

**INTERIM REPORT**  
**11 –28 April 2025**

**30 April 2025**

**I. EXECUTIVE SUMMARY**

- On 15 January, the Speaker of the lower house of parliament (*Sejm*) called the presidential election for 18 May. If no candidate receives the absolute majority of valid votes cast, a second round takes place on 1 June, between the two candidates who received the most votes. The election takes place against the backdrop of a deeply polarized political environment which has also impacted the effective functioning of some institutions.
- The electoral legal framework was significantly amended in 2023, in a process lacking meaningful consultation. While the amendments incorporated some previous ODIHR recommendations related to the introduction of a Central Register of Voters (CRV) and access to the electoral process for persons with disabilities, many prior recommendations remain unaddressed. These relate to 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 detailed regulation of the second round of presidential elections. Most interlocutors of the ODIHR Limited Election Observation Mission (LEOM) noted that the legal framework provides an adequate basis for the conduct of democratic elections.
- The presidential election is administered by the National Election Commission (NEC) and the National Election Office (NEO) and lower-level election commissions. The majority of NEC members are nominated by parliamentary parties. Thus far, the election administration has complied with all legal deadlines. NEC sessions are not public, but a link to watch live broadcasts of sessions and session minutes can be obtained upon request. While most ODIHR LEOM interlocutors expressed confidence in the capacity of the election administration to manage the technical aspects of the election, others raised concerns about the politicized nature of the NEC's composition negatively impacting collegiality and impartiality of its decision-making.
- The CRV contains the records of some 28.9 million voters. Polish citizens who are at least 18 years old by election day are eligible to vote, except for those whose voting rights have been revoked by a court decision or on the basis of intellectual or psychosocial disability. Voter lists are not available for public scrutiny, but voters have the right to verify their own records and may file complaints in case of omissions and inaccuracies. All ODIHR LEOM interlocutors expressed confidence in the current voter registration system.
- Citizens who are at least 35 years of age by election day can stand for president, except those sentenced to imprisonment for an intentional offence or fiscal crimes or declared incapacitated by a court decision. The NEC initially registered 44 electoral committees, 17 of which submitted the required 100,000 support signatures. Of these, 13 candidates (2 women) were registered by the NEC, while four candidates did not meet registration requirements. Many ODIHR LEOM interlocutors voiced concerns over the integrity of the signature collection and verification processes and opined that there is currently no effective mechanism to detect fraudulent entries.

- While the official campaign period began with the calling of the election on 15 January, campaign- like activities prior to this date, which are not regulated by law, have been widespread across the political spectrum. The involvement of public officials in the campaign is not sufficiently regulated, and several ODIHR LEOM interlocutors have indicated that the line between official duties and campaign activities has at times appeared blurred. Campaign activities have been prominent, with many candidates engaging in extensive campaigning in regions and online. The legislation does not explicitly regulate online campaigning, but the NEC has clarified that paid content is subject to the same labeling and disclosure rules as other forms of campaigning. Campaign messaging has largely focused on policy issues most notably national security, while also reflecting contestants' distinct ideological positions, including on migration and reproductive rights issues and at times turning confrontational.
- Several institutions have launched initiatives to protect election infrastructure and the campaign from external interference, disinformation, and cyberattacks. While ODIHR LEOM interlocutors assess these efforts positively overall, some highlighted the need for greater inter-institutional co-ordination to ensure a comprehensive response. Poland remains the only EU Member State that has not designated a Digital Services Coordinator under the EU Digital Services Act.
- While in the 2023 parliamentary elections women secured a record-high 29.4 per cent of the *Sejm* seats, their representation in the upper house (*Senat*) dropped to 19 per cent and women remain underrepresented in public and political life. Ten of the 27 government ministers and 6 of the 16 heads of *voivodships* (provinces) are women. Contrary to prior ODIHR recommendations, there are no provisions for representation of each gender at any level of election commissions and all NEC members are men.
- Electoral committees, including those not nominating candidates, are subject to limits on donations, expenditures, and reporting and disclosure requirements from the moment of their registration. While there is no direct public funding for presidential election campaigns, they may be financed by political parties without limit, including from their state subsidies, as well as by candidates' own resources, donations by individuals, and loans. Third-party campaigning is not allowed but is not subject to sanctions. The NEC oversees campaign finance, receiving and verifying financial reports after election day, and can request sanctions for irregularities. There are no provisions for interim reporting. Most prior ODIHR recommendations pertaining to campaign finance remain unaddressed.
- The media landscape is characterized by pronounced political polarization and most ODIHR LEOM interlocutors call for comprehensive media reforms. Defamation and public insult remain criminalized despite prior ODIHR recommendations. Public media are under liquidation and now receive direct government funding, following the dismissal of their management in December 2023 and the suspension of public and supplementary funding. The Election Code provides free time to all contestants on public broadcasters during the last 15 days of the campaign and obliges public television to organize debates among all contestants; currently, one such debate is scheduled. The campaign of one candidate organized a debate-style discussion among some presidential candidates, facilitated and broadcast by public television and two major private broadcasters. The involvement of public television, ambiguity over the legal status of the event and the source of its funding, as well as the exclusion of other private broadcasters, drew concerns of some stakeholders, including the media regulator, who referred the case to the NEC.

