of 50 per cent of polling stations per municipality must be independently accessible for voters with physical disabilities. Some 58 per cent of the PECs were listed as accessible by the NEC. The initiative launched [monitoring of the campaign](#) as well as [assessment of the accessibility of the polling stations](#) on election day in co-operation with the Ombudsperson office.

²⁹ Citizens' voting rights can be temporarily revoked in cases of intentional or fiscal crimes, or if a court decides to revoke the right to vote in cases where a person was sentenced for at least one year of imprisonment and their motives deserve severe condemnation. Information about the deprivation of the right to vote is entered into the Central Register of Voters (CVR).

³⁰ Paragraph 7.3 of the 1990 [OSCE Copenhagen Document](#) states that participating States will "guarantee universal and equal suffrage to adult citizens". See also Articles 12 and 29 of the [CRPD](#), as well as [General Comment No. 1](#) to Article 12 of the CRPD, which in paragraph 48 state that "a person's status as a person with a disability or the existence of an impairment (including a physical or sensory impairment) must never be grounds for denying legal capacity or any of the rights provided for in article 12. All practices that in purpose or effect violate article 12 must be abolished in order to ensure that full legal capacity is restored to persons with disabilities on an equal basis with others" (paragraph 9) and that "a person's decision-making ability cannot be a justification for any exclusion of persons with disabilities from exercising [...] the right to vote [and] the right to stand for election". In response to [past recommendations](#) by the UN Committee on the Rights of Persons with Disabilities, in December 2024, the Polish government [presented](#) and launched public consultations on the draft bill on the instruments of supported decision-making that seeks to eliminate the institute of incapacitation, including related limitations on the rights to vote and to stand. The elimination of incapacitation is also one of the points of the [Strategy for Persons with Disabilities for 2021–2030](#).

³¹ The CRV is updated by municipalities and contains the records of all citizens over 17 years of age, including those deprived of the right to vote.

or current residential address. There is an obligation for citizens to register at a permanent address, but non-compliance carries no sanctions in practice. Voters with no address assigned, are in practice not automatically included in the voter lists and must submit a specific request.

While voter lists are not made available for public scrutiny due to data protection legislation and related privacy concerns, voters had adequate opportunities to verify their own data and request a change of their voting location, from 44 to 3 days before the first round, and in between the two rounds up to three days before the second election day.³² Some 918,000 voters requested to change their voting location for the first round, and additionally, some 423,000 voters did so for the second round. Voters could also request, in person, Absentee Voter Certificates (AVC) allowing them to cast a ballot at any polling station within Poland. For the first round, 333,984 voters requested AVC, and for the second, a total of 571,999 voters could vote using an AVC. Voters with disabilities could apply to be registered, upon presenting a disability certificate, at an accessible polling station within their home municipality, or to vote via proxy or by mail.³³

Out-of-country voting was organized by the Ministry of Foreign Affairs (MFA) in 511 polling stations in 92 countries, with the active involvement of diplomatic and consular staff and Polish diaspora organizations. Voters residing abroad had to actively register online, via email, or in writing, up to five days before election day. A total of 524,204 voters registered to vote abroad for the first round, and some 140 at ships and platforms; for the second round, a record number of 721,608 voters had the right to vote abroad, and 204 were registered to vote on ships and platforms.³⁴

The total number of registered voters was 29,252,340 for the first round and 29,363,722 for the second round. All ODIHR LEOM interlocutors expressed confidence in the accuracy of the voter registration and positively assessed the CRV.

VII. CANDIDATE REGISTRATION

Citizens who are at least 35 years of age by election day and have suffrage rights can stand for president. Candidates subject to the lustration law may be barred from standing.³⁵ The registration of presidential candidates is a two-step process. In this election, electoral committees formed by at least 15 voters had to register with the NEC by 24 March, upon having collected the signatures of at least 1,000 voters. In a second step, to register a candidate, electoral committees had to submit a total of 100,000 voter signatures to the NEC, by 4 April. While political parties do not have the right to register electoral committees, candidates affiliated with a political party must announce their affiliation.

In an inclusive process, the NEC registered 44 electoral committees, 17 of which submitted the required number of signatures to field candidates.³⁶ The NEC registered 13 of the 17 candidates, including 2 women. Four potential candidates were rejected as the number of valid signatures submitted fell below

³² Voters could check their polling station location, change their address, or request to vote at another location in person at the respective municipality or on the designated government website, or via the [mObywatel](#) application.

³³ According to the NEO, 9,705 voters with disabilities applied for postal voting, and 28,388 for proxy voting for the first round, while 12,090 voters were eligible to vote by post, and 42,090 by proxy in the second round.

³⁴ For the first round, 467,802 voters abroad and 172 on ships and platforms exercised their right to vote. In the second round, 608,215 votes were cast abroad, and 176 on ships and platforms.

³⁵ Candidates born before 1 August 1972 must submit to the NEC, together with their consent to run for president, a declaration on whether they collaborated with or worked for the communist state security services. All candidates subject to lustration are verified by the Institute of National Remembrance. In this election, no candidate was denied registration based on the lustration process.

³⁶ A total of 53 notifications for the formation of electoral committees were received, but 9 of those did not submit the required number of 1,000 valid signatures.

100,000 following the verification process.³⁷ One rejected candidate appealed to the Supreme Court, which upheld the rejection due to mismatch between voters' address information on the signature collection sheets and the CRV. The NEC announced the final list of candidates on 23 April.³⁸

Overall, the signature collection and verification processes were not sufficiently transparent. The signature verification process was conducted by the NEO with the possibility for candidates and their representatives to observe the process, but citizen observers had no access to the process. The NEO verified the validity of the signatures by manually entering the PESEL number of each voter supporting a candidate and cross-checking it with the CRV via an internally developed software. Detailed data about errors or mismatches of signatures were available only in the NEC decisions denying registration of candidates. The NEO, however, informed the ODIHR LEOM that concerns exist about errors or data of deceased voters on the signature collection sheets of some 80 per cent of candidates, including those who managed to collect the required 100,000 valid signatures. Many ODIHR LEOM interlocutors voiced concerns over the integrity of the verification process and opined that there is currently no effective mechanism to properly investigate fraudulent entries.³⁹

The law does not require electoral committees to provide information about the persons collecting the signatures, and it is often impossible to determine who has collected such signatures. Some ODIHR LEOM interlocutors stated that to supply signatures, some contestants used commercially available databases of citizens, which included data of deceased voters.⁴⁰ Amendments to the Election Code proposing electronic collection of signatures, which would also allow voters to verify whether they have signed in support of any candidate, are under discussion.

Consideration could be given to exploring measures to improve the process of support signature collection and verification to enhance its integrity, transparency and accuracy, including via electronic submission of candidacy nomination and signature collection.

VIII. CAMPAIGN

A. LEGAL AND REGULATORY FRAMEWORK

The fundamental freedoms of association, assembly and expression are constitutionally guaranteed. The Election Code enshrines equal campaign opportunities for contestants, including access to campaign

³⁷ The NEO verifies whether the signature collection sheets meet legal requirements, until the required number of valid signatures is reached. Errors identified included mismatches between voters' address information on the signature collection sheets and the CRV, incorrect PESEL numbers, signatures of persons without voting rights, or missing date of signing. In the cases of the four rejected candidates, according to the respective NEC decisions, 2,881 entries of deceased persons were submitted in support of candidate David Jackiewicz; 5,805 in support of Wiesław Lewicki; 4,994 in support of Romuald Starosielec; and 4,093 in support of Paweł Tanajno.

³⁸ The candidates were Arthur Bartoszewicz (independent), Magdalena Biejat (independent; endorsed by the New Left), Grzegorz Braun (endorsed by the Confederation of the Polish Crown), Szymon Hołownia, (endorsed by Poland 2050 and the Third Way), Marek Jakubiak (endorsed by the Federation for the Republic), Maciej Maciak (independent; endorsed by the Prosperity and Peace Movement), Sławomir Mentzen, (endorsed by the Confederation Freedom and Independence), Karol Nawrocki (independent; endorsed by PiS), Joanna Senyszyn (independent), Krzysztof Stanowski (independent), Rafał Trzaskowski, (endorsed by the Civic Coalition (*Platforma Obywatelska*, PO), Marek Woch (endorsed by Non-partisan Local Government Officials – Poland Unites Us), and Adrian Zandberg (endorsed by Together).

³⁹ The election administration publishes reports on the implementation of the Election Code after each election. The [2020](#), [2021](#), and [2024 reports](#) list key issues in improving signature collection and verification, including voters unaware who they are supporting, lists being prepared in advance, entries being ineligible, and lists being falsified and containing entries of deceased people.

⁴⁰ The NEC had referred one of the rejected candidates to the Prosecutor's Office, on grounds that their list of support signatures included records of deceased voters. The NEO informed the ODIHR LEOM that they intended to send additional cases to the Prosecutor's Office.

spaces and public media. By law, the campaign begins with the official calling of the election, and electoral committees can start campaigning once registered by the NEC.⁴¹ Campaigning before the calling of the election is not regulated, and early campaign-like activities were widespread, prompting concerns of some ODIHR LEOM interlocutors regarding financial attribution and transparency.⁴² The NEC has criticized such practices in the past as circumventing the law.⁴³

Political parties are prohibited by law to campaign and provide in-kind support to candidates, including use of facilities.⁴⁴ While this regulation seeks to maintain the legally mandated distinction of electoral committees from parties, these restrictions seem unreasonable.⁴⁵

The legal framework does not sufficiently regulate the involvement of public officials in the campaign, beyond requiring impartiality and separation from official duties, as also underscored in several NEC clarifications and the line between official duties and campaign activities was often blurred in practice.⁴⁶ Public officials at various levels and across the political spectrum endorsed and supported candidates through street campaigning, media appearances, and social media.⁴⁷ This support frequently overlapped with extensive party involvement, including grassroots mobilization, events, and social network promotion, despite the limitations outlined in NEC clarifications.⁴⁸ The lack of efforts by political actors to clearly separate campaigning from other official activities is contrary to previous ODIHR

⁴¹ The campaign silence period starting 24 hours before each election day is also applicable to the publication of opinion and exit polls and the online domain.

⁴² According to ODIHR LEOM interlocutors, campaign-like activities by Mr. Mentzen, including a [convention](#) and presentation of [campaign materials](#), were noted as early as August 2024. Other candidates, including Mr. Hołownia, Mr. Nawrocki, and Mr. Trzaskowski, followed with public announcements of their candidacy, regional appearances, and early promotional activities between late November and December 2024.

⁴³ See the most recent NEC [clarification](#) on this issue from 17 April 2023.

⁴⁴ NEC clarifications of [29 May 2023](#), [16 January 2025](#), and [18 February 2025](#) state that parties may not repost campaign materials of candidates on social media and electoral committees may not use the premises and equipment of political parties.

⁴⁵ Paragraph 182 of the [ODIHR and Venice Commission Joint Guidelines on Political Party Regulation](#) states: “During elections, political parties often provide support, funding and campaign resources for their candidates. Legislation regulating party activities must allow for the free exercise of such support as long as it does not disturb a minimum “level playing field” among candidates and among parties”. Paragraph 49 states: “Any restrictions on free association must have their basis in law in the state constitution or parliamentary act, rather than subordinate regulations.... Such restrictions must be clear, easy to understand and uniformly applicable to ensure that all individuals and parties are able to understand the consequences of breaching them”.

⁴⁶ The NEC [clarification](#) of 31 March 2025 calls for such distinction to be ensured by all “public persons, performing public functions or, through their professional, economic, social, cultural, or other activities, significantly influencing the functioning of society”.

⁴⁷ On 19 May, President Duda reiterated an earlier endorsement, [stating](#): “It is no secret that I supported Karol Nawrocki. I still support Karol Nawrocki”, while Prime Minister Tusk renewed his [backing](#) of Mr. Trzaskowski, urging voters to choose between “paralysis and chaos” or “justice and common good”. Before the first round, at least 11 of the 27 ministers affiliated with governing coalition parties endorsed and campaigned for their respective candidates. Before the second round, almost all ministers, 24 of 27, expressed support for Mr. Trzaskowski, including on social networks. At the local level, among others, mayors of [Białystok](#), [Gniezno](#), [Katowice](#), [Kielce](#), [Lublin](#), [Rybnik](#), [Sopot](#), and [Sosnowiec](#) endorsed Mr. Trzaskowski at events or through social media. On the other hand, the mayors of [Jastrzębie Zdrój](#), [Myślenice](#), [Siedlce](#), and [Stalowa Wola](#), the Marshals of [Małopolskie](#) and [Świętokrzyskie](#) Voivodships, as well as the chairperson of the [Podkarpackie Regional Assembly](#) campaigned for Mr. Nawrocki.

⁴⁸ The NEC’s 18 February 2025 [clarification](#) stressed that political parties cannot provide in-kind support to candidates, including through information in social media, beyond permitted contributions to electoral committees. Among others, [Confederation](#), [New Left](#), [PiS](#), [PO](#), and [Together](#) promoted their endorsed candidates on their social media pages, including PO-paid campaign-related ads on [Meta](#) and [Google](#) against Mr. Mentzen. PiS’s support for Mr. Nawrocki included campaign [appearances](#) by party chairperson Jarosław Kaczyński, mobilization [appeals](#) to party structures, and [promotion](#) of campaign events. Representatives of the governing coalition parties held joint press conferences in [Białystok](#), [Bydgoszcz](#), [Lublin](#), and [Rzeszów](#) appealing for votes for Mr. Trzaskowski.

recommendations, legal requirements, NEC clarifications, and international good practice, and was further compounded by insufficient enforcement during the campaign.⁴⁹

To ensure a clear separation between campaigning and public functions, the law should be amended to define the scope of permissible activities by public officials during campaigns. Public officials should uphold the principles of neutrality and avoid conflating official duties with campaign activities, in line with international good practice and existing NEC clarifications.

