



Office for Democratic Institutions and Human Rights

PORTUGAL

EARLY PARLIAMENTARY ELECTIONS

18 May 2025

ODIHR NEEDS ASSESSMENT MISSION REPORT

1-4 April 2025



Warsaw
25 April 2025

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ODIHR Needs Assessment Mission Report

I. INTRODUCTION

Following an official invitation to observe the 18 May 2025 early parliamentary elections in Portugal, and in accordance with its mandate, the OSCE Office for Democratic Institutions and Human Rights (ODIHR) undertook a Needs Assessment Mission (NAM) from 1 to 4 April. The NAM included Ulvi Akhundlu, ODIHR Deputy Head of Election Department, and Yelena Kovalyova, ODIHR Election Adviser.

The purpose of the mission was to assess the pre-election environment and preparations for the early parliamentary elections. Based on this assessment, the NAM should recommend whether to deploy an ODIHR election-related activity for the forthcoming elections and, if so, what type of activity best meets the identified needs. Meetings were held with officials from state institutions as well as with representatives of political parties, media, civil society and diplomatic community. A list of meetings is annexed to this report.

ODIHR would like to thank the Ministry of Foreign Affairs for its assistance and co-operation in organizing the NAM. ODIHR would also like to thank all of its interlocutors for taking the time to meet with the NAM and for sharing their views.

II. EXECUTIVE SUMMARY

Portugal is a semi-presidential republic, with legislative powers vested a unicameral parliament. The 18 May early parliamentary elections were scheduled after the President dissolved the parliament, following a no-confidence vote in the government, initiated due to alleged conflict-of-interest breaches. The upcoming elections will be the third consecutive early parliamentary elections.

The legal framework for parliamentary elections remains unchanged and fragmented, consisting of the Constitution, the election law and numerous acts regulating different aspects of the elections. Many prior ODIHR recommendations remain unaddressed. Most ODIHR NAM interlocutors considered the legal framework conducive for holding democratic elections but emphasized the need for its revision and consolidation to address gaps, conflicting provisions, and improve clarity—echoing ODIHR’s longstanding recommendation to codify election laws. Many also noted increasingly restrictive practices in accessing public information under data protection grounds, along with slow oversight procedures that undermine effectiveness. The 230 members of the parliament will be elected for a four-year term through a proportional closed list system in 22 multi-member constituencies.

The elections are administered by a three-tiered structure of election commissions and public administration institutions at all levels. The permanent National Election Commission (NEC) is responsible for the oversight of the electoral process, while ad hoc lower-level commissions conduct election day procedures. The Ministry of Internal Administration (MIA) assisted by the local authorities manage logistical and administrative preparations. The MIA informed the ODIHR NAM about significant time and logistical constraints posed by large-scale complex procedures, in particular regarding voting abroad. The election law provides for different voting options, such as early, mobile and in-person voting, as well as voting abroad, including by post. All ODIHR NAM interlocutors

expressed a high level of trust in the integrity and professionalism of election administration, including in the conduct of election day procedures.

Voting rights are granted to Portuguese citizens of and above the age of 18, and to Brazilian citizens lawfully residing in Portugal who enjoy the status of equal political rights and duties; those convicted for a grave crime may be individually disenfranchised by the court. The existing restrictions on the right to vote for persons with intellectual and psychosocial disabilities are contrary to international standards. Voter registration is passive; the centralized voter register is extracted from the population register. Voters living abroad and foreign citizens are entitled to opt out of the registration. Voter lists are available for public scrutiny with the possibility to rectify omissions. Some 10.8 million voters are registered for these elections. All ODIHR interlocutors expressed confidence in voter registration.

The right to be elected as members of the parliament is granted to all voters, except for certain officials. Only registered political parties may nominate candidate lists. Individual candidates are not allowed, contrary to international standards. The law requires a minimum representation of 40 per cent of each gender on candidate lists and prescribes that each gender be represented among every three consecutive candidates on the lists. District courts register candidates. ODIHR NAM interlocutors did not raise concerns regarding the inclusiveness of the candidate registration process, but some questioned the efficiency of the 40 per cent gender requirement for candidate lists, and uniformity of judicial interpretation of the candidacy requirement.