- Complaints and appeals can be filed with the election administration and the courts, with short adjudication deadlines. Election results can be challenged with the Supreme Court’s Chamber of Extraordinary Control and Public Affairs within 14 days following their announcement. Such cases are reviewed in a non-trial proceeding by three-judge panels and the Supreme Court Chamber rules on the validity of the election results, within 30 days of publication of the results. 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.
- The Election Code provides for domestic and international observation of the electoral process, including by citizen observers and candidate proxies. Several civil society organizations have informed the ODIHR LEOM of their plans to observe various aspects of the electoral process.

## II. INTRODUCTION

Following an invitation to observe the 18 May 2025 presidential election and based on the recommendations of a Needs Assessment Mission conducted from 17 to 31 January, the OSCE Office for Democratic Institutions and Human Rights (ODIHR) established a Limited Election Observation Mission (LEOM) on 11 April.<sup>1</sup> The mission, led by Dunja Mijatović, consists of a 12-member core team based in Warsaw and 16 long-term observers (LTOs) deployed on 19 April to 8 locations across the country. Mission members are drawn from 18 OSCE participating States, and 50 per cent of mission members are women.

## III. BACKGROUND AND POLITICAL CONTEXT

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 and refer bills to the Constitutional Tribunal or return them to the *Sejm*.<sup>2</sup> The October 2023 parliamentary elections marked the end of eight years of governance by the Law and Justice Party (*Prawo i Sprawiedliwość*, PiS), bringing to power a coalition government led by Prime Minister Donald Tusk. The ruling coalition includes the Civic Coalition (*Koalicja Obywatelska*, KO), the Third Way (*Trzecia Droga*), made up of Poland 2050 (*Polska 2050*) and the Polish People’s Party (*Polskie Stronnictwo Ludowe*, PSL), and the New Left (*Lewica*).<sup>3</sup>

The 18 May presidential election was officially called by the Speaker of the *Sejm* on 15 January. The outgoing president, Andrzej Duda, affiliated with PiS, is completing his second and final term. The election unfolds against the backdrop of a deeply polarized political environment, marked by sharp divides in societal narratives, media discourse, and identity politics. The polarization 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 independence. In early 2024, the government adopted an Action Plan to restore the rule of law and judicial independence. In May 2024, the European Commission

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<sup>1</sup> See previous [ODIHR election reports on Poland](#).

<sup>2</sup> Many ODIHR LEOM interlocutors pointed out that the outgoing president has used this power with regard to several legislative initiatives of the ruling coalition after the 2023 parliamentary elections.

<sup>3</sup> KO is an alliance led by the Civic Platform (*Platforma Obywatelska*, PO) and includes Modern (*Nowoczesna*), the Greens (*Zieloni*), and the Polish Initiative (*Inicjatywa Polska*).

closed infringement procedures against Poland, initiated in 2017 under Article 7(1) of the Treaty on European Union (EU), citing significant progress toward alignment with EU standards.<sup>4</sup>

The pre-election discourse has been shaped predominantly by issues arising from the broader regional geopolitical context, including the war caused by the Russian Federation's invasion of Ukraine, border security, and migration policies. In addition, abortion legislation and the temporary suspension of asylum rights, signed into law in March 2025 in response to increased irregular migration at the Belarus border, featured prominently in domestic debate and have drawn critical international reactions.<sup>5</sup>

While in the 2023 elections women secured a record-high 135 seats in the *Sejm* (29.4 per cent), their *Senat* representation dropped from 24 to 19 seats (24 to 19 per cent) and they remain underrepresented in public and political life. Only 2 of the 21 parliamentary parties are led, and another 2 are co-led, by women. Women hold some prominent appointed positions, including 10 of the 27 ministerial posts and leadership of 6 of the 16 *voivodships* (provinces).<sup>6</sup>

#### IV. LEGAL FRAMEWORK AND ELECTORAL SYSTEM

The presidential election is primarily governed by the 1997 Constitution, the 2011 Election Code (last amended in 2023), the 1990 Law on Assemblies (amended in 2016), and the 1997 Political Parties Act (last amended in 2023). The National Election Commission (NEC) is mandated to issue binding resolutions for the lower-level election administration, as well as explanatory guidelines and clarifications for broadcasters, government administration authorities, and electoral committees.<sup>7</sup> Poland is party to major international and regional instruments related to the holding of democratic elections.