Campaigning on social networks is not explicitly regulated; however, several legal provisions and NEC clarifications on campaign duration, transparency and accountability for paid advertisement, in-kind support, and restricted speech also apply online.

Although several public consultations were held, the national legislation to effectively implement the Digital Services Act (DSA) remains to be adopted. The government designated the head of the Office of Electronic Communications (UKE) as the Digital Services Co-ordinator (DSC) only five days before the first round, over a year past the February 2024 deadline.⁵⁰ The European Commission had earlier initiated infringement procedures and, on 7 May, referred Poland to the EU Court of Justice as the last Member State to have not designated its DSC.⁵¹ With implementing legislation pending adoption, UKE currently holds only a technical mandate.⁵² The delay in introducing the regulatory framework left key gaps, including the absence of a user redress mechanism, designated trusted flaggers, and oversight arrangements for smaller platforms. The lack of a fully empowered DSC continued to translate into insufficient co-ordination and public communication, including no public reports and aggregated data by different institutions on interactions with Very Large Online Platforms (VLOPs).

To ensure effective implementation of the rules, the Digital Services Co-ordinator should be vested with a comprehensive mandate to co-ordinate institutional efforts, ensure coherence in responses to digital risks and threats, and enhance transparency around the measures taken, including in an electoral context.

B. CAMPAIGN ENVIRONMENT

The fundamental freedoms of association, peaceful assembly and expression were respected during the campaign, and freedom to campaign was ensured. Voters had a genuine choice between distinct political alternatives. Contestants prioritized regional travels, meetings with voters, press conferences and social media presence for voter outreach. During the campaign, the ODIHR LEOM directly observed a total of 63 campaign events across 17 municipalities, which proceeded largely unobstructed and attracted diverse audiences. ODIHR LEOM LTOs and interlocutors reported frequent destruction and defacing of campaign banners, describing the scale as unprecedented (see *Election Dispute Resolution*).

The first-round campaign was largely issue-based. National security, economic welfare, healthcare, and affordable housing emerged as key programmatic priorities, alongside divisive topics such as migration, support to Ukraine, reproductive rights, and liberal versus traditional values. The second-round campaign saw a return to the dominant dynamic focused on the rivalry between the Civic Platform (*Platforma Obywatelska*, PO) and PiS, with sharper, more confrontational narratives reflecting deep

⁴⁹ The NEC's 4 March 2024 [clarification](#) stipulated that cases of blurred lines between campaigning and public functions may be subject to post-electoral review and could lead to a rejection of a financial report of the respective committee or criminal responsibility. Paragraph 4.2 of the ODIHR and Venice Commission 2016 [Joint Guidelines on Preventing and Responding to the Misuse of Administrative Resources during Electoral Processes](#) requires the law to "provide for a clear separation between the exercise of politically sensitive public positions, in particular senior management positions, and candidacy".

⁵⁰ See the 14 May [Resolution No. 67](#) of the Council of Ministers.

⁵¹ See the [16 December 2024](#) and [7 May 2025](#) European Commission press releases.

⁵² See UKE's 15 May 2025 [communication](#) and the 23 May 2025 [amendments](#) to its rules of procedure.

political and ideological polarization. The run-off was framed as a decisive zero-sum contest over Poland's future direction in terms of both domestic and foreign policy.

Some political actors used inflammatory and derogatory messaging targeting migrants, LGBTI persons, ethnic and religious groups, including xenophobic and anti-Ukrainian narratives, prompting condemnation from some candidates and public figures.⁵³ Some ODIHR LEOM interlocutors expressed concerns over the impact of such rhetoric on public discourse and attitudes toward vulnerable groups. Several cases were initiated for public insult and incitement to hatred.⁵⁴ Amendments passed by the *Sejm* expanding protections against hate speech to cover sexual orientation, gender, age, and disability, including based on past ODIHR recommendations, were forwarded on 18 April by President Duda to the Constitutional Tribunal for review.⁵⁵ On 8 July, as the Tribunal commenced its review of the issue, then-President Duda introduced amendments to his original request, specifically concerning provisions related to persons with disabilities and sexual orientation. This led the Tribunal to defer its review.

To enhance safeguards against public insult and incitement to hatred, the grounds for protection in the Criminal Code should be expanded to cover amongst others disabilities and sexual orientation. Political actors should refrain from using discriminatory language and continue to publicly and resolutely denounce its use in campaign discourse.

The campaign programmes of only six candidates addressed issues related to equality and inclusion while reflecting divergent ideological views, especially on women's and LGBTI rights. Although women demonstrated clear political interest and engagement, their roles as speakers at ODIHR LEOM-observed campaign events (34 per cent) and in campaign leadership remained limited. Young people made up 37 per cent of attendees at campaign events observed, with some contestants actively targeting them, especially ahead of the run-off. No targeted outreach strategies for national minority voters were noted. Insufficient efforts were made by the contestants to ensure campaign event and material accessibility for persons with disabilities.⁵⁶

To enable meaningful participation, contestants should ensure that campaign events, programmes, information, and materials are accessible to persons with various disabilities, including through appropriate formats and communication methods.

⁵³ One of Mr. Nawrocki's campaign [spots](#) used images of a Muslim prayer and of migrants at a bus stop to depict them as "dangerous", claiming "Poland is already flooded by immigrants from Africa and the Near East [...] We need to stop this". At a 4 May event of Mr. Mentzen in Gdańsk, Confederation politicians made multiple anti-LGBTI comments, referring to "that pathology that Brussels teaches you", and describing immigrants as "criminals by default", the reason why "children and women are scared to walk on the streets safely". On 4 May in Ostrołęka, Mr. Braun referred to LGBTI people as "perverts," while during the 28 April *Super Express* newspaper's debate he made antisemitic and anti-Ukrainian comments.

⁵⁴ The Criminal Code prohibits public insult and incitement to hatred based on national, ethnic, racial, or religious grounds. The ODIHR LEOM was informed that as of 1 June, nine 'hate speech' cases had been initiated by the Prosecutor's Office.

⁵⁵ In its [2023 report](#), the European Commission against Racism and Intolerance welcomed existing legal protections against hate speech but recommended adding sexual orientation, gender identity, and sex characteristics as protected grounds. Similar appeals were made by the UN Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity ([29 November 2024](#)) and by 37 civil society organizations ([18 December 2024](#)). See also Sections 2.3.5. and 2.3.6 of the 2022 [ODIHR Hate Crime Laws: A Practical Guide](#), 2nd Edition, and the 2015 [ODIHR Opinion on the Draft Amendments to Certain Provisions of the Criminal Code of Poland](#) which amongst others recommend to include disabilities and sexual orientation among frequently protected characteristics.

⁵⁶ Sign interpretation was noted only at ODIHR LEOM-observed events of Mr. Hołownia and those hosted by civil society. Only a few campaign materials were adjusted for persons with disabilities, including subtitled campaign spots. Paragraph 43 of the UN CRPD Committee's [General Comment Nr. 2 on Article 9](#) states that "it is also important that political meetings and materials used and produced by political parties or individual candidates participating in public elections are accessible".

C. ONLINE CAMPAIGN ENVIRONMENT

A strong social network presence was central to most contestants' outreach strategies.⁵⁷ In addition to specially designed social media content, many of the candidates' in-person appearances were framed for online streaming and promotion. On accounts monitored by the ODIHR LEOM, posts mostly focused on general campaigning, voter mobilization, and criticism of opponents, often echoing public debate on current events and polarizing issues.⁵⁸ Google Trends and Wykop analysis revealed high audience interest in election-related information.

ODIHR LEOM social network monitoring ahead of the first round showed that emotionally charged, assertive, and clearly positioned content on divisive issues generated the highest engagement, with Mr. Mentzen and Ms. Biejat leading with TikTok engagements. The run-off campaign saw a surge in engagement with Mr. Nawrocki's and Mr. Trzaskowski's accounts on TikTok and X, reflecting an intensified outreach, significant growth in follower bases, and increased public interest. Organic posting was supported by paid ad campaigns, with Mr. Trzaskowski leading in user reach and Mr. Nawrocki in number of ads bought and spending.⁵⁹

Authorities deployed a range of measures to protect the electoral process from external interference, disinformation, and cyberattacks, including training and awareness-raising efforts.⁶⁰ While this reflected a proactive and multi-pronged approach, inter-institutional co-ordination appeared insufficiently streamlined, and public communication on threats and countermeasures remained limited and often generic.⁶¹ Furthermore, CSOs noted that while co-operation with state institutions existed, it remained limited in scope and substance.⁶² As the election neared, both the authorities and national experts warned of increased cyber and disinformation threats, highlighting in particular the tactic of amplifying polarizing content to deepen societal divisions and erode trust.⁶³ Authorities noted that state-deployed protection measures were effective, as timely detection and mitigation helped prevent a

⁵⁷ According to [Statistics Poland](#), 87.6 per cent of the population used internet regularly in 2024. The Reuters Institute [reported](#) that in 2024 only 48 per cent of social network users relied on them as a source of news. Facebook is the most popular platform, followed by TikTok, Instagram, and X, with YouTube leading among video-sharing services.

⁵⁸ Between 21 April and 30 May, the ODIHR LEOM monitored 40 accounts of candidates, parties, public figures and institutions on Facebook, TikTok, and X, with a focus on the two most relevant and engaging posts per account per day. Engagements (likes on TikTok and X, total reactions on Facebook) were counted per platform, prioritizing the one with the highest follower count. Wykop, a Polish news aggregation website, and Google Trends were used for contextual analysis of audience interest and trending topics.

⁵⁹ See Batory Foundation [report](#) covering the campaign period up to 25 May.

⁶⁰ These included the MFA's "Resilience Council", the "Election Umbrella" programme by the MDA and the Science and Academic Computer Network (NASK), as well as operations of the Ministry of Internal Affairs' Internal Security Agency. On 29 April, an [Inter-institutional Team for Countering Foreign Interference and Manipulation in the Information Environment \(FIMI\)](#) was established as an advisory body to the Council of Ministers and information sharing mechanism on FIMI. In addition, a [Rapid Response System](#) under the EU Code of Practice on Disinformation was used during this election, facilitating a swift exchange of information between signatory CSOs and online platforms to flag content or trends that may threaten electoral integrity for prioritized handling.

⁶¹ See 6 May Alliance4Europe [Poland: Country Election Risk Assessment, FIMI Response Team Report](#).

⁶² In 2024, the government adopted the Digital Transformation of Education Policy, with the aim to integrate media literacy in the education system. On 13 March, the Minister of Digital Affairs announced plans to allocate funds to education on digital competences, including media literacy. However, a cohesive national media literacy strategy is lacking, leading to inconsistent implementation, with many initiatives currently driven by civil society. ODIHR LEOM interlocutors emphasized that increased state support and better co-ordinated efforts could contribute to enhancing public awareness and resilience to manipulative tactics and disinformation in the digital sphere.

⁶³ Reported attacks and threats included: a January [announcement](#) by the Minister of Digital Affairs of Russian-linked disinformation attempts; an April Alliance4Europe [report](#) describing the "Doppelganger operation" on X; and April and May confirmations by [MDA](#) and [NASK](#) of cyberattacks targeting PO, Mr. Trzaskowski's campaign, and coalition parties' websites, attributed to Russian and Belarusian actors. On 16 April, the Minister of Digital Affairs [stated](#) that Poland had become the most-targeted EU country for cyberattacks. See also the 28 April "Resilience Council" [Together Against Disinformation](#) report.

broader impact. However, the handling of a case involving third-party Facebook ads of unclear origin before the first round raised concerns due to delayed and inconsistent public messaging and lack of transparency (see also *Campaign Finance*).⁶⁴ These challenges highlighted areas where a more comprehensive national digital and cybersecurity framework could strengthen co-ordination, strategy, and transparency of institutional responses to digital threats.⁶⁵

To ensure an effective and cohesive response to disinformation, foreign interference, and cyber threats, authorities could adopt a comprehensive strategic framework for protecting the digital environment. The strategy could outline clear institutional responsibilities, establish co-ordination mechanisms, enshrine transparency guarantees, and foster co-operation with civil society.

Despite the late DSC appointment, national institutions and civil society maintained functional co-operation with social media platforms to counter inauthentic behavior, disinformation, and illegal content, and for fact-checking. However, the effectiveness of platform responses varied significantly. Among social media platforms monitored by the ODIHR LEOM, based on NASK data and interlocutor assessments, while the highest number of cases flagged throughout the campaign were related to content on Facebook, X stood out as the platform with the weakest national stakeholder engagement and the lowest rate of action.⁶⁶ CSOs provided examples of delayed or ineffective action by social media platforms, which left a significant share of flagged content unaddressed, in some cases raising concerns about compliance with DSA obligations.⁶⁷ In addition, the lack of algorithmic transparency remained a concern, including reports that TikTok's recommender system disproportionately promoted content associated with the political right.⁶⁸

IX. CAMPAIGN FINANCE

Party and campaign finance is regulated by the Election Code and the Political Parties Act, supplemented by NEC clarifications. Despite some positive amendments in 2023, most prior ODIHR recommendations remain unaddressed.⁶⁹ The campaign finance legal framework and its implementation did not ensure equality of opportunity for contestants, effective oversight, transparency and accountability of campaign finances.

⁶⁴ See the 14 May [announcement](#) by NASK. The origins and funding behind the ads remained under investigation throughout the campaign. See related reporting by [Wirtualna Polska](#), [OKO.press](#), [Demagog](#), and [Gazeta Prawna](#).

⁶⁵ See, for instance, INFO OPS Poland Foundation's [Foreign Information Manipulation and Interference Threats and Answers](#).