The representation of women decreased in the outgoing parliament by 10 seats compared to the previous convocation, resulting in 76 women MPs (30 per cent); in the outgoing government, the number of women holding ministerial portfolios dropped by two, with 7 women among 17 ministers. Many ODIHR NAM interlocutors underlined rising online hate speech and threats against women politicians and their families, persistent gender stereotypes, and structural and cultural barriers to women's political leadership. They also questioned the efficiency of the 40 per cent candidate lists threshold, as it does not adequately translate into the number of elected candidates.

The official campaign period starts 14 days and ends one day before election day, but there is no limitation for regular political activities after the election announcement. The law guarantees equal campaign conditions and provides safeguards against misuse of office and public resources. Traditional in-person canvassing, televised debates and campaigning on social networks were considered by many ODIHR NAM interlocutors as the most efficient outreach methods. The main contestants did not plan to considerably alter their electoral programmes, as there was no sufficient time to implement them since the last parliamentary elections. The campaign is expected to focus on socio-economic issues, including housing, health, corruption and economic crisis, with concerns raised that the ethical and judicial proceedings against members of the government and opposition would dominate the campaign. Potential digital security threats and the spread of misinformation—particularly through social media platforms—were noted by ODIHR interlocutors, with stakeholders emphasizing the need for enhanced institutional co-ordination, increased media literacy efforts, facilitation of fact-checking initiatives, and closer co-operation with social media companies to mitigate the impact of such threats on the electoral process. Additionally, concerns were raised about increasing discriminatory political rhetoric against ethnic minority groups and migrants.

Campaigns may be financed from public and private funds, limited by law. There is no disclosure or reporting obligations on campaign financing prior to election day; final reports are due one month after the elections, which are audited within a year. The Entity on Political Finance and Accounts (EAPF), the primary oversight institution, issues decisions, audits campaign finance reports and applies administrative sanctions. The Entity informed the ODIHR NAM that it has inadequate human and financial resources to fulfill its functions. Prior ODIHR recommendations on campaign finance and

oversight remain unaddressed. Many ODIHR interlocutors raised concerns about the need to reform the campaign finance legal framework and the oversight system.

The media environment is diverse; television is the main source of political information, followed by social media. Fundamental freedoms are guaranteed, but defamation, insult, and slander remain criminalized, contrary to international standards. The media-related legislation provides for editorial freedoms, fair and equitable treatment of candidates in the news, free airtime for contestants. Paid political advertising on TV and online is banned from the day the elections are called. The national media regulator oversees the legal compliance of broadcast and print media, monitors major public and private TV, some online media, and accredits and monitors political surveys. Some ODIHR NAM interlocutors voiced concerns about rising hate speech and disinformation, anti-media rhetoric by politicians, lawsuits against journalists intended to intimidate and suppress public participation, and declining transparency and access to public information.

The regulation of election dispute resolution is fragmented. The law provides for expedited deadlines for submission and resolution of election related complaints, except for those related to the media. Candidate registration complaints are decided by the district courts. Election-day related complaints are decided at polling stations and reviewed by higher-level election administration. The NEC decides on complaints and imposes sanctions for violations on equal treatment of voters and contestants. The Constitutional Court rules on complaints related to candidate registration and election results, as well as against the NEC decisions. The media regulator decides on complaints related to the media and political surveys. All ODIHR NAM interlocutors expressed confidence in an impartial and effective election dispute resolution.