The legal framework was significantly amended in 2023 in a process lacking meaningful consultations, as noted by previous ODIHR reports.<sup>8</sup> While the amendments incorporated some previous ODIHR recommendations related to the introduction of a Central Register of Voters (CRV) and access to the electoral process for persons with disabilities, many prior recommendations remain unaddressed. These relate to suffrage rights of persons with intellectual or psychosocial disabilities, decriminalization of defamation, prevention of the misuse of administrative resources, transparency

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<sup>4</sup> In its [2024 report](#), the Commission stated that “Poland is implementing a new Action Plan on the Rule of Law to address long-standing concerns regarding judicial independence. The Sejm adopted a law to address the concerns relating to the National Council for the Judiciary and is examining draft legislation to address the serious concerns relating to the Constitutional Tribunal. The Government committed to strengthen the independence of the Supreme Court. The disciplinary regime for judges was reformed. Some of the effects of the contested justice reforms of 2017 regarding the functioning of the ordinary judiciary are being reversed [...] 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”.

<sup>5</sup> In its [December 2024 report](#) on the inquiry into abortion restrictions (CEDAW/C/POL/IR/1), the United Nations (UN) Committee on the Elimination of All Forms of Discrimination against Women (CEDAW) found the abortion law and practice in violation of several human rights, calling for urgent liberalization. Echoing concerns by other organizations, in February 2025, the Representative of the UN High Commissioner for Refugees [warned](#) that the law providing for temporary suspension of asylum rights violates the 1951 Refugee Convention, as well as international and EU law. Several ODIHR LEOM interlocutors also expressed concerns over the rights and lack of meaningful legal protection of the LGBTI community; an issue which remains a polarizing and contentious topic in the societal and political discourse.

<sup>6</sup> The Speaker and one Deputy Speaker of the *Senat*, as well as two Deputy Speakers of the *Sejm* are women.

<sup>7</sup> Thus far, the NEC has among others issued guidelines and clarifications regarding voter registration and the conduct and financing of election campaigns, including by other bodies than electoral committees, as well as adopted resolutions concerning the establishment of lower-level election commissions and electoral committees.

<sup>8</sup> See also 2023 [ODIHR opinion](#) on the Draft Act amending the Election Code.

of campaign finance, gender equality in the election administration, and detailed regulation of the second round of presidential elections.<sup>9</sup> Most ODIHR LEOM interlocutors noted that the legal framework provides an adequate basis for the conduct of democratic elections.

The president is directly elected in a single, country-wide constituency for a five-year term. 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.

## V. ELECTION ADMINISTRATION

The presidential election is administered by a three-tier structure, including the NEC and the National Election Office (NEO), 49 Constituency Election Commissions (CECs) and 49 NEO offices, and 31,627 Precinct Election Commissions (PECs). The NEC also delegates 100 commissioners to the lower levels, tasking them to supervise the implementation of the election legislation and to provide guidance to lower-level commissions.

The NEC is a permanent body with an overall decision-making and supervisory role over the electoral process. It consists of two judges nominated for nine years by the President of the Constitutional Tribunal and the President of the Supreme Administrative Court, and seven members nominated by political parties in proportion to their representation in the *Sejm*; all nine NEC members are appointed by the president.<sup>10</sup> 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. CECs, which are temporary bodies formed anew for each election, were appointed on 31 March. All registered electoral committees had the right to nominate members to PECs by 18 April.<sup>11</sup> Contrary to prior ODIHR recommendations, there are no provisions for representation of each gender at any level of election commissions, and no such data is aggregated. All current members of the NEC are men as is the newly appointed NEO chairperson.<sup>12</sup>

Thus far, the election administration has complied with all legal deadlines. NEC sessions are not public; a link to watch live broadcasts of sessions and the minutes of the sessions can be obtained upon request.<sup>13</sup> While most ODIHR LEOM interlocutors expressed confidence in the capacity of the election administration to manage the technical aspects of the election, others raised concerns that the politicized nature of the NEC's composition negatively affects the collegiality and impartiality of its

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<sup>9</sup> The 2023 changes to the Political Parties Act amended some campaign finance provisions without addressing prior ODIHR recommendations related to transparency. See also the 2025 [ODIHR Opinion on the Act on Political Parties](#).

<sup>10</sup> The NEC members nominated by the *Sejm* cannot be more than three from a single party. They are elected from persons qualified for the office of a judge or having a professional or academic legal background. All NEC members are formally appointed by the president. The *Sejm*-designated members' term is four years and expires 150 days after the next elections for the *Sejm*.

<sup>11</sup> Electoral committees are self-created legal entities with the right to nominate candidates for elections. They can also perform other election activities, in particular they have the exclusive right to conduct campaigns for candidates. PECs were appointed on 28 April. Each PEC can have between 7 and 13 members, depending on the number of registered voters. In cases where more members are nominated, the respective commissioner draws a lot.