⁶⁶ According to data provided to the ODIHR LEOM by NASK and analyzed by the mission, between 1 January and 2 June 2025, NASK processed 6,316 cases of content deemed contrary to social network policies and national legislation. Of these, 3,955 were considered warranted and reported to platforms, with the largest share (47.5 per cent) concerning Facebook. Notably, 68 per cent of all reported cases were related to the first-round (16–19 May) and second-round election weekends (30 May–2 June). During these peak periods, TikTok demonstrated the highest responsiveness, resolving or moderating 81.6 per cent and removing 30.9 per cent of flagged content related to the first- and second-round weekends, respectively. At the same time, X had the lowest response rate, leaving 96 per cent and 95 per cent of flagged items related to the first- and second-round election weekend, respectively, unaddressed. Additionally, after the first round, NASK informed the ODIHR LEOM it had reported 14,890 accounts, mostly on X, linked to inauthentic co-ordinated behaviour, scams, and impersonation.

⁶⁷ Expert community reports ([29 May](#) and [30 May](#)) showed that Facebook, YouTube and X failed to take timely or adequate action on flagged content spread by accounts linked with the earlier-identified “Doppelganger operation” and sanctioned Belarusian state media. The Association Never Again shared examples of content flagged to platforms, including a 27 April Facebook [post](#) framing a job offer for foreign workers as a threat linked to Muslim migrants, on which no action had been taken.

⁶⁸ See 29 May Global Witness [analysis](#) on TikTok recommender system during this election.

⁶⁹ See also the 2025 [ODIHR Opinion on the Act on Political Parties](#).

A. INCOME AND EXPENDITURE

There is no direct state funding for presidential election campaigns. Electoral committees are responsible for the campaign finances of their nominated candidates. They are obliged to open bank accounts as soon as they are registered, if they plan to receive funding and incur campaign expenditures.

Parties and electoral committees could receive monetary and to a limited extent in-kind donations from Polish citizens with permanent residency in Poland.⁷⁰ Donations from legal entities, foreign and anonymous sources are prohibited.⁷¹ Limits on donations were applicable also to in-kind donations made to parties but not to electoral committees, while there was no methodology for the evaluation of in-kind donations.⁷² While committees may obtain bank loans, they are unlikely to do so since their financial representatives and members would be personally accountable for repayment. An amendment to the Election Code in 2023 clarified that the expenditure limit (PLN 24.6 million in this election) includes both rounds, which disadvantages the frontrunners since they need to maintain a budget for a possible second-round campaign.

To provide for equal financial conditions for candidates, the law should prescribe an expenditure ceiling for the first round and a proportional increase for the second round.

Although not formally established by political parties, electoral committees could receive unlimited funds from parties, including from state funds allocated to parties, giving a significant advantage to candidates supported by these parties.⁷³

To ensure equality of opportunity, a more balanced state and private funding in the campaign should be considered, including by limiting the amount of state funding which can be transferred by parties to campaigns.

B. DISCLOSURE AND OVERSIGHT

From their registration, electoral committees were required to disclose donations exceeding PLN 4,660 on their websites.⁷⁴ The law does not require interim financial reporting prior to the first round or between rounds, nor disclosure of the funds transferred from political parties, the total amount of donations below the threshold, and expenditure. This undermines transparency and reduces voters' ability to make an informed choice, including by knowing which political party funds each candidate.⁷⁵

⁷⁰ Permissible forms of in-kind support include the dissemination of campaign materials, office work, use of vehicles, devices and other objects, and access to premises for display of campaign materials.

⁷¹ Donations in cash not exceeding the minimum wage are allowed. In total, a donor may donate up to PLN 70,000 (approximately EUR 16,512; PLN 1 equals EUR 0.23) in cash to each party annually, providing no single donation exceeds the minimum wage.

⁷² Candidates may donate to any electoral committee up to PLN 210,000. Individuals can donate up to PLN 70,000 annually to each of the following: an electoral committee, a party's election fund, and a party's regular account.

⁷³ Parties and coalitions which obtained at least 3 and 6 per cent, respectively, of the votes cast in parliamentary elections receive public funding proportional to the votes obtained. Following the 2023 elections, PLN 84 million per year were [allocated](#) to nine parties.

⁷⁴ Mr. Trzaskowski disclosed donations totalling PLN [7,462,134](#), Mr. Nawrocki PLN [5,190,242](#), Mr. Braun PLN [1,036,634](#), Mr. Mentzen PLN [960,345](#), Mr. Hołownia PLN [206,240](#), Mr. Bartoszewicz PLN [93,662](#), Mr. Zandberg PLN [85,000](#), Ms. Senyszyn PLN [65,000](#), Ms. Biejat PLN [45,000](#), and Mr. Maciak PLN [10,000](#). Candidates Jakubiak, Stanowski and Woch did not disclose any donations.

⁷⁵ According to Paragraph 261 of the [2020 ODIHR and Venice Commission Guidelines on Political Party Regulation](#), "It is good practice to require [...] reports providing oversight bodies and the public with preliminary information on campaign incomes and expenses of parties and candidates several days before election day". Paragraph 263 stipulates that "Transparency in reporting requires the timely publication of parties' financial reports; the reports need to remain public for an appropriate amount of time, to allow for proper public scrutiny. The fulfilment of this requirement means that reports need to contain enough details to be useful and understandable for the general public and can be facilitated through digitalization of the process".

Representatives of the two second-round contenders informed the ODIHR LEOM that they raised a significant amount of donations below the disclosure threshold. The law prescribes short deadlines for disclosure but no monitoring for compliance with these deadlines. Disclosure of donations on scattered, temporary websites with limited visibility and in a non-searchable format did not allow for public scrutiny.

To enhance transparency of campaign finance, electoral committees should be required to provide detailed income and expenditure reports, including the funds received from parties, the total amount of donations below the disclosure threshold, as well as their expenditures before and in between election days. To enable public scrutiny, disclosure should be made in an easily accessible, user-friendly and searchable manner, while the NEC should be obliged to monitor compliance with the disclosure obligations.

At odds with international standards and prior ODIHR recommendations, the law does not regulate third-party campaigning, which in the NEC's interpretation of the law is prohibited but not sanctioned.⁷⁶ The NEC requested electoral committees to notify the police about individuals using their symbols to campaign without their consent and to report as in-kind donations individuals' campaigning involving any costs, lest the committees would face sanctions.⁷⁷ Several third parties, including CSOs engaging in voter mobilization and a citizen election observation organization, conducted campaigns incurring significant expenditures, including online, in favour of Mr. Trzaskowski.⁷⁸ These third parties were not required by law to disclose their sources of income and expenditure, undermining transparency, and accountability of campaign finances.⁷⁹

Between 16 April and 14 May, two new Facebook profiles paid a total of approximately PLN 500,000 for 136 video ads on Facebook in favour of Mr. Trzaskowski and against Mr. Nawrocki and Mr.

⁷⁶ Article 6 of the Council of Europe Committee of Ministers' [Recommendation Rec\(2003\)4 on common rules against corruption in the funding of political parties and electoral campaigns](#) states that "rules concerning donations to political parties, with the exception of those concerning tax deductibility referred to in Article 4, should also apply, as appropriate, to all entities which are related, directly or indirectly, to a political party or are otherwise under the control of a political party". Paragraph 256 of the [ODIHR and Venice Commission Joint Guidelines on Political Party Regulation](#) states that "third-party activities should not be unconditionally prohibited". In [Bowman v. The United Kingdom](#), the European Court of Human Rights (ECtHR) ruled that a very low third-party spending limit set by law was a disproportionate measure, violating the right to freedom of expression. See also the [2020 ODIHR Note on Third Party Regulations in the OSCE region](#).

⁷⁷ See NEC clarifications of [28 August 2023](#), [4 March 2024](#), [20 April 2024](#), [17 March 2025](#), and [31 March 2025](#). The NEC requested parties and electoral committees to refrain from posting their campaign materials on their websites, to prevent individuals from printing and posting them with their own funds.

⁷⁸ For instance, Akcja Demokracja paid for 600 digital billboards and published three online ads, including on Meta and Google which while not explicitly naming the candidate included messages that aligned with his campaign platform; the Committee for Defence of Democracy [advertised](#) that they rented a train and organized bus transportation to transfer individuals from Katowice to Warsaw for Mr. Trzaskowski's rally on 25 May; the company "Fat Frogs Media" produced and [paid](#) PLN 151,250 for running 14 Google ads in favour of Mr. Trzaskowski while the electoral committee of Mr. Trzaskowski paid PLN 882,750 for Google ads. The Spontaneous Civic Platform printed and paid for [billboards](#) and banners portraying Mr. Trzaskowski positively and Mr. Nawrocki negatively. Paragraph 221 of the [ODIHR and Venice Commission Joint Guidelines on Political Party Regulation](#) states that any limits on third party donations and spending "should only apply in cases where third parties and their actions are intended to benefit specific political parties, either in general or during campaigns. This should not prevent NGOs and other interest groups from debating issues of public interest during the campaigns".

⁷⁹ Paragraph 220 of the [ODIHR and Venice Commission Joint Guidelines on Political Party Regulation](#) states that "Third party funding can be used to circumvent financial regulations, which often include contribution and spending limits, as well as disclosure requirements. Setting a ceiling for donations to parties is not likely to be effective if, at the same time, other groups such as interest or support groups, trade unions and associations can spend unlimited amounts of money to support or oppose a particular political party or candidate. In order to avoid the creation of loopholes through which unlimited funding can be channeled and financial transactions can be veiled, laws should set proportionate and reasonable limits to the amount that third parties can spend on promoting candidates or parties, ideally by applying existing ceilings for donations to political parties to these actors, as well".

Mentzen, outspending the candidates themselves.⁸⁰ NASK identified these Facebook ads and referred the matter to the Agency for Internal Security (ABW) for investigation, on suspicion of foreign funding, but only a month after the ads started running.⁸¹ On 26 May, PiS filed two complaints to the NEC and the Prosecutor's Office, alleging that these Facebook ads constitute illicit foreign funding of Mr. Trzaskowski's campaign. Meta informed the ODIHR LEOM that it did not block these accounts and these ads as they did not breach its community standards or national legislation.⁸² On 20 and 21 May, parliament held extensive discussions on the Facebook ads, debating the effectiveness of the campaign finance legislation and oversight pertaining to third-party campaigning and online political advertising. Another Facebook account ran liberal-themed campaign ads, widely perceived as promoting Mr. Trzaskowski, in value of PLN 1 million, paid by a foreign-funded civil society organization.⁸³ On 19 May, ads against Mr. Trzaskowski were posted on Facebook; these had limited cost and reach as the accounts and the ads were blocked within a few hours.⁸⁴

To enhance transparency and accountability of campaign finance, third party campaigning should be regulated. Campaign materials and online advertisements without the legally required attributes to an electoral committee should be eliminated promptly.

Electoral committees are required to submit financial reports within three months from election day. The reports must be audited, unless a committee notifies the NEC that it had no income and expenditure, but the Election Code does not prescribe criteria for auditing and a transparent procedure for the selection of auditors by the NEC. The NEC publishes the reports within a 30-day deadline but not in a searchable format and without the auditing reports and the identity of donors, which does not allow for public scrutiny. The NEC has six months to review the reports and impose sanctions in case of irregularities.

To allow for public scrutiny and enhance transparency, the NEC should publish the financial reports in an easily accessible, user-friendly and searchable format.

The NEC, mandated with campaign finance oversight, may only review the financial reports after elections. In its interpretation of the law, the NEC is not entitled to act upon possible violations during the campaign, while the financial representatives of electoral committees are mandated to ensure compliance of an electoral committee with the regulations. While lack of oversight during the campaign undermines the effectiveness of regulations, the NEC opined that enforcing compliance before election day could be perceived as selective and politically motivated.

The sanctions prescribed by law are often not proportionate to the irregularities, at odds with international standards.⁸⁵ By law, some irregularities, including minor ones, are sanctioned twice, with

⁸⁰ Based on the [Facebook Ad Library](#), between 16 April and 14 May, [Wiesz Jak Nie Jest](#) (You Know How It Is Not) paid PLN 321,484 for 104 ads, and [Stół Dorosłych](#) (Adults' Table) paid PLN 165,958 for 32 ads, while Mr. Nawrocki's electoral committee paid PLN 288,896 and Mr. Trzaskowski's committee PLN 227,027.

⁸¹ On 15 May, [NASK](#) published on its website that "it has identified political advertisements on the Facebook platform in Poland, which may be financed from abroad". A campaign management company, the Estratos Digital GmbH, sent a letter to [Wirtualna Polska](#) stating, *inter alia*, that its main investor is the US-based [Higher Ground Labs](#), and that the ads were paid by an NGO client in Poland.

⁸² See the [Meta Community Standards](#) on ads about social issues, elections or politics.

⁸³ Based on the [Meta Ad Library](#), the Facebook account 'Choose the Future' (Wybierzmy Przyszłość) paid PLN 220,000 from 18 until 24 May and PLN 1 million from 25 April until 30 May.

⁸⁴ According to Meta ad Library, the Facebook accounts [Wiadomości Polskie](#), as well as four accounts with the same name: [Fakty Dnia](#), [Fakty Dnia](#), [Fakty Dnia](#), [Fakty Dnia](#), and the ads ran by them were disabled because they did not comply with the Meta [Advertising Standards](#) and/or the ads ran without the required disclaimers.

⁸⁵ Article 16 of the Council of Europe Committee of Ministers' [Recommendation Rec\(2003\)4 on common rules against corruption in the funding of political parties and electoral campaigns](#) stipulates that "States should require the infringement of rules concerning the funding of political parties and electoral campaigns to be subject to effective, proportionate and dissuasive sanctions".

loss or reduction of state funding for four years and with forfeiture of campaign reimbursement.⁸⁶ Some other sanctions are not dissuasive.⁸⁷ Due to the legal distinction between political parties and electoral committees, parties cannot be sanctioned for breaches by the candidates they support, while the financial representatives of electoral committees may be sanctioned with fines and imprisonment. Third parties cannot be sanctioned for campaigning, including for use of illicit foreign financing, while the beneficiary electoral committee may be fined only in case third parties campaigned with their consent.