<sup>12</sup> The NEO chairperson 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 led by women.

<sup>13</sup> Interested parties can request a link to observe the NEC sessions live online, but recordings are not kept. The NEC informed the ODIHR LEOM that meeting minutes constitute public information and are available upon request. Based on the NEC Rules of Procedures, the chairperson may invite observers to attend sessions in person. The ODIHR LEOM has attended thus far one NEC session upon the invitation of the chairperson.



decision-making. In particular, the recent decisions on withholding of public funding for the PiS party are considered by most stakeholders to have detracted from the public trust in the work of the NEC.<sup>14</sup>

The election administration is currently preparing to conduct mandatory training for all polling staff. Voter education materials on voting by mail and proxy, absentee voting and changing the voting location are being distributed by the NEO. *Braille* overlays are available for ballots. A number of civil society organizations (CSOs) have launched voter education initiatives targeting young and first-time voters, while a coalition of 150 CSOs together with the Ombudsperson's office have rolled out a campaign "Elections accessible to all", developing guidelines for contestants on the accessibility of campaigns for persons with disabilities and monitoring the overall accessibility of the campaign and of polling stations on election day.<sup>15</sup>

## VI. VOTER REGISTRATION

Polish citizens who are at least 18 years old by election day are eligible to vote, except for those whose voting rights have been revoked by a court decision or on the basis of intellectual or psychosocial disability.<sup>16</sup> Suffrage restrictions based on mental disability are contrary to OSCE commitments and other international standards.<sup>17</sup> Voter registration is passive and continuous. Introduced in 2023 in line with a prior ODIHR recommendation, the CRV replaced the over 2,400 separate municipal registers used previously.<sup>18</sup>

Voters may request to change their place of voting, in writing or electronically, in the period from 44 to 3 days before election day. Additionally, all voters can request absentee voting certificates in person up to three days before election day and cast a ballot at any polling station. Voters with disabilities may also request to be registered at an adapted polling station for persons with disabilities within their home municipality, or to vote via proxy or by mail upon presenting a disability certificate. Voters residing abroad have to actively register online, via email or in writing up to five days before election day, to vote at one of the 511 polling stations established for out-of-country voting. Voting at special polling stations (in medical facilities, social welfare homes, detention centres, and student dormitories) or at ships under Polish flag can be organized upon application, provided that at least 15 persons request to cast their ballot at such locations.

The actual voter lists for use on election day are extracted no later than two days before election day. According to the NEC, as of 31 March 2025, the total number of voters is 28,912,955. Voter lists are not available for public scrutiny, but voters have the right to verify their own records at the respective municipal authority or electronically. Complaints regarding omissions and inaccuracies may be

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<sup>14</sup> During the NEC session on 23 April 2025, NEC members postponed a decision on releasing the political party subsidies for 2025 on the grounds that such a decision needs to be taken by the full NEC composition. The deliberations referred to the cases of PiS and the Confederation (see *Campaign Finance*).

<sup>15</sup> By law, a minimum of 50 per cent of polling stations in any given municipality must be independently accessible for voters with physical disabilities. The initiative "[Elections accessible to all](#)" has developed a questionnaire to raise contestants' and the public's awareness about the need for an inclusive campaign and election.

<sup>16</sup> Citizens' voting rights can be revoked in cases of intentional or fiscal crimes, or if a court decides to revoke the right to vote. Information about the deprivation of the right to vote is entered into the CRV.

<sup>17</sup> Paragraph 7.3 of the 1990 [OSCE Copenhagen Document](#) states that the participating States will "guarantee universal and equal suffrage to adult citizens". See Articles 12 and 29 of the [CRPD](#). See also Paragraph 48 of [General Comment No. 1](#) to Article 12 of the CRPD, which states 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".

<sup>18</sup> The CRV, maintained by the Ministry of Digital Affairs, is updated by municipalities and contains the records of all citizens over 17 years of age, including those deprived of their right to vote. The CRV is based on the central civil registry in which every resident is assigned a 11-digit unique identification number.

lodged with the competent mayor and are appealable to the respective district court. All ODIHR LEOM interlocutors expressed confidence in the current voter registration system.

## VII. CANDIDATE REGISTRATION

Citizens who are at least 35 years of age by election day and have suffrage rights can stand for president. Those sentenced to imprisonment for an intentional offence or fiscal crimes are deprived of this right, as are those declared incapacitated by a court decision. In addition, candidates subject to lustration law may be prohibited to stand.<sup>19</sup>

Candidate registration is a two-step process. Electoral committees formed by groups of at least 15 voters have the exclusive right to nominate candidates, upon having collected the signatures of at least 1,000 voters until 55 days before election day (24 March for this election). To register a candidate, a total of 100,000 voter signatures has to be submitted by 44 days before election day (4 April) to the NEC by the electoral committee. While political parties do not have the right to register electoral committees, candidates have to announce their affiliation with a political party.