In 2024, PiS was sanctioned with a 40 per cent reduction of its state funding, which the party alleged impacted on the financial capacity of its endorsed candidate.⁸⁸ The NEC's stated aim was to sanction alleged misuse of administrative resources during the 2023 parliamentary elections. However, this decision raised widespread concerns about compliance with the law and was perceived by several ODIHR LEOM interlocutors as politically motivated.⁸⁹ They noted that for the first time, a party was sanctioned for the involvement of public institutions in the campaign, and that state funding was reduced before the Supreme Court ruled on the case, at odds with administrative law.

In May 2025, the Confederation Freedom and Independence was sanctioned with loss of campaign reimbursement for submitting its campaign finance report for the 2024 European Parliament (EP) elections a day past the deadline, however, refrained from additionally sanctioning the Confederation with loss of annual state funding, as prescribed by law.⁹⁰ While the NEC refrained from imposing a disproportionate sanction for a minor violation, this decision was not in line with its previous decisions, including the decision sanctioning PiS.⁹¹ The April 2025 instalment of state funding for all qualifying parties was belatedly disbursed on 9 May, impacting on the financial capacities of their supported candidates.⁹²

The law should prescribe a graduate system of proportionate, effective and dissuasive sanctions for campaign finance irregularities and a mechanism for effective and timely enforcement.

X. MEDIA

A. MEDIA ENVIRONMENT

The media landscape remains highly polarized, with many major outlets aligning with specific political and ideological camps. Many ODIHR LEOM interlocutors observed improvements following the December 2023 government transition, including fewer verbal attacks and incidents of intimidation or

⁸⁶ For instance, for submitting a financial report a day after the deadline and for campaign irregularities.

⁸⁷ Electoral committees may not be sanctioned for failing to meet their legal obligation to notify the NEC about the website on which they will disclose donations, while they may receive a fine of up to PLN 30,000 for failing to publish their registers of contracts and donations, or one or more donations. The NEC [stated](#) that it does not monitor and will not apply sanctions for such irregularities.

⁸⁸ State funding for PiS was reduced from PLN 26 million to PLN 15.4 million per year, and reimbursement of its 2023 campaign expenditures from PLN 38.7 million to PLN 27 million. PiS received the full reimbursement of PLN 4.5 million for the 2024 European Parliament elections. For the 2020 presidential election campaign, the electoral committees reported a total income of PLN 63.8 million, of which 83.4 per cent derived from parties.

⁸⁹ The Supreme Court granted an appeal by PiS, entitling it to full funding. The NEC and the Minister of Finance did not comply with the court decision, citing [concerns about the legality of its appointment](#). Prime Minister Tusk [wrote](#) on his official X account: "There is no money and there will be no money. In my opinion, this is what follows from the NEC resolution".

⁹⁰ The Confederation filed an appeal with the Supreme Court, which was pending after the second round. On 10 May 2025, the NEC requested deregistration of the party New Hope on grounds of late submission of its annual report. Both Confederation and New Hope supported candidate Sławomir Mentzen.

⁹¹ PiS was sanctioned both with reduction of the annual state funding for four years and reimbursement of its campaign expenditure, while the Confederation was sanctioned only with the latter.

⁹² The NEC informed the ODIHR LEOM it delayed requesting disbursement by the Minister of Finance of the funds for the nine qualifying parties due to its prolonged deliberations about the Confederation matter.

harassment against journalists,⁹³ and a sharp reduction in government advertising.⁹⁴ However, structural reforms remain necessary to strengthen editorial and financial independence of public media, ensure depoliticization of the National Broadcasting Council, provide for transparency of state advertising, and establish effective legal safeguards against criminal and civil defamation abuse.

While television remains the main source of information, its leading role is being steadily challenged by the rapid growth of online news platforms.⁹⁵ The television market is dominated by public broadcaster *Telewizja Polska (TVP)*, followed by private *TVN* and *Polsat*. Most print and online regional media are municipality-owned.⁹⁶ In 2020, the state-controlled oil holding PKN Orlen acquired the major regional media group *Polska Press*.⁹⁷ Despite pledging to divest *Polska Press* in the summer of 2024, PKN Orlen has yet to complete this sale. The high level of concentration across broadcast, print and digital markets, especially regionally, continues to challenge media independence and diversity.⁹⁸

The management of public *TVP*, *Polskie Radio* and the Polish Press Agency was replaced in December 2023,⁹⁹ through a process that departed from established procedures.¹⁰⁰ The public media's reliance on state budget allocations, due to chronically low license fee compliance, was exacerbated by President Duda's December 2023 veto of a PLN 3 billion budgetary compensation for uncollected fees.¹⁰¹ Consequently, the government placed the public media into liquidation to allow for direct *ad hoc* funding. Concurrently, the National Broadcasting Council (KRRiT) suspended the license fee transfers to public media, which resumed in November 2024. Overall, the insufficient safeguards against political interference in editorial and managerial appointments and the lack of sustainable funding mechanisms continue to undermine the independence of public media.¹⁰²

⁹³ While government officials and the main ruling party largely refrained from verbally attacking the media during the campaign, some media outlets critical of Mr. Nawrocki and PiS, including [TVP](#) and [TVN](#), were threatened at rallies by supporters of the PiS-backed candidate.

⁹⁴ The 2024 European Commission [Rule of Law Report](#) noted that “in 2021–2022 some media were confirmed to have had privileged access to state advertising”.

⁹⁵ According to the Eurobarometer [Media & News Survey 2023](#), television remains to be the most used (70 per cent) medium for news, followed by online news platforms (61 per cent) and radio (49 per cent).

⁹⁶ According to the Citizens Network [Watchdog Polska Report](#), at least 1,160 regional newspapers and bulletins were published or supported by municipalities in 2023.

⁹⁷ *Polska Press* publishes 20 out of Poland's 24 regional daily newspapers, over 160 weekly publications, and some 600 websites. The Association of Local Newspapers estimates an additional 150–170 regional independent newspapers. The approval of the acquisition of *Polska Press* by the President of the Office of Competition and Consumer Protection (UOKiK) was challenged by the Ombudsperson due to concern over media concentration. In July 2022, the Warsaw District Court ruled that that UOKiK lacked competence to assess concentration from a media pluralism perspective, highlighting the absence of effective oversight.

⁹⁸ See the 2024 [Media Pluralism Monitor](#) by the Centre for Media Pluralism and Media Freedom.

⁹⁹ This prompted some 80 journalists, primarily those previously accused of systematic political bias, to leave *TVP* for niche news broadcasters *TV Republika* and *wPolsce24*, significantly boosting their viewership.

¹⁰⁰ Although the Constitution designates the media regulator, the National Broadcasting Council (KRRiT), as the authority to appoint and replace public media boards, the 2016 amendments to the Broadcasting Law, ruled unconstitutional by the Constitutional Tribunal, transferred that authority to the National Media Council (NMC). In December 2023, following a *Sejm* resolution urging the restoration of “constitutional order and impartiality of public media” due to alleged political control by the previous government, the Minister of Culture dismissed the management of the three public media entities. His action bypassed the NMC by relying on commercial law mechanisms rather than media-specific legislation, an approach ruled unconstitutional by the Constitutional Tribunal on 18 January 2024. The government refrained from publishing the Tribunal's decision in the *Official Gazette*, preventing it from becoming legally binding, citing the Tribunal's disputed composition.

¹⁰¹ Public media are nominally funded through a license fee collected by the Polish Post. However, only 4.1 per cent of households paid in 2022. In 2021–23, *TVP* received PLN 295–330 million per year from the license fee, while the majority of its funding (PLN 2.04–2.66 billion annually) came from the state budget.

¹⁰² Paragraph 5 of Section III.5 of the Council of Europe Committee of Ministers' [Recommendation CM/Rec\(96\)10](#) recommends that “payment of the contribution or license fee should be made in a way which guarantees the continuity of the activities of the public service broadcasting organization and which allows it to engage in long-term planning”.

The legal framework should be amended to guarantee the editorial and financial independence of public service media, including sustainable funding mechanisms not subject to annual political discretion, and transparent, merit-based procedures for appointing and dismissing management and supervisory bodies.

B. LEGAL AND REGULATORY FRAMEWORK

The Constitution guarantees freedom of expression, right to information and prohibits censorship. However, ODIHR LEOM interlocutors noted ongoing obstacles to access to information, as government institutions often provided superficial responses to requests, enabled by weak enforcement and rare penalties for non-compliance.¹⁰³ While most ODIHR LEOM interlocutors reported no issues accessing public events, *TV Republika* reported several cases where its journalists were prevented from covering campaign events of Mr. Trzaskowski's and public events of Prime Minister Tusk, prompting the Ombudsperson's intervention.¹⁰⁴

Despite constitutional guarantees, defamation and public insult remain criminal offences, with heightened penalties for cases involving public officials, the president, state symbols and blasphemy.¹⁰⁵ In 2024, the government withdrew 37 defamation lawsuits initiated by its predecessors. Ministry of Justice data indicate a decline in convictions for defamation-related offences.¹⁰⁶ However, several ODIHR LEOM interlocutors noted persistent issues at the regional level, including increased use of civil defamation laws for strategic litigation against journalists (SLAPPs), highlighting the need for full decriminalization and implementation of the EU anti-SLAPP directive. Amendments to the Civil and Criminal Codes, proposed by the Civil and Criminal Law Codification Commissions under the Ministry of Justice, were criticized by CSOs as insufficient to safeguard against such lawsuits, due to symbolic early-dismissal safeguards and preserved ability of public institution to sue for reputational harm, thus perpetuating a chilling effect on press freedom and public debate.¹⁰⁷

In order to effectively guarantee freedom of expression, defamation and libel should be fully decriminalized by completely removing the relevant provisions from the Criminal Code and ensuring that civil law provides effective safeguards against abusive litigation, including early dismissal procedures and cost recovery provisions for defendants facing frivolous lawsuits, in line with the EU anti-SLAPP directive.

The media regulator KRRiT is mandated to safeguard freedom of speech and public interest. It comprises five members appointed for six years: two by the President, two by the *Sejm*, and one by the Senate. ODIHR LEOM interlocutors assessed that this appointment process led to the politicization of KRRiT, which manifested itself in a selective and non-transparent system of imposing fines and license

¹⁰³ The *Watchdog Polska* 2024 transparency [report](#) found that, while 87 per cent of their 1,410 information requests received responses, many institutions misclassified data, or wrongly claimed information was not public.

¹⁰⁴ Responding to [requests](#) from the Ombudsperson, the Director of the Government Information Center [attributed](#) the exclusion of *TV Republika* to disruptive behaviour by the station's journalists at previous events.

¹⁰⁵ Paragraph 47 of [General Comment No. 34](#) on Article 19 of the ICCPR calls on States Parties to "consider the decriminalization of defamation".

¹⁰⁶ The data provided to the ODIHR LEOM show 91 convictions for defamation via mass media (Article 212.2 of the Criminal Code) in 2024, down from 109 in 2023; 76 for insult via mass media (Art. 216.2), down from 102; 4 for insulting the president (Art. 132.2), down from 9; and 21 for blasphemy (Art. 196), down from 45.

¹⁰⁷ Article 19 Europe, the Helsinki Foundation for Human Rights, and *Watchdog Polska* welcomed the anti-SLAPP [draft amendments](#) prepared by the Commissions but expressed [concerns](#) that "the key mechanism of early dismissal, in its current form, may remain merely symbolic and ineffective; moreover, the draft does not repeal the standing of public authorities or legal entities exercising public power to launch lawsuits for the protection of their 'reputations', and [called](#) for complete decriminalization of defamation .

allocations that favoured several conservative media outlets.¹⁰⁸ A report of the Supreme Audit Office (SAO) published on 22 May established systemic violations in KRRiT's complaint review, penalty enforcement, license allocation, and withholding of payments to public media.¹⁰⁹ Following an investigation of the Parliamentary Commission on Constitutional Accountability into the KRRiT chairperson on similar allegations, the *Sejm* on 25 July decided to refer the case to the State Tribunal on similar grounds, temporarily suspending him from his duties. On 28 July, the four remaining members of KRRiT elected a new chairperson.¹¹⁰

To ensure the institutional independence of the media regulator, the appointment process should be revised to prevent dominance by any single political force, with staggered terms and transparent selection criteria. KRRiT should ensure transparency in the imposition of sanctions and allocation of licenses.

Since 18 March, KRRiT monitored one daily news and one weekly current-affairs programme on four television channels, publishing ten weekly narrative reports, followed by a final report published on 30 June.¹¹¹ These found that coverage on *TVPI*, *TVN*, and *Polsat* was favourable to Mr. Trzaskowski and critical of Mr. Nawrocki, while *TV Republika* displayed a reversed bias. On 19 May, the KRRiT chairperson publicly criticized only the negative coverage of Mr. Nawrocki on *TVP*, *TVN*, and *Polsat*, urging them to uphold impartiality and balance.¹¹²

Following the adoption of the European Media Freedom Act (EMFA), the Ministry of Culture launched extensive public consultations on amendments to media legislation aimed at addressing longstanding concerns: financial and editorial independence of public media, depoliticization of KRRiT, transparency of state advertising, and restrictions on local government-owned media.¹¹³ Despite the inclusiveness of the consultation process, the draft legislation was not published before EMFA's enforcement deadline on 8 August 2025.

C. ODIHR LEOM MEDIA MONITORING [ACCESS DETAILED INFORMATION](#)

ODIHR LEOM media monitoring revealed entrenched polarization in the coverage ahead of both rounds of the election, which undermined the plurality of views and exacerbated societal division,

¹⁰⁸ The 2024 European Commission [Rule of Law Report](#) raised concerns regarding the regulatory impartiality of KRRiT. For example, [TOK FM](#) and [TVN Style](#) each waited for 11 months and [Stopklatka TV](#) for 14 months for license renewals. In June 2024, two conservative televisions, *TV Republika* and *wPolsce24*, [received](#) digital broadcasting licenses in 1.5 months; however, the decision was [overturned](#) by the Warsaw Administrative Court on 9 April 2025.