By the legal deadline, the NEC registered 44 electoral committees.<sup>20</sup> Seventeen electoral committees submitted the required number of signatures to field candidates. Out of these, the NEC registered 13 candidates, 2 of whom are women. Four potential candidates were rejected for not submitting a sufficient number of valid signatures. One appealed to the Supreme Court, which upheld the rejection due to *inter alia* mismatch between voters' address information on the signature collection sheets and the CRV. The NEC announced the final list of candidates on 23 April.<sup>21</sup> Candidates will be listed alphabetically by surname on the ballot.

Many ODIHR LEOM interlocutors voiced concerns over the integrity of the signature collection and verification processes and opined that there is currently no effective mechanism to detect fraudulent entries. Interlocutors also stated that some contestants used commercially available databases of citizens, which included data of deceased voters to supply signatures.<sup>22</sup> The NEO informed the ODIHR LEOM that it has limited resources and no legal capacity to conduct in-depth signature verification.

## VIII. CAMPAIGN ENVIRONMENT

The official campaign period began on 15 January, the day the election was called. However, according to ODIHR LEOM interlocutors, campaign-like activities across the political spectrum have been widespread well before this date and the registration of electoral committees. These included events announcing candidacies, presentations of campaign priorities and materials, and regional

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<sup>19</sup> Candidates born before 1 August 1972 must submit, together with a consent to run for president, a declaration to the NEC on whether they collaborated with or worked for the communist state security services.

<sup>20</sup> Initially, 53 electoral committees notified the NEC about their intention to field candidates.

<sup>21</sup> These are 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 Jacubiak (endorsed by the Federation for the Republic), Maciej Maciak (independent; endorsed by the Prosperity and Peace Movement), Sławomir Mentzen, (endorsed by Confederation of Freedom and Independence), Karol Nawrocki (independent; endorsed by PiS), Joanna Senyszyn (independent), Krzysztof Stanowski (independent), Rafał Trzaskowski, (endorsed by PO), Marek Woch (endorsed by Non-partisan Local Government Officials – Poland Unites Us), and Adrian Zandberg (endorsed by Together).

<sup>22</sup> To date, the NEC referred one of the candidates who was denied registration to the Prosecutor's Office, on grounds that their list of support signatures included records of deceased voters.

travels with campaign-related messaging.<sup>23</sup> As in past elections, the NEC reiterated that early campaigning circumvents the law, appealing to contestants to refrain from it, while acknowledging the absence of explicit provisions regulating or sanctioning such activities.<sup>24</sup>

The legal framework does not sufficiently regulate the involvement of public officials in the campaign, beyond obligations of impartiality and separation from official duties. Some candidates holding public office announced taking leave to campaign. Several ODIHR LEOM interlocutors indicated that the line between official duties and campaign activities has at times appeared blurred, with public officials and political parties engaging in campaign-related support.<sup>25</sup> The NEC issued clarifications reaffirming the requirement to separate public office from campaigning and stressing that political parties cannot provide in-kind support to candidates beyond permitted contributions to electoral committees.<sup>26</sup>

Campaign activities have been prominent, with many candidates engaging in extensive regional travels, holding rallies, meetings with voters, and organizing press conferences. Campaign messaging has largely focused on policy issues, while also reflecting contestants' distinct ideological positions and at times turning confrontational. National security, economic welfare, and healthcare have emerged as key programmatic priorities, alongside divisive topics such as migration, support to Ukraine, reproductive rights, and liberal versus traditional values.<sup>27</sup>

Although over 86 per cent of the population use internet, less than half of them utilize social networks as a source of information.<sup>28</sup> Online media and social networks are playing a significant role in the campaign and most contestants and their supporters use both organic and paid content. While the legislation does not explicitly regulate online campaigning, the NEC has clarified that online paid content is subject to the same labeling and disclosure rules as other forms of campaigning, whereas unpaid endorsements by individuals in their personal capacity are permitted.<sup>29</sup> The ODIHR LEOM is monitoring the campaign on social networks.<sup>30</sup>

Poland remains the only EU member state that has not designated a Digital Services Co-ordinator under the EU Digital Services Act (DSA), despite a 17 February 2024 deadline.<sup>31</sup> In December 2024,

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<sup>23</sup> For instance, Sławomir Mentzen launched his campaign at a 31 August 2024 [convention](#) in Warsaw, followed by the presentation of his campaign [billboard](#). On 27 November, Karol Nawrocki spoke at a [press conference](#) in Warsaw and, on 7 December, at a [meeting](#) with youth and PiS politicians in Lublin, presenting himself as a candidate and outlining his campaign priorities. Szymon Hołownia inaugurated his campaign at a convention in Gdańsk on 7 December, presenting his campaign [spot](#). On 8 December, Rafał Trzaskowski presented his campaign [banner](#) and campaign priorities during an [inaugural event](#) in Gliwice.