¹⁰⁹ The SAO [audit](#), [commissioned](#) by the *Sejm* on 26 July 2024 and [released](#) on 22 May 2025, resulted in formal notifications to the Prosecutor's Office about alleged offences conducted by the KRRiT chairperson and three KRRiT members.

¹¹⁰ In May 2024, 185 *Sejm* members initiated a parliamentary investigation into the KRRiT chairperson for financial obstruction of public media, discrimination in licensing and sanctioning, and neglect of statutory obligations. The June 2025 [report](#) of the Parliamentary Commission on Constitutional Accountability established ten constitutional violations of the law committed by the chairperson of KRRiT, concluding that he should be brought before the State Tribunal, which was approved by the *Sejm* on 25 July 2025. The KRRiT [chairperson](#) and [three members](#) denounced the proceedings as a "politically motivated attack on a constitutional body".

¹¹¹ KRRiT has attributed the limited monitoring sample to reduced funding in 2025. The December 2024 amendments to the 2025 [budget](#) halved the funding of KRRiT, from PLN 101.4 million to PLN 46.2 million.

¹¹² The KRRiT chairperson also [warned](#) that non-compliance could result in fines of up to 10 per cent of annual revenue or suspension of a license. Article 30.2 of the EU [Audiovisual Media Service Directive](#) requires Member States to "ensure that national regulatory authorities or bodies exercise their powers impartially and transparently". In this respect, the KRRiT emphasized to the ODIHR LEOM that public television has a special obligation to maintain impartiality and objectivity in its coverage.

¹¹³ Over 120 stakeholders, including the Association of Polish Journalists, the Helsinki Foundation for Human Rights, and the European Federation of Journalists, [participated](#) in the consultations.

limiting voters' access to comprehensive information needed for making a fully informed choice.¹¹⁴ Public *TVP1* and *TVP-Info* abandoned their public service mandate by providing Mr. Nawrocki with 33 and 35 per cent of overall news about candidates in the first round, and 53 per cent in the second round, with coverage being largely negative.¹¹⁵ Private outlets *TVN* and *Onet* similarly allocated the most coverage to Mr. Nawrocki, 37 and 34 per cent, respectively, in the first round, and 59 and 57 per cent in the second round, with a predominantly negative tone. This negative focus was centered on reports of Mr. Nawrocki's controversial acquisition of an apartment, alleged abuse of office, purported connections to organized crime, and involvement in violent altercations and prostitution.¹¹⁶

Public service broadcasters should ensure that all political parties and candidates are presented in an impartial and objective manner. The legal framework should explicitly prohibit the use of public media resources for the preferential treatment of any party or candidate and provide for effective oversight.

In contrast, on *TVP1*, *TVP-Info*, *TVN*, and *Onet* Mr. Trzaskowski received between 18 and 20 per cent of coverage ahead of the first round and between 41 and 47 per cent ahead of the second round, mainly positive or neutral in tone. *Interia* and *Polsat* maintained a largely neutral editorial stance ahead of both rounds, although Mr. Nawrocki faced more frequent criticism compared to his main opponent. Other candidates ahead of the first round, such as Mr. Hołownia, Ms. Biejat, Mr. Zandberg, and Mr. Mentzen, received limited, mainly neutral coverage of between 4 and 11 per cent across outlets, while Mr. Braun, similarly marginal in share, was predominantly covered negatively. *TV Republika* stood out for its pronounced bias, dedicating most coverage to Mr. Trzaskowski (42 per cent in the first round and 66 per cent in the second round), almost entirely negative in tone, while Mr. Nawrocki received 34 per cent of predominantly positive coverage in both rounds. Negative reporting on Mr. Trzaskowski frequently focused on alleged misuse of his mayoral office and his support for LGBTI rights.¹¹⁷

TVP provided candidates with free airtime for political advertisement in both rounds, as required by the Election Code even though it was scheduled outside primetime, which limited audience reach. All candidates except Mr. Jakubiak made extensive use of it. As required by law, *TVP* organized one debate before each round. They did so in co-operation with private *TVN* and *Polsat*, drawing criticism from the KRRiT chairperson.¹¹⁸ The first debate on 12 May featured all candidates, and despite at times heated and confrontational discussions, it was used as a platform for presenting views and electoral platforms. Private media also organized debates, but only one of them featured all candidates. The debates ahead of the second round on *TVP* featured limited editorial moderation, reflecting the wishes of candidates, which resulted in interaction dominated by mutual accusations and criticism of political affiliations.¹¹⁹

On 11 April, Mr. Trzaskowski's campaign organized a debate-style discussion, facilitated and broadcast by *TVP*, *TVN* and *Polsat*, initially inviting only Mr. Nawrocki but extending invitations to all candidates

¹¹⁴ Between 23 April and 16 May, the ODIHR LEOM monitored the primetime broadcasts (18:00–23:00 hrs.) of *TVP1*, *TVN* and *Polsat*, two-hour slots of news channels *TV Republika* (19:00–21:00 hrs.) and *TVP-Info* (21:00–23:00 hrs.), as well as the political and election-related sections of [onet.pl](https://www.onet.pl) and [interia.pl](https://www.interia.pl).

¹¹⁵ Council of Europe Committee of Ministers' [Recommendation CM/Rec\(2007\) 15](#) calls on member states to "adopt measures whereby the media which are owned by public authorities, when covering election campaigns, should do so in a fair, balanced and impartial manner, without discriminating against or supporting a specific political party or candidate".

¹¹⁶ On 27 May, a representative of Mr. Nawrocki announced that the latter had filed civil and criminal lawsuits over reporting by *Onet*, whose investigations alleged connections with organized crime and prostitution.

¹¹⁷ Furthermore, between 20 and 24 May *TV Republika* supplemented the overwhelming majority of their programming with the message "Smugglers' Mafia Surrounding Tusk Government" and images of Prime Minister Tusk and Mr. Trzaskowski.

¹¹⁸ On 30 April, the KRRiT chairperson [condemned](#) *TVP*'s co-operation with private broadcasters as a "media cartel collusion" that violated "citizens' right to equal access to information and the right of journalists to report".

¹¹⁹ *TV Republika*, when retransmitting the debate, added headers labelling *TVP* as "propaganda" and targeted their senior management.

upon his refusal; ultimately, eight candidates participated. The involvement of public television in facilitating a campaign-organized event, combined with ambiguity over its legal status and funding source and exclusion of other broadcasters, raised concerns among stakeholders, including the KRRiT chairperson, who referred the case to the NEC.¹²⁰

XI. ELECTION DISPUTE RESOLUTION

The law provides for expedient administrative and judicial remedies for election disputes and broad legal standing to candidates' electoral committees. Decisions of election commissions may be appealed to higher-level commissions. Decisions related to voter registration can be challenged to the respective municipal authorities, whereas rejection of the registration of electoral committees and of candidates by the NEC can be appealed to the Supreme Court; the deadline for adjudication of such appeals is two days, and all decisions are published online. Contrary to international good practice, challenges to NEC guidelines and clarifications can be made to the Supreme Court within seven days of their publication only by the legal representative of an electoral committee.¹²¹ The rejection of campaign finance reports by the NEC is appealable to the Supreme Court, which has 60 days to decide.

To provide for an effective legal remedy, the legal framework should be amended to allow for voters and other affected parties to challenge National Election Commission guidelines and clarifications.

Any registered voter, chairperson of an election commission, or representative of an electoral committee can file a challenge against the election of the president with the Supreme Court. Challenges are heard by three-judge panels of the Chamber for Extraordinary Control and Public Policy, within 14 days of the announcement of results. As a general rule, all election-related complaints and challenges are examined in a closed session in which only the judges are present, excluding the presence of the parties to the case. A challenge may be referred for examination in a public session, at the discretion of the court, where the parties, public and media may attend. The criteria for holding a public session are not spelled out.¹²² This practice does not provide the appealing party with the opportunity to be heard and undermines transparency, in violation of OSCE commitments and international good practice, which are particularly relevant when an appeal to the Supreme Court is the only available legal remedy.¹²³

The review of election-related complaints and challenges to results by the Supreme Court should be conducted in open sessions where the parties to the case are given the opportunity to be heard.

The courts operated efficiently throughout the election period and handled the limited number of complaints received within the legal timelines. The Supreme Court heard two challenges on candidate

¹²⁰ The NEC [clarification](#) of 31 March 2025 prohibits candidates from organizing joint events to avoid mutual support and financial obfuscation. On 14 April, the KRRiT chairperson requested the NEC's opinion on TVP's involvement in the 11 April event. The NEC had not reviewed the case at the time of drafting this report.

¹²¹ Guideline II.3.3.f of the Venice Commission's [Code of Good Practice in Electoral Matters](#) provides that "all candidates and all voters registered in the constituency concerned must be entitled to appeal. A reasonable quorum may be imposed for appeals by voters on the results of elections".

¹²² The ODIHR LEOM requested to be allowed to attend sessions of the court on results challenges. The court responded that sessions are not open but that they would inform the mission if a public session was held.

¹²³ Paragraph 12 of the 1990 [OSCE Copenhagen Document](#) provides that "proceedings may only be held in camera in the circumstances prescribed by law and consistent with obligations under international law and international commitments". Paragraph 100 of the Explanatory Report of the Venice Commission's [Code of Good Practice in Electoral Matters](#) states: "The appeal procedure should be of a judicial nature, in the sense that the right of the appellants to proceedings in which both parties are heard should be safeguarded". In paragraph 30 of the [Urgent Report on the Cancellation of Election Results by Constitutional Courts](#), the Venice Commission stated in relation to procedural rights in electoral disputes that "The hearing must be public, as the transparency of electoral dispute procedures is very important to ensure trust in the electoral process".

registration, one concerning the denial by the NEC to register an electoral committee, and another against a decision not to register a candidate; the NEC decisions were upheld in both cases.¹²⁴

The Supreme Court also heard complaints against the NEC guidelines regarding election-day procedures.¹²⁵ The cases were decided within the legal timeframe and the decisions were grounded and well-reasoned. One provision, which allowed domestic observers to present a digital scan of their authorization certificate to observe on election day, was overturned based on the possibility that the certificates could be duplicated and lead to unauthorized persons taking part in the election process.¹²⁶ Another provision, allowing people waiting in line when polling stations close at 21:00 hrs. to vote, was upheld on the grounds that citizens cannot be deprived of their right to vote based on the inability of the election administration to process all voters before the time of closing.

The NEC submits a report on the election results to the Supreme Court no later than 14 days after the election. Based on the NEC's report, as well as the panels' opinions on any complaints, the Chamber rules on the validity of the election results, within 30 days of their publication. Despite prior ODIHR recommendations, the Election Code lacks provisions as to the ability to challenge the results of the first-round results in case of irregularities or offences affecting the outcome. The Supreme Court has determined that complaints against the first-round results can only be filed after the announcement of the final election results. Complaints against results of the first round are considered premature and declared inadmissible on formal grounds, undermining the right to an effective and timely legal remedy contrary to OSCE commitments.¹²⁷

The Election Code should be reviewed to provide for an effective remedy regarding complaints challenging the election results after the first round.

Concerns were raised by many ODIHR LEOM interlocutors and during the campaign about the legitimacy of the Supreme Court Chamber of Extraordinary Control and Public Affairs due to controversy over the appointment of judges and the establishment of the chamber in 2018.¹²⁸ This led to many ODIHR LEOM interlocutors questioning the independence of this chamber, especially after the European Court of Human Rights (ECtHR) and the European Court of Justice (ECJ) found that the

¹²⁴ Both challenges involved the number and validity of support signatures.

¹²⁵ The complaints were filed by the electoral committees of candidates Biejat, Jakubiak and Nawrocki.

¹²⁶ Candidate proxies and citizen observers do not need individual accreditation, but they need to provide a letter by their nominating organization in a NEC-approved format.

¹²⁷ Paragraph 5.10 of the 1990 [OSCE Copenhagen Document](#) states that everyone shall have an effective means of redress against administrative decisions, so as to guarantee respect for fundamental rights and ensure legal integrity. Article 2.3(a) of the ICCPR states that "any person whose rights or freedoms as herein recognized are violated shall have an effective remedy..."

¹²⁸ Legal expert opinion is also divided on the applicability of the European Convention of Human Rights to the resolution of electoral disputes concerning presidential elections. See the ECtHR's [Anchugov and Gladkov v. Russia](#), Nos. 11157/04 and 15162/05, §§ 55–56, 4 July 2013, "However, as regards the election of the Russian President, the Court reiterates that the obligations imposed on the Contracting States by Article 3 of Protocol No. 1 do not apply to the election of a Head of State (see *Baškauskaitė v. Lithuania*, No. 41090/98, Commission decision of 21 October 1998; *Guliyev v. Azerbaijan* (dec.), No. 35584/02, 27 May 2004; *Boškoski v. the former Yugoslav Republic of Macedonia* (dec.), No. 11676/04, 2 September 2004; *Niedźwiedz v. Poland* (dec.), No. 1345/06, 11 March 2008; and *Krivobokov v. Ukraine* (dec.), No. 38707/04, 19 February 2013). See also decision by the ECtHR of 19 November 2020 in the case of [Bunikowski v. Poland](#) where the ECtHR found inadmissible a challenge to the results of the 2020 Polish presidential election relying on the above referenced case and other case law based on Protocol 1, Article 3 and Article 6, as the alleged violation of the right is outside the range of rights and freedoms guaranteed by the convention and the protocols. Although the ECtHR has never found that the Convention applies to presidential election, it has left open the possibility that rights under the Convention, including the right to a fair trial by an independent and impartial tribunal established by law, could be applied to judicial remedies in electoral matters. On this issue, in Paragraph 45 of its [Report on Election Dispute Resolution](#), the Venice Commission stated that "Regardless of which body decides on the validity of election results, the law must guarantee procedural safeguards, such as impartiality (...)"

chamber does not meet the criteria of a tribunal established by law.¹²⁹ However, opinion was split on whether the ECJ decision applies to the application of Polish domestic law, like the Election Code, or only to interpretations of EU law.¹³⁰ The controversy has contributed to a reduction in public trust in the judiciary.

Many ODIHR LEOM interlocutors expressed general concern over the independence of the judiciary, noting that this perception may undermine public confidence in its decisions, including the validation of election results. Some ODIHR LEOM interlocutors expressed concern that the controversy surrounding the appointment of the members of the Supreme Court Chamber validating the results could precipitate a legal challenge to any ruling they make.

The ODIHR LEOM was informed of eight cases filed with the Warsaw District Court concerning election campaign material disseminated in the media or through posters and leaflets, which contained false information.¹³¹ In one case, the district court dismissed a complaint filed by Mr. Mentzen's electoral committee against Mr. Hołownia's electoral committee, finding that the contested remarks were political opinions, not verifiable facts. In another case, the same court partially upheld Mr. Hołownia's claim against Mr. Mentzen and ordered him to publicly correct false statements about inviting illegal immigrants to the Polish Parliament, though it denied the request for a monetary penalty.¹³² The Supreme Administrative Court, which hears challenges to the delineation of electoral precincts and districts, did not receive any complaints.

The NEO informed the ODIHR LEOM that the NEC received hundreds of correspondences during the election period, which are not formal complaints as defined in the Election Code. These are various types of questions, doubts, comments, reservations and numerous other allegations regarding the course of voting which in fact did not constitute a violation of any procedure, but which in the NEO's view resulted from voters' lack of familiarity with the law and differing views on certain applicable regulations. The correspondences are sorted by NEO staff according to topic and referred to the relevant bodies to respond to the issue raised by the voter.¹³³

In addition, 25 complaints about the actions of PECs were forwarded to the respective CECs who have jurisdiction over this matter. Eight complaints about PECs removing a member were received; the NEC found no grounds to question the PECs' actions. Eight complaints about polling stations not being accessible received after the first round were forwarded to the respective NEO office for possible changes before the second round.

¹²⁹ See [Dolińska-Ficek and Ozimek v. Poland](#), ECtHR, Applications Nos. 49868/19 and 57511/19, Judgment of 8 November 2021, where the ECtHR held that the Chamber of Extraordinary Control and Public Affairs does not constitute a "tribunal established by law" due to systemic irregularities in the judicial appointment process. See also [Case C-718/21, L.G. v. Krajowa Rada Sądownictwa](#), in which the European Court of Justice (ECJ) held that "the panel of judges of the Chamber of Extraordinary Control and Public Affairs does not constitute a 'court or tribunal' within the meaning of Article 267 TFEU". Article 267 of the Treaty on the Functioning of the European Union (TFEU) allows national courts to refer questions on the interpretation or validity of EU law to the ECJ. This procedure, known as a preliminary ruling, ensures uniform interpretation of EU law.

¹³⁰ See [Case C-718/21, L.G. v. Krajowa Rada Sądownictwa](#).

¹³¹ The competent district court must consider such complaints within 24 hours. The decision of the district court may be appealed to the appellate court within 24 hours, which must review the appeal within 24 hours. The decision of the appellate court is final and subject to immediate enforcement.

¹³² The remaining six cases were dismissed without a formal opinion.

¹³³ Topics of these correspondences included *inter alia* the design of issued AVCs; the use by some PEC members of an unauthorized application to check the serial numbers of AVCs; using the *mObywatel* application to confirm the identity of voters during voting; dismissal from CEC membership due to improper performance of duties; the design of the ballot paper (upper right corner cut off for use with Braille templates).

The General Prosecutor's Office reported receiving 108 election-related complaints as of 1 June.¹³⁴ According to the police, 660 reports of potential election-related criminal conduct were made during the two periods of electoral silence (17–18 May and 31 May - 1 June), all of which remain under investigation. In total, during the election period, the police received notifications about 1,989 incidents.¹³⁵

As of 5 June, the Office of the Human Rights Commissioner (Ombudsperson) had received 54 applications related to the election, concerning violations of the principle of equal opportunities in the campaign, logistical and organizational aspects of conducting the election (e.g. problems changing the polling place, failure to be included in the correct voter list), and accessibility of polling places for voters with disabilities.¹³⁶

XII. ELECTION OBSERVATION

The Election Code provides for citizen and international observation of the electoral process. Associations and foundations registered in Poland which according to their founding documents are active in the fields of democracy, civil rights, and civil society development have the right to observe the work of CECs and PECs, but not of the NEC, contrary to previous ODIHR recommendations. Moreover, citizen observers cannot be present during the process of verification of support signatures of presidential candidates at the national level; unlike partisan observers, they are also not entitled to enter comments on PEC minutes or protocols, to follow the transportation and handover of results protocols to the higher-level commissions, or be present during tabulation. Such restrictions to the work of non-partisan citizen observers negatively impact transparency of the process and are contrary to international good practice.¹³⁷

Contributing to the transparency of various aspects of the electoral process, several CSOs monitored the social media campaign, PEC training and election day proceedings.¹³⁸ On the other hand, before the

¹³⁴ The largest number of cases concerned damage to electoral materials (25 cases); violation of electoral procedures (e.g., destruction/removal of ballots; 11 cases); unauthorized removal of a ballot paper from a polling station (9 cases); hate speech (9 cases); public promotion of totalitarian ideology (e.g. Nazi symbols; 9 cases); abuse of office (9 cases); forgery of documents (6 cases); and public insult (6 cases).

¹³⁵ The most common offences were related to the destruction or defacing of electoral banners/posters, 1,542 during the entire election period. During both periods of electoral silence, 271 cases of campaigning were registered, 163 during the first period and 108 during the second period. Other most common offences included: disturbing the peace (24 during the first period, 29 during the second period) and destruction of electoral documents (18 during the first period, 25 during the second period).

¹³⁶ The Ombudsperson, upon receiving an application, has four courses of action. He can (A) respond that he finds no violation of civil liberties; (B) take on a case and intervene with relevant authorities; (C) refer a case to an appropriate authority; (D) indicate to the applicant the appropriate means of action to which she or he is entitled (and leave it at that). The Ombudsperson is obligated to answer each application, even if it is only to say that he will not take on a case.

¹³⁷ Section II.3.2.a of the [Venice Commission's Code of Good Practice in Electoral Matters](#) recommends that "[b]oth national and international observers should be given the widest possible opportunity to participate in an election observation exercise". Paragraph 93 of the Venice Commission's 2024 [Report on Election Observers as Human Rights Defenders](#) states: "Election observers have the right to participate in meetings of the election administration. Observers should have the possibility to follow the meetings of EMBs at all levels to assess the independence of these institutions and their activities".

¹³⁸ The Political Accountability Foundation conducted an assessment of PEC trainings (see *Election Administration*). The rest included, among others, the Institute for Public Affairs, the CEC Digital Democracy Watch, and the Batory Foundation.

second round, one citizen observer organization, the Committee for the Defence of Democracy (KOD), endorsed Mr. Trzaskowski, putting in question its role as non-partisan and impartial observers.¹³⁹

To increase transparency, the rights of citizen observers should be enhanced to allow for meaningful observation at all levels of the election administration and at all stages of the electoral process, including during signature verification and tabulation. In line with international good practice, citizen observers should remain impartial during the electoral process.

International observers were accredited by the NEC, following consultation with the MFA, and had access to all stages of the electoral process at all levels. The NEC accredited five organizations with a total of 144 international observers. Six organizations were denied accreditation.¹⁴⁰ The accreditation decisions and the grounds for denial were not officially published, detracting from the transparency of the election administration's decision-making.

Electoral committees which fielded presidential candidates could nominate one representative to each commission, including PECs.¹⁴¹ On the first-round election day, 42,275 candidate proxies were present at PEC level; for the second round, some 26,783 proxies represented the two run-off candidates.

On election day, citizen observers and candidate proxies were provided with the opportunity to record video footage of the voting and counting process, and upload the footage from their devices using an application specifically designed by the MDA or hand it to the election authorities, with the obligation to delete it from their personal devices.¹⁴²

XIII. ELECTION DAYS

The IEOM observed opening, voting, counting and tabulation in a limited number of polling stations across the country; however, in line with the methodology for limited election observation missions, the IEOM did not undertake systematic or comprehensive observation of election-day proceedings for either round of the election.

IEOM observers assessed the work of the election administration positively during opening. In the limited number of polling stations observed during the two rounds, opening was calm and orderly, and all polling stations opened on time, and procedures were generally followed.

¹³⁹ KOD published on [Facebook](#) on 22 May and then on [their official webpage](#) on 23 May a statement in support of Mr. Trzaskowski. The [Declaration of Global Principles for Nonpartisan Election Observation and Monitoring by Citizen Organizations](#) states that "Non-partisan election observation and monitoring by citizen organizations is impartial towards all political parties, candidates and those in favor of or opposed to any issue or initiative presented in a referendum".

¹⁴⁰ The NEC accredited the ODIHR LEOM, PACE, Alianza Global de Jovenes Politicos Guatemala, the City of Gothenburg, and the Reykjavik City Council Office. The NEO informed the ODIHR LEOM that due to the lack of positive recommendation from the MFA, requests by the following entities were denied: Daily Legal Views and Weekly Election Times (Pakistan), West Support International Agency (USA), Poland Business Center World (Austria), Dipendra Kandel Initiative (Nepal), Peredovi Pravovi Iniciatyvy (Leading Legal Initiatives; Ukraine), and ProDemo (Lithuania).

¹⁴¹ For the first round, this included representatives from all 13 candidates. For the second round, only representatives of the two run-off candidates could serve as proxies. Candidate proxies were paid 40 per cent of the PEC member remuneration, provided that the PEC chairperson confirmed that they observed voting for at least five hours on election day, as well as the vote count and the filling in and signing of the results protocol. For the first round, payment to proxies amounted to PLN 200 (approximately EUR 45), and to PLN 150 (approximately EUR 35) for the second round.

¹⁴² Based on data from the MDA, the application to upload footage was used in limited numbers, i.e. by two civil society organizations for the first round and by three for the second round. No candidate proxies downloaded the application. The footage is considered election material and is stored until the publication and validation of the election results.

During both election days, voting was assessed as professional, well-organized, and efficient, with occasional queueing inside the polling premises. Established procedures, including with regards to voter identification, were generally respected, and IEOM observers reported no incidents or serious procedural shortcomings or irregularities from the observed polling stations. In isolated cases, IEOM observers noted that some voters had to be re-directed to other polling stations or were asked to have their eligibility to vote confirmed by the respective municipality. In response to claims by voters and candidate representatives that AVCs could be misused to vote multiple times, the NEC on the second-round election day publicly clarified that AVCs have serial numbers and are retained by PECs, and that security features such as holograms prevented the use of copied AVCs.¹⁴³

The electoral committee of Mr. Nawrocki launched an “election protection movement” mobilizing PEC members and proxies on election day, with their presence being more visible during the second round.

Contrary to international standards, IEOM observers during both election days noted problems related to the secrecy of the vote. Secrecy was often not ensured due to the polling station layout or the design and placement of voting screens, but also because of voters’ lack of clear understanding of procedures. In the polling stations observed, PECs did not consistently implement the procedure for appointing one member to monitor the ballot box and ensure the secrecy of the vote, and voters did not always fold their marked ballot before placing it in the transparent ballot box. In addition, cases of group voting were also observed.

To enhance the integrity of the process, additional measures should be taken to protect the secrecy of the ballot and prevent group voting including by enforcing legislation, training PEC members accordingly, and improving voter education.

Women were well-represented among the polling staff in the polling stations observed in both rounds. IEOM observers noted only a limited presence of candidate proxies and citizen observers during the first round; they were more visible during the second round. The IEOM did not observe cases of interference in the work of PECs in polling stations visited. Not all voting premises categorized by the NEC as accessible for persons with disabilities were assessed as such by IEOM observers. In an effort to assist voters with hearing disabilities, the Warsaw City Office provided sign language interpretation on election day in polling stations across the capital.

In both rounds, the vote counts observed by the IEOM were conducted transparently and generally in line with prescribed procedures, although a few instances of minor deviations such as PEC members counting ballots cast for individual contestants in parallel rather than consecutively, or counting signatures at the same time as used and unused ballots, were noted. The PECs observed had no major problems completing the results protocols, and only in isolated cases observers noted some issues with the reconciliation of figures. In line with the restrictive wording of the law, only ballots that contained two intersecting lines in the square next to the preferred candidate’s name were considered valid. Moreover, a voter who made a mistake filling out the ballot is not entitled to a replacement ballot.

The law should provide that ballots are considered valid as long as the intention of the voter is clear and unambiguous. Consideration could be given to provide for a replacement ballot to be issued when a voter makes a mistake when marking the ballot.

¹⁴³ NEO and the NEO delegate offices informed the ODIHR LEOM that AVCs for both rounds looked similar, which might have caused confusion among voters and PECs. For future elections, they consider using different colours or formatting to distinguish the AVCs for the two rounds. Additionally, claims appeared during the second round that an electronic application was used by representatives of Mr. Nawrocki’s camp to scan AVCs and assess their validity, allegedly dissuading voters.

Tabulation is a two-step process, where PECs had to deliver the election material and two envelopes with the results protocols to the municipality or a specifically designated hub, where a municipality representative checked the protocols before they were handed over to the CEC by the CEC plenipotentiary for final verification and confirmation. The data from the protocols were then entered in the WOW results management system, developed and owned by the NEO. In cases where errors were identified, protocols had to be re-entered in the WOW system.¹⁴⁴ The ODIHR LEOM was informed by the NEO that some 2,000 protocols had to be re-entered. Tabulation during both rounds was observed in a limited number of locations. It was overall transparent and well-organized, with efficient intake of election materials and verification of protocols and procedures were largely adhered to.

The NEC announced a final turnout for the first round of 67.3 per cent. The NEC declared the final turnout for the second round as 71.6 per cent. In both rounds, the NEC started posting data from results protocols shortly after 21:00 hrs. from out-of-country, and around 21:30-21:45 hrs. from within Poland, contributing to transparency. Data in machine-readable format was available on the NEC website, and it was used by online and media outlets to calculate results on election night.