<sup>24</sup> See the latest NEC [clarification](#) on this issue from 17 April 2023.

<sup>25</sup> This included support in organizing events, delivery of speeches, candidacy endorsements, and promotion on social networks.

<sup>26</sup> See NEC clarifications of [18 February 2025](#) and [31 March 2025](#).

<sup>27</sup> Candidate Grzegorz Braun is under investigation by the Prosecutor's Office for attempting to prevent an abortion procedure at a hospital in Oleśnica on 18 March, an incident that drew significant public attention and condemnation, and resulted in a wave of hateful comments against the medical doctor on social networks.

<sup>28</sup> [According](#) to the International Telecommunication Union, 86.4 per cent of the Polish population used internet in 2023. Although according to the [2025 Digital Poland Report](#), some 29 million social network identities originate from Poland, the Reuters Institute [reported](#) that in 2024, only 48 per cent used social networks as a source of news. Facebook is the most popular platform, followed by TikTok, Instagram, and X, while YouTube is the leading video-sharing platform.

<sup>29</sup> See NEC clarification of [31 March 2025](#).

<sup>30</sup> On 21 April, the ODIHR LEOM commenced its monitoring of 40 accounts of candidates, selected political parties, and public figures and institutions on Facebook, TikTok, and X.

<sup>31</sup> While two rounds of consultations were held, the necessary legislation is still pending adoption.



the European Commission issued a reasoned opinion as part of infringement proceedings and announced that it was considering referral to the Court of Justice of the EU.<sup>32</sup>

Several institutions have launched initiatives and mechanisms to prevent, detect and protect election infrastructure and the campaign from external interference, disinformation, and cyberattacks, including awareness-raising and training efforts.<sup>33</sup> While ODIHR LEOM interlocutors assess these efforts positively overall, some highlighted the need for greater inter-institutional co-ordination to ensure a more comprehensive response.<sup>34</sup> In September 2024, the government adopted the Digital Transformation of Education Policy, establishing long-term plans on incorporating media literacy in the education system.<sup>35</sup>

## IX. CAMPAIGN FINANCE

Party and campaign finance is regulated by the Election Code and the Political Parties Act, supplemented by NEC clarifications. The 2023 legal amendments introduced electronic filing of reports, and prescribed that the campaign expenditure limit is applicable to both rounds, and restricted the grounds for rejection of financial reports. Most prior ODIHR recommendations pertaining to campaign finance remain unaddressed, including those related to third party campaigning and more comprehensive financial disclosure prior to election day.

Electoral committees, regardless of whether they nominate candidates, are obliged to open bank accounts if they plan to receive funding and incur campaign expenditures.<sup>36</sup> They may receive unlimited funding from one or more political parties, but no in-kind support.<sup>37</sup> A party may transfer funds to multiple electoral committees, but committees cannot transfer funds to one another. While there is no public funding for presidential campaigns, some ODIHR LEOM interlocutors noted that most campaign funding is derived from the public funding of parties.<sup>38</sup> Public funding and reimbursement of expenditures for the 2023 parliamentary elections campaign were reduced for PiS, on grounds of alleged misuse of administrative resources during the 2023 parliamentary elections.<sup>39</sup>

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<sup>32</sup> See December 2024 European Commission [press release](#).

<sup>33</sup> A few of the many initiatives include the “Resilience Council” of the Ministry of Foreign Affairs, in co-operation with civil society organizations, 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 15 January 2025, the Minister of Digital Affairs [announced](#) that a disinformation campaign linked to the Russian Federation attempted to influence the upcoming election. See also “Resilience Council” report [“Together against Disinformation”](#) published on 28 April.

<sup>34</sup> On 2 April, the MDA [confirmed](#) a cyberattack on information systems of the PO and the campaign office of Mr. Trzaskowski, alerting contestants to the possibility of future attacks.

<sup>35</sup> On 13 March 2025, the Minister of Digital Affairs [announced](#) plans to allocate up to 2 billion Polish Złoty (PLN; approx. EUR 470 million; 1 PLN equals 0.23 EUR) to education on digital competences, including media literacy. A number of media-literacy initiatives were also developed by the public media and civil society.

<sup>36</sup> While parties may receive membership fees and donations up to PLN 4,666 annually in cash, electoral committees must receive all donations by bank transfer.

<sup>37</sup> 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.

<sup>38</sup> 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 was [allocated](#) annually to nine parties.

<sup>39</sup> The reasons included *inter alia*, campaigning at “military picnicks” organized by the Ministry of Defense; the Supreme Court granted an appeal filed by PiS while the NEC is yet to comply with the court decision. The Confederation Freedom and Independence may lose public funding and reimbursement for the 2024 European Parliament elections for *inter alia* failing to report as in-kind donations individuals’ printing and posting banners; an appeal filed by the Confederation is still pending with the Supreme Court.