XIV. POST-ELECTION DAY DEVELOPMENTS

The election administration managed to process data from all results protocols by 05:30 am on 2 June. The NEC announced the official results of the second round at a press conference at 08:25 hrs., declaring Karol Nawrocki the winner of the presidential election, with 50.89 per cent of the vote, and adopted the official resolution on the final results on the same day. In line with the law, the NEC organized an official ceremony for handing over to Karol Nawrocki the resolution on the election result on 11 June, before the official validation of the results.

On 2 June, Mr. Trzaskowski conceded, accepting the outcome of the election. Following the defeat of the candidate endorsed by the governing coalition, Prime Minister Tusk called for a vote of confidence in his government. The vote was held on 11 June, with 243 *Sejm* deputies voting in favour and 210 against, confirming continued support for his government.

On 5 June, shortly after the announcement of the results, some claims emerged about errors in filling out the protocols in some 13 polling stations.¹⁴⁵ These cases were confirmed by the election administration, and the NEC organized an internal meeting on 9 June, which was not open to observers or media, and published a statement afterwards reiterating the options for contesting the results, and announcing that their report to the Supreme Court will include analysis of the information provided by PECs.¹⁴⁶ On 11 June, the Supreme Court authorized a recount of the ballots from these 13 polling

¹⁴⁴ WOW or *Wsparcie Organów Wyborczych* (Support for Electoral Bodies) is a fully hierarchical results management system, developed and managed by the NEO. The system is online and accessible to all election officials but features different access levels and credentials. Once the PEC protocols are approved by the CEC, data is transferred to the NEC and published online.

¹⁴⁵ This was based on calculations of patterns of voters' preferences during the first and the second round and included polling stations in Bielsko-Biała, Brześć Kujawski, Gdańsk, Grudziądz, Kamienna Góra, Katowice, Kraków, Malbork, Mińsk Mazowiecki, Olesno, Strzelce Opolskie, Tarnów, and Tychy.

¹⁴⁶ [NEC statement](#) of 9 June 2025.

stations, where a total of less than 7,000 votes had been cast.¹⁴⁷ Based on submitted protests, the Supreme Court inspected an additional eight polling stations.¹⁴⁸

In a session on 16 June, the NEC approved its final report on the presidential election. The report included information about potential irregularities and technical errors in 11 polling stations where the number of votes obtained by the two run-off candidates had been swapped. In two more polling stations, technical errors were identified.¹⁴⁹ While the NEC considered that the information about cases of incorrect attribution of votes to the two candidates was worrying, it stated that the election administration did not know the exact scale of errors committed by PECs and how such errors could have influenced the results. The NEC also stressed in its report that the errors concern mainly one of the candidates, which could undermine the perception of the impartiality of PECs. In its conclusions, the NEC did not assess whether the errors identified might have had a significant effect on the election results, leaving the final decision to the Supreme Court. The recounts revealed errors in the protocols in most of the PECs inspected, but neither the NEC nor the Supreme Court assessed these mistakes as impacting on the final results. On 30 June, the National Prosecutor upon an order by the Prosecutor General established a team of prosecutors to carry out additional recounts in 250 PECs.¹⁵⁰ The outcome of these recounts was announced on 25 July, finding mismatches of some 1,500 votes incorrectly allocated to the winning candidate.¹⁵¹ The discrepancies, however, did not affect the final result.

¹⁴⁷ See Supreme Court [announcement](#) of 12 June 2025. These include Bielsko-Biała PEC 30 (recount established 450 votes for Mr. Nawrocki instead of 610 and 509 votes for Mr. Trzaskowski instead of 349) and PEC 61 (recount established 771 votes for Mr. Nawrocki instead of 1048, and 1049 votes for Mr. Trzaskowski instead of 771), PEC 4 in Brześć Kujawski (vote recount established that votes were swapped, i.e. Mr. Nawrocki got 331 votes instead of 466, and Mr. Trzaskowski got 466 instead of 331) PEC 17 in Gdańsk (recount established that 344 votes were cast for Mr. Nawrocki instead of 585, and 585 votes were cast for Mr. Trzaskowski instead of 346), PEC 25 in Grudziądz (recounts found that votes were swapped and Mr. Nawrocki got 324 votes instead of 504, and Mr. Trzaskowski got 504 votes instead of 324), PEC 6 in Kamienna Góra (recount found that Mr. Nawrocki got 278 votes instead of 368, while Mr. Trzaskowski got 428 votes instead of 338), PEC 53 in Katowice (recount found that 627 votes instead of 628 were cast for Mr. Nawrocki, and 828 instead of 830 were cast for Mr. Trzaskowski), PEC 95 in Kraków (votes were swapped and Mr. Nawrocki got 540 votes instead of 1,132, and Mr. Trzaskowski got 1,132 instead of 540), PEC 13 in Mińsk Mazowiecki (votes were swapped and Mr. Nawrocki got 364 votes instead of 611, and Mr. Trzaskowski got 611 instead of 363), PEC 3 in Olesno (votes were swapped and Mr. Nawrocki got 377 instead of 637, and Mr. Trzaskowski got 638 instead of 378), PEC 9 in Strzelce Opolskie (votes were swapped and Mr. Nawrocki got 223 instead of 416, while Mr. Trzaskowski got 416 instead of 223), PEC 10 in Tarnów (recount confirmed the data from the protocol), and PEC 35 in Tychy (votes were swapped and Mr. Nawrocki got 347 votes instead of 581, and Mr. Trzaskowski got 581 instead of 347).

¹⁴⁸ The additional polling stations include: PEC 113 in Warsaw (where loose ballots were found and recount established 296 votes for Mr. Nawrocki instead of 136, and 1,611 for Mr. Trzaskowski instead of 1,774); PEC 1 in Magnuszew (Mr. Nawrocki was incorrectly assigned 193 votes instead of 468 and Mr. Trzaskowski was allocated 467 votes instead of 192). PEC 4 in Staszów (Mr. Nawrocki was incorrectly assigned 209 instead of 360, whereas Mr. Trzaskowski was allocated 360 instead of 209); PEC 4 in the municipality of Bychawa (votes were reversed for the two candidates and 97 additional votes were allocated to Mr. Trzaskowski); No. 4 in the municipality of Orzysz (no discrepancies found); PEC 9 in the city of Gdańsk (each candidate was allocated one more vote), and PEC 36 in Poznań (8 more votes were incorrectly allocated to Mr. Trzaskowski), and PEC 109 in the city of Poznań (one vote cast for Mr. Trzaskowski was wrongly allocated to Mr. Nawrocki).

¹⁴⁹ These included nine cases where Mr. Trzaskowski had received the majority of votes but these votes had been assigned to Mr. Nawrocki: PEC 95 in Kraków, PEC 61 in Bielsko-Biała, PEC 4 in Brześć Kujawski municipality, PEC 13 in Mińsk Mazowiecki, PEC 3 in Olesno municipality, PEC 9 in Strzelce Opolskie municipality, PEC 25 in Grudziądz, PEC 35 in Tychy, PEC 17 in Gdańsk. In two polling stations, Mr. Nawrocki had received the majority of votes but these votes had been assigned to Mr. Trzaskowski: PEC 4 in Staszów and PEC 1 in Magnuszew. The NEC received information about technical errors in PEC 7 in Sopot (Gdańsk) about the incorrect number of received ballots, and about PEC 180 in Luxembourg, about incorrectly entered data about voters who used AVCs.

¹⁵⁰ The Supreme Court rejected the Prosecutor General's request to order additional recounts of 1,472 PECs based on a statistical [analysis](#) by statistician Krzysztof Kontek. The Prosecutor General, based on the announced results of the recounts ordered by the Supreme Court, [solicited](#) additional expert opinions on the potential scope of irregularities. The National Prosecutor [organized a team](#) to investigate the potential for electoral crimes.

¹⁵¹ In 166 cases no discrepancies were found, and in 84 PECs, it was established that Karol Nawrocki received 1,239 fewer votes than in the results protocols, whereas Rafał Trzaskowski received 1,242 more votes than indicated in the results protocols.

The Supreme Court received over 54,000 challenges to the election results. In two rulings on 27 June, the court dismissed 53,558 of the challenges without further action. Of this total, 49,598 challenges were grouped together as they were all identical in nature and were filed using a template circulated on social media by MP Roman Giertych.¹⁵² Both the Prosecutor General and the NEC Chairperson took the position that protests of this content should be left without further action. Another 3,960 challenges were grouped together as they were identical and based on a template circulated by European Parliament member Michał Wawrykiewicz.¹⁵³

On 1 July, the full panel of the Chamber of Extraordinary Control and Public Affairs of the Supreme Court of Poland held a public session to issue a resolution on the validity of the presidential election.¹⁵⁴ Prosecutor General argued in the first part of the hearing that the Prosecutor General should be treated as a party to the proceedings, rather than a “person taking part”.¹⁵⁵ The Court announced that out of the over 54,000 election protests submitted, only 21 were found to be valid, yet none of them, individually or collectively, could alter the election outcome or influence the final results. The Supreme Court rejected demands for a nationwide vote recount, stating that the Election Code allows only for partial verification in areas where specific irregularities have been identified. The Prosecutor General publicly alleged that the Supreme Court denied him and his delegates access to the case files concerning the election protests. He claimed that, despite submitting over 300 individual requests on 30 June, no files had been provided by the end of the day, describing this as a “gross violation” of the Election Code, the Supreme Court Act, and the Civil Procedure Code.¹⁵⁶

In its final resolution, the Court formally confirmed the election of Karol Nawrocki as President of the Republic of Poland, noting that he received 50.89 per cent of the vote in the second round, defeating Rafał Trzaskowski, who secured 49.11 per cent. The Court concluded that no procedural violations had an impact on the outcome. Three dissenting opinions were submitted, raising concerns about procedural flaws within the Chamber and the need for either the involvement of the entire Supreme Court or procedural reforms in the future. The Prosecutor General called for the case to be transferred to the Labour and Social Insurance Chamber and that the judges of the Chamber of Extraordinary Control be excluded, requests that were left unexamined and rejected by the President of the latter Chamber.¹⁵⁷

The process of considering election challenges by the Supreme Court was negatively impacted by the ongoing controversy surrounding the legitimacy of the Chamber of Extraordinary Control and Public

¹⁵² See case no. [I NSW 208/25](#).

¹⁵³ See case no. [I NSW 1371/25](#) in which the court found that the protesters limited themselves to general and unspecified – and therefore abstract – allegations concerning the determination of the election results. No evidence confirming the occurrence of the violations of law listed was provided. Evidence of a violation of the law must prove the existence or non-existence of facts indicating the commission of a crime against elections or a violation of the provisions of the Election Code concerning voting, the determination of voting results, and the overall election results.

¹⁵⁴ Present in the courtroom were the full panel of the Chamber led by the President of the Chamber, Judge Krzysztof Wiak, the head of the NEC Sylwester Marciniak, Prosecutor General Adam Bodnar, and his deputy Jacek Bilewicz.
¹⁵⁵ The argument stemmed from the motion the Prosecutor General filed, regarding the recusal of every judge in the Chamber. The motion was left without a decision, with the President of the Chamber, Judge Krzysztof Wiak, explaining orally that only a party to the proceedings could file such a motion, and the Election Code recognizes the Prosecutor General as a party only when reviewing electoral challenges, not during proceedings leading to issuing a resolution about the validity of the elections.

¹⁵⁶ In response, the Supreme Court issued statements asserting that all requests, 214 in total, filed by two authorized prosecutors on 30 June around 15:00 hrs., were approved by the Chamber’s presiding judge. It reiterated that the materials were available for review in the Court’s reading room during working hours. However, according to media reports, the reading room was closed for the day, effectively preventing access despite formal approval.

¹⁵⁷ The government recognized the validity of decisions taken by that Chamber with regard to the 2023 parliamentary elections, as well as the European Parliament and the local government elections in 2024.

Policy (See *Election Dispute Resolution*).¹⁵⁸ The situation was compounded by the defensive posture taken by the Court as a result of this controversy in its public statements, the lack of full transparency exhibited by the Court when dealing with challenges and the 30-day deadline for the Court to issue its opinion on the validity of the election. Although the Supreme Court hearing on validation of the results was open to the public and broadcast live, all other hearings on challenges were closed, and the Supreme Court never released all of the challenges publicly and did not publish all of its rulings on challenges. As referenced in its ruling validating the results, there was also controversy surrounding a request from the Prosecutor General's office to access files on electoral challenges.

All electoral challenges should be made public and all related rulings should be published promptly. Deadlines for electoral dispute resolution should allow complainants adequate time to prepare submissions that meet legal requirements and also allow the Supreme Court sufficient time to review each complaint, deliberate and issue a fully reasoned decision.

XV. RECOMMENDATIONS

These recommendations, as contained throughout the text, are offered with a view to enhance the conduct of elections in Poland and to support efforts to bring them fully in line with OSCE commitments and other international obligations and standards for democratic elections to which they have committed. These recommendations should be read in conjunction with prior ODIHR recommendations which remain to be addressed.¹⁵⁹ ODIHR stands ready to assist the Polish authorities to further improve the electoral process and to address the recommendations contained in this and previous reports.

A. PRIORITY RECOMMENDATIONS

1. A comprehensive legislative reform should be undertaken to implement outstanding ODIHR recommendations and further align the legal framework with OSCE commitments, international standards, and good practice.
2. To ensure a clear separation between campaigning and public functions, the law should be amended to define the scope of permissible activities by public officials during campaigns. Public officials should uphold the principles of neutrality and avoid conflating official duties with campaign activities, in line with international good practice and existing NEC clarifications.
3. To enhance transparency of campaign finance, electoral committees should be required to provide detailed income and expenditure reports, including the funds received from parties, the total amount of donations below the disclosure threshold, as well as their expenditures before and in between election days. To enable public scrutiny, disclosure should be made in an easily accessible, user-friendly and searchable manner, while the NEC should be obliged to monitor compliance with the disclosure obligations.

¹⁵⁸ The controversy was fueled when a group of 28 judges of the Supreme Court jointly [signed](#) a letter declaring that the Court's chamber tasked with confirming the results is illegitimate and therefore cannot issue a valid ruling. Also, on 23 June two judges of the Supreme Court chamber were [removed](#) from duty after questioning the legal status of the chamber.

¹⁵⁹ According to paragraph 25 of the 1999 [OSCE Istanbul Document](#), OSCE participating States committed themselves "to follow up promptly the ODIHR's election assessment and recommendations". The follow-up of prior recommendations is assessed by ODIHR as follows: Recommendations 12 and 13 from the [final report on the 2020 presidential election](#) and recommendation 25 from the [final report on the 2023 parliamentary elections](#) are fully implemented. Recommendation 11 from the 2020 final report is mostly implemented and recommendations 10, 14 and 21 from the 2020 final report and 17 from the 2023 final report are partially implemented. See also the [ODIHR Electoral Recommendations Database](#).

4. To ensure full transparency of its decision-making, election administration should hold public sessions, issue invites and publish the draft agendas and minutes of relevant sessions in a timely manner.
5. To enhance transparency and accountability of campaign finance, third party campaigning should be regulated. Campaign materials and online advertisements without the legally required attributes to an electoral committee should be eliminated promptly.
6. The legal framework should be amended to guarantee the editorial and financial independence of public service media, including sustainable funding mechanisms not subject to annual political discretion, and transparent, merit-based procedures for appointing and dismissing management and supervisory bodies.
7. In order to effectively guarantee freedom of expression, defamation and libel should be fully decriminalized by completely removing the relevant provisions from the Criminal Code and ensuring that civil law provides effective safeguards against abusive litigation, including early dismissal procedures and cost recovery provisions for defendants facing frivolous lawsuits, in line with the EU anti-SLAPP directive.
8. The Election Code should be reviewed to provide for an effective remedy regarding complaints challenging the election results after the first round.
9. In line with international standards and OSCE commitments, authorities should take additional steps to enhance women's participation in the electoral process and political decision-making. Political parties should identify and address barriers to women's involvement in politics, especially in leadership roles, including by conducting gender audits and reviewing internal practices hindering women's effective representation within party structures.

B. OTHER RECOMMENDATIONS

Election Administration

10. To facilitate the development of targeted strategies for enhancing women's participation, disaggregated data on gender representation in the election administration should be collected and published in a comprehensive manner.
11. To enhance professionalism of the lower-level election administration and ensure consistent implementation of election day procedures, standardized mandatory and comprehensive training could be considered for all PEC members. Consideration could be given to organizing additional training between the two rounds.
12. Continuous efforts should be made in close co-operation with disabled persons' organizations, to ensure persons with disabilities can vote autonomously, including ensuring the premises and layout of polling stations are suitable for independent access and providing electoral information in formats accessible to persons with different types of disabilities.
13. To enhance the integrity of the process, additional measures should be taken to protect the secrecy of the ballot and prevent group voting including by enforcing legislation, training PEC members accordingly, and improving voter education.
14. The law should provide that ballots are considered valid as long as the intention of the voter is clear and unambiguous. Consideration could be given to provide for a replacement ballot to be issued when a voter makes a mistake when marking the ballot.

Voter Registration

15. All restrictions on the electoral rights of persons with intellectual or psychosocial disabilities should be removed in line with international obligations.

Candidate Registration

16. Consideration could be given to exploring measures to improve the process of support signature collection and verification to enhance its integrity, transparency and accuracy, including via electronic submission of candidacy nomination and signature collection.

Campaign Environment

17. To ensure effective implementation of the rules, the Digital Services Co-ordinator should be vested with a comprehensive mandate to co-ordinate institutional efforts, ensure coherence in responses to digital risks and threats, and enhance transparency around the measures taken, including in an electoral context.
18. To enhance safeguards against public insult and incitement to hatred, the grounds for protection in the Criminal Code should be expanded to cover a wider range of vulnerable groups. Political actors should refrain from using discriminatory language and continue to publicly and resolutely denounce its use in campaign discourse.
19. To enable meaningful participation, contestants should ensure that campaign events, programmes, information, and materials are accessible to persons with various disabilities, including through appropriate formats and communication methods.
20. To ensure an effective and cohesive response to disinformation, foreign interference, and cyber threats, authorities could adopt a comprehensive national strategic framework for protecting the digital environment. The strategy could outline clear institutional responsibilities, establish co-ordination mechanisms, enshrine transparency guarantees, and foster co-operation with civil society.
21. To contribute to building greater public resilience to disinformation and manipulation in the digital domain, authorities could develop a comprehensive digital literacy strategy to serve as a framework for better co-ordination and sustained public support to related initiatives.

Campaign Finance

22. To ensure equality of opportunity, a more balanced state and private funding in the campaign should be considered, including by limiting the amount of state funding which can be transferred by parties to campaigns.
23. To provide for equal financial conditions for candidates, the law should prescribe an expenditure ceiling for the first round and a proportional increase for the second round.
24. To allow for public scrutiny and enhance transparency, the NEC should publish the financial reports in an easily accessible, user-friendly and searchable format.
25. The law should prescribe a graduate system of proportionate, effective and dissuasive sanctions for campaign finance irregularities and a mechanism for effective and timely enforcement.

Media

26. To ensure the institutional independence of the media regulator, the appointment process should be revised to prevent dominance by any single political force, with staggered terms and transparent selection criteria. KRRiT should ensure transparency in the imposition of sanctions and allocation of licenses.
27. Public service broadcasters should ensure that all political parties and candidates are presented in an impartial and objective manner. The legal framework should explicitly prohibit the use of public media resources for the preferential treatment of any party or candidate and provide for effective oversight.

Election Dispute Resolution

28. To provide for an effective legal remedy, the legal framework should be amended to allow for voters and other affected parties to challenge National Election Commission guidelines and clarifications.
29. The review of election-related complaints and challenges to results by the Supreme Court should be conducted in open sessions where the parties to the case are given the opportunity to be heard.
30. All electoral challenges should be made public and all related rulings should be published promptly. Deadlines for electoral dispute resolution should allow complainants adequate time to prepare submissions that meet legal requirements and also allow the Supreme Court sufficient time to review each complaint, deliberate and issue a fully reasoned decision.

Election Observation

31. To increase transparency, the rights of citizen observers should be enhanced to allow for meaningful observation at all levels of the election administration and at all stages of the electoral process, including during signature verification and tabulation. In line with international good practice, citizen observers should remain impartial during the electoral process.

ANNEX I: ELECTION RESULTS

First Round, 18 May 2025	
Data regarding the voting process	
Number of registered voters	29,252,340
Voter turnout	67.31 per cent
Number of total valid votes	19,603,784
Number of total votes without a PEC stamp	2,727
Number of total invalid votes	85,813
Number of postal packages	9,247
Number of voters who voted by proxy	27,346
Number of voters who voted with AVCs	315,503

Candidate	Number of votes	Percentage
Rafał Kazimierz Trzaskowski	6,147,797	31.36
Karol Tadeusz Nawrocki	5,790,804	29.54
Sławomir Jerzy Mentzen	2,902,448	14.81
Grzegorz Michał Braun	1,242,917	6.34
Szymon Franciszek Hołownia	978,901	4.99
Adrian Tadeusz Zandberg	952,832	4.86
Magdalena Agnieszka Biejat	829,361	4.23
Krzysztof Jakub Stanowski	243,479	1.24
Joana Senyszyn	214,198	1.09
Marek Jakubiak	150,698	0.77
Arthur Bartoszewicz	95,640	0.49
Maciej Maciak	36,371	0.19
Marek Marian Woch	18,338	0.09

Second Round, 1 June 2025	
Data regarding the voting process	
Number of registered voters	29,363,722
Voter turnout	71.63 per cent
Number of total valid votes	20,844,163
Number of total votes without a PEC stamp	1,423
Number of total invalid votes	189,294
Number of postal packages	11,653
Number of voters who voted by proxy	39,826
Number of voters who voted with AVCs	531,446

Candidate	Number of votes	Percentage
Karol Tadeusz Nawrocki	10,606,877	50.89
Rafał Kazimierz Trzaskowski	10,237,286	49.11

Source: NEC [results website](#)

ANNEX II: LIST OF OBSERVERS IN THE INTERNATIONAL ELECTION OBSERVATION MISSION

Parliamentary Assembly of the Council of Europe

Iulian	Bulai	Head of Delegation	Romania
Liliana	Tanguy	Acting Head of Delegation (first round)	France
Armen	Gevorgyan	MP	Armenia
Arusyak	Julhakyan	MP	Armenia
Stefan	Schennach	MP	Austria
Annick	Lambrecht	MP	Belgium
Ivi-Triin	Odrats	PACE Secretariat	Estonia
Sylvie	Affholder	PACE Secretariat	France
Sandra	Regol	MP	France
Carine	Roller-Kaufman	PACE Secretariat	France
Sevim	Dağdelen	MP	Germany
Michael	Janssen	Venice Commission	Germany
Malte	Kaufmann	MP	Germany
Axel Helmut	Schäfer	MP	Germany
Georgios	Stamatis	MP	Greece
Zita	Gurmai	MP	Hungary
Joseph	O'Reilly	MP	Ireland
Deborah	Bergamini	MP	Italy
Simone	Billi	MP	Italy
Elisabetta	Gardini	MP	Italy
Roberto	Speranza	MP	Italy
Pieter	Omtzigt	MP	Netherland
Bisera	Kostadinovska-Stojchevska	MP	North Macedonia
Lucia	Plaváková	MP	Slovak Republic
Laura	Castel	MP	Spain
Antonio	Gutierrez-Limones	MP	Spain
Pablo	Hispan	MP	Spain
Belén	Hoyo	MP	Spain
Óscar	Sánchez Muñoz	Venice Commission	Spain
Jessica	Stegrud	MP	Sweden
Victoria	Tiblom	MP	Sweden
Alfred	Heer	MP	Switzerland
Yulia	Ovchynnykova	MP	Ukraine

Lesia	Zaburanna	MP	Ukraine
Perran	Moon	MP	United Kingdom

ODIHR LEOM Long-Term Observers

Ruslan	Asadov	Azerbaijan
Jan	Němec	Czech Republic
Harald	Jepsen	Denmark
Jari	Liimatta	Finland
Christian	Keilbach	Germany
Laura	Erizi	Italy
Andrea	Fungenzi	Italy
Olzhas	Akanov	Kazakhstan
Anica	Kuzmanovska	North Macedonia
Alida	Boye	Norway
Karoline	Foss	Norway
Arild	Stenberg	Norway
Ana	Mihajlović	Serbia
Erik Mattias	Wandler	Sweden
Barbara	Egger Maldonado	Switzerland
Diana	Ferrari	Switzerland

ODIHR LEOM Core Team Members

Dunja	Mijatović	Head of Mission	Bosnia and Herzegovina
Desislava	Hristova		Bulgaria
Tatyana	Hilscher-Bogushevich		Germany
Stefan	Krause		Germany
Elissavet	Karagiannidou		Greece
Marina	Kim		Kazakhstan
Ahmad	Rasuli		Kyrgyzstan
Ivana	Stanojev		Serbia
Iryna	Khanenko		Ukraine
Egor	Tilpunov		Ukraine
Yevheniia	Zamrii		Ukraine
Donald	Bisson		USA
Noah	Lane		USA

ABOUT ODIHR

The Office for Democratic Institutions and Human Rights (ODIHR) is OSCE's principal institution to assist participating States "to ensure full respect for human rights and fundamental freedoms, to abide by the rule of law, to promote principles of democracy and (...) to build, strengthen and protect democratic institutions, as well as promote tolerance throughout society" (1992 Helsinki Summit Document). This is referred to as the OSCE human dimension.

ODIHR, based in Warsaw (Poland) was created as the Office for Free Elections at the 1990 Paris Summit and started operating in May 1991. One year later, the name of the Office was changed to reflect an expanded mandate to include human rights and democratization. Today it employs over 150 staff.

ODIHR is the lead agency in Europe in the field of **election observation**. Every year, it co-ordinates and organizes the deployment of thousands of observers to assess whether elections in the OSCE region are conducted in line with OSCE commitments, other international obligations and standards for democratic elections and with national legislation. Its unique methodology provides an in-depth insight into the electoral process in its entirety. Through assistance projects, ODIHR helps participating States to improve their electoral framework.

The Office's **democratization** activities include: rule of law, legislative support, democratic governance, migration and freedom of movement, and gender equality. ODIHR implements a number of targeted assistance programmes annually, seeking to develop democratic structures.

ODIHR also assists participating States' in fulfilling their obligations to promote and protect **human rights and fundamental freedoms** consistent with OSCE human dimension commitments. This is achieved by working with a variety of partners to foster collaboration, build capacity and provide expertise in thematic areas, including human rights in the fight against terrorism, enhancing the human rights protection of trafficked people, human rights education and training, human rights monitoring and reporting, and women's human rights and security.

Within the field of **tolerance** and **non-discrimination**, ODIHR provides support to the participating States in strengthening their response to hate crimes and incidents of racism, xenophobia, anti-Semitism and other forms of intolerance. ODIHR's activities related to tolerance and non-discrimination are focused on the following areas: legislation; law enforcement training; monitoring, reporting on, and following up on responses to hate-motivated crimes and incidents; as well as educational activities to promote tolerance, respect, and mutual understanding.

ODIHR provides advice to participating States on their policies on **Roma and Sinti**. It promotes capacity-building and networking among Roma and Sinti communities, and encourages the participation of Roma and Sinti representatives in policy-making bodies.

All ODIHR activities are carried out in close co-ordination and co-operation with OSCE participating States, OSCE institutions and field operations, as well as with other international organizations.

More information is available on the ODIHR website (www.osce.org/odihr).