Parties and electoral committees may receive monetary and in-kind donations only from Polish citizens with permanent residency in Poland, as well as bank loans.<sup>40</sup> Donations from legal entities, foreign and anonymous sources are prohibited. While there is no methodology for the evaluation of in-kind donations, the prescribed ceiling is applicable to in-kind donations made to parties, but not to electoral committees.<sup>41</sup>

Third-party campaigning is not allowed but is not subject to sanctions. Based on NEC clarifications, individuals may not use the names, abbreviations and symbols of parties or electoral committees without the written consent of the latter, who are obliged to notify the police about individual campaigning without their consent. The NEC requested parties and electoral committees to report as in-kind donations individuals' campaigning that involves any costs to avoid being sanctioned.<sup>42</sup>

An electoral committee may spend up to PLN 24.6 million for both election rounds; expenditure for advertising, including online, may not exceed 80 per cent of the total spending. Campaign materials and political advertising, including online, are subject to labelling requirements.

In addition to contracts and loans, parties are required within 14 days from receipt to disclose on their websites donations exceeding PLN 10,000 made to their regular accounts, but not those made to their electoral funds. Prior to election day, electoral committees are required within 7 days from receipt to disclose on their websites donations exceeding PLN 4,666 and loans, but not the funds transferred by parties, contracts and payments.

The NEC is mandated with party and campaign finance oversight. There is no interim reporting requirement. Electoral committees, including those not nominating candidates, are required to submit financial reports within three months from election day. They are exempt from reporting if they notify the NEC that they had no income and expenditure. The reports must be audited by auditors selected by the NEC. The NEC has a 30-day deadline to publish the reports and a six-month deadline to review them, and either adopt them with or without reservations or reject them. Sanctions for irregularities include forfeiture, loss of state funding, fines and imprisonment and deregistration of parties.

## **X. MEDIA**

The media landscape is marked by significant political polarization, which according to many ODIHR LEOM interlocutors undermines the plurality of views and exacerbates societal division. While most interlocutors acknowledge the improvement of media freedoms in the past year, they note a lack of sustainable changes and call for comprehensive media reforms. In 2024, the Ministry of Culture held consultations with civil society on amendments to the media legislation to align with the European Media Freedom Act, but draft legislation has yet to be published.

The Constitution guarantees freedom of expression and prohibits censorship, but defamation and public insult remain criminal offenses despite prior ODIHR recommendations. Many ODIHR LEOM interlocutors noted the decrease of targeted litigation cases against journalists, including withdrawal of cases initiated by the previous government. Civil society organizations have repeatedly called for a full decriminalization of defamation.<sup>43</sup> While hate speech based on national, ethnic, racial, political

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<sup>40</sup> Candidates may donate to their 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.

<sup>41</sup> 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.

<sup>42</sup> See NEC clarifications of [28 August 2023](#), [4 March 2024](#), [20 April 2024](#), [17 March 2025](#), and [31 March 2025](#).

<sup>43</sup> See also a joint [statement](#) of Article 19 Europe, Helsinki Foundation for Human Rights, The National Federation of Non-Governmental Organizations and Citizens Network Watchdog Poland.

or religious grounds is criminalized, recent amendments expanding protections to include sexual orientation, gender, age, and disability were approved by parliament but referred to the Constitutional Tribunal by President Duda over freedom of expression concerns.

In December 2023, following a resolution of the *Sejm* urging the restoration of the “constitutional order and impartiality of public media” due to the alleged political control of the previous government, the Minister of Culture dismissed the management of three public media outlets – public *Telewizja Polska (TVP)*, *Polskie Radio*, and the Polish Press Agency (PAP), bypassing the National Media Council, that has the authority to do so. This prompted some 80 journalists, primarily those previously accused of systematic political bias by civil society and professional community, to leave the public media for niche news broadcasters *TV Republika* and *wPolsce24*, significantly boosting their viewership. In the opinion of ODIHR LEOM interlocutors, the ambiguity of the current legal status of the liquidation of public media and their *ad hoc* government funding significantly affects their sustainability.<sup>44</sup>

The Election Code grants all contestants free time on public broadcasters during the last 15 campaign days and obliges public television to organize debates among all contestants; currently, one debate is scheduled for 12 May. Since 18 March, the National Broadcasting Council (*KRRiT*), a five-member media regulatory body, conducts monitoring of one daily news and one weekly current-affairs programmes on one public and three private televisions and has to date published five narrative reports. On 11 April, Mr. Trzaskowski’s campaign organized a debate-style discussion, facilitated and broadcast by public *TVP* and two major private broadcasters, *TVN* and *Polsat*, initially inviting exclusively Mr. Nawrocki, but upon his refusal extending the invitation to all candidates; ultimately 8 of the 13 candidates took part in the debate. The involvement of public television, ambiguity over the legal status of the event and the source of its funding, as well as the exclusion of other private broadcasters, drew concerns of some stakeholders, including the media regulator, who referred the case to the NEC.<sup>45</sup> *TV Republika* has thus far organized two debates, inviting all contestants, although some, including Mr. Trzaskowski, chose not to participate. One of the candidates chose not to participate in one of them.

On 23 April, the ODIHR LEOM commenced quantitative and qualitative monitoring of political and election-related coverage by several major television channels and news websites.<sup>46</sup>

## **XI. ELECTION DISPUTE RESOLUTION**

Decisions of election commissions may be appealed to higher-level commissions. Decisions related to voter registration can be appealed to the respective municipal authorities, whereas rejection of the registration of electoral committees and of candidates by the NEC as well as the rejection of campaign finance reports by the NEC are appealable to the Supreme Court. The deadline for adjudication is two days, hearings are closed, and all decisions are published online. Any registered voter, chairperson of an election commission, or representative of an electoral committee can file a complaint against the election of the president with the Supreme Court. Challenges to NEC guidelines and clarifications

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<sup>44</sup> The suspension of funding of the public media by the media regulator and of their supplementary funding by President Duda coincided with the public media being put into a state of liquidation, in order to allow for direct government funding.

<sup>45</sup> The NEC [stated](#) it may review the case as part of its post-electoral scrutiny. Apart from other legal requirements, the NEC clarification of [31 March 2025](#) prohibits contestants from organizing joint appearances, broadcasts, or meetings to avoid mutual support and financial obfuscation.

<sup>46</sup> This includes the main channels public television *TVPI* and their dedicated news channel *TVP Info*, mainstream private television channels *Polsat* and *TVN*, and news channel *TV Republika*. The monitored websites include the political and election-related sections of [onet.pl](#) and [interia.pl](#).

can be made to the Supreme Court within seven days of their publication by the legal representative of an electoral committee.

Election campaign material disseminated in the media or through posters and leaflets, which contain false information, may be subject to a complaint to a district court. 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.

The NEC shall submit a report on the election results to the Supreme Court no later than 14 days after the election. Election results can be challenged with the Supreme Court's Chamber of Extraordinary Control and Public Affairs within 14 days following their announcement. Challenges are reviewed in a non-trial proceeding by three-judge panels, which issue decisions assessing the legitimacy of allegations as well as an assessment of whether the alleged violation affected the election outcome.<sup>47</sup> Based on the NEC's report, as well as the panels' opinions on any complaints, the Supreme Court Chamber rules on the validity of the election results, within 30 days of publication.<sup>48</sup>

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.

## **XII. ELECTION OBSERVATION**

The Election Code provides for domestic and international observation of the electoral process. Associations and foundations registered in Poland which according to their founding documents are active in democracy, civil rights, and civil society development have the right to appoint observers to CECs and PECs, but not to the NEC. International observers are accredited by the NEC, following consultation with the MFA and may observe all stages of the electoral process at all levels. Electoral committees which have fielded presidential candidates may nominate proxies to all commissions, including PECs. Like candidate proxies, citizen observers do not need accreditation, but they need to provide a letter by their nominating organization in a NEC-approved template. Unlike citizen observers, candidate proxies can enter comments on PEC minutes or protocols and follow the transportation and handover of results protocols to the higher-level commissions. On election day, citizen observers and candidate proxies may record the voting process, in addition to the counting stage, provided they notify the MDA in advance and remove the footage from their devices afterwards. Several CSOs have informed the ODIHR LEOM of their plans to observe various aspects of the electoral process.<sup>49</sup>

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<sup>47</sup> Complaints on election results may be filed only after the announcement of the final election results. Complaints against results of the first round are thus considered “premature” and declared inadmissible on formal grounds.

<sup>48</sup> In December 2023, the Court of Justice of the European Union (CJEU) [found](#) 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”. The 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 CJEU. This procedure, known as a preliminary ruling, ensures uniform interpretation of EU law across all member states. In this particular case, the CJEU ruling reinforced that any national measures undermining the preliminary ruling procedure threaten the uniform application of EU law and judicial independence across the Union.

<sup>49</sup> These include conducting long-term observation, carrying out social media monitoring, engaging with electoral reform, as well as monitoring campaign finance, the training of PECs, and the election campaign.

### **XIII. ODIHR LEOM ACTIVITIES**

The ODIHR LEOM opened in Warsaw on 11 April. The mission has established regular contacts with the NEC and NEO and other election administration bodies, the Ministry of Foreign Affairs, governmental institutions involved in the electoral process, candidates, electoral committees, civil society, and the media. The Parliamentary Assembly of the Council of Europe (PACE) has announced its intention to deploy an observer delegation.

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