All ODIHR NAM interlocutors expressed high degree of confidence in the electoral process and the ability of the election administration to professionally and transparently administer early parliamentary elections, despite the condensed timelines. However, the majority of interlocutors welcomed a potential ODIHR observation activity for these elections, recognising that an external assessment would contribute to further improvements to the electoral process. A number of ODIHR NAM interlocutors raised concerns regarding various issues related to the regulation and implementation of the campaign finance and oversight, as well as challenges related to access to information and political reporting in media and the increasing concerns about misinformation. Women's electoral participation was also identified as a specific area that would benefit from an external review by several ODIHR NAM interlocutors. Based on these findings, the ODIHR NAM recommends the deployment of an Election Expert Team for the 18 May early parliamentary elections to assess the election campaign, including on social media, women's electoral participation, and campaign finance and oversight framework. ODIHR also encourages the authorities to consider previous recommendations, which remain unaddressed, and reaffirms its readiness to support Portugal in a post-electoral reform process.

III. FINDINGS

A. BACKGROUND AND POLITICAL CONTEXT

Portugal is a semi-presidential republic, with legislative powers vested in the 230-member unicameral parliament (Assembly of the Republic). The directly elected president is entitled, *inter alia*, to dissolve the parliament and call early elections. Executive powers are exercised by the government led by a prime minister, appointed by the president upon consultations with all parliamentary political parties.

Following the 10 March 2024 early parliamentary elections, nine political groups received representation in parliament.¹ Subsequently, the Democratic Alliance coalition, led by the incumbent Prime Minister Luis Montenegro from the Social Democratic Party (PSD), formed a minority government.²

On 13 March 2025, following consultations with parliamentary political parties and the Council of State, President Marcelo Rebelo de Sousa dissolved the Assembly and called early elections for 18 May 2025. The announcement followed a negative confidence vote requested by Prime Minister Luis Montenegro in response to the alleged conflict-of-interest breaches, raised by the Socialist Party (PS) and the far right *Chega*.³ The parliament was officially dissolved on 19 March.⁴ The 18 May parliamentary elections will mark the third consecutive snap elections. From dissolution of the parliament to the election of the new convocation, the functioning of the parliament is maintained via the Standing Committee,⁵ while the outgoing government remains in a caretaker capacity.

Following the 2024 legislative elections, women's representation in the Assembly of the Republic declined to 76 out of 230 seats, constituting 33.6 per cent of the total—a decrease of 10 seats from the previous term. In the outgoing government, women held 7 out of 17 ministerial positions, down from 9 in the prior cabinet. Women remain underrepresented in other elected and appointed positions, particularly within party leadership structures. According to ODIHR NAM interlocutors, cultural, institutional, and structural barriers continue to impede women's full participation in political life, underscoring the need for more effective implementation and enforcement of gender equality measures.

Most ODIHR interlocutors shared that the repeated electoral cycles have triggered fatigue and disapproval within society, as they stalled necessary reforms, while also resulting in burdensome expenses due to the recurring, costly, and complex electoral procedures. Many challenged the necessity for the new elections, opining that calling the nation to the polls served as a means for governing elites to delay the implementation of sustainable ethical standards in the Portuguese politics. However, most interlocutors agreed that the ongoing process demonstrated the strength and vitality of the country's genuinely democratic political system.

ODIHR has previously observed three elections in Portugal. Most recently, ODIHR deployed an Election Expert Team (EET) for the 2022 early parliamentary elections. Its final report, issued in July 2022, contains 12 recommendations, including 7 priority recommendations, for the authorities to improve the electoral process and bring it closer in line with OSCE commitments.⁶

¹ In the 16th [legislature](#), the Social Democratic Party (PSD) got 78 seats, the Social Democratic Centre – People's Party (CDS-PP) – 2 seats; the Socialist Party - 78 seats, *Chega* - 50 seats, the Liberal Initiative (LI) - 8 seats, the Communist Party - 4 seats, Left Bloc - 5 seats, LIVRE – 4 seats, and People-Animals-Nature - 1 seat. Several other parties are represented in the legislatures of the legislative assemblies of the autonomous regions of Azores, and Madeira.

² The Democratic Alliance was composed of the PSD, the CDS-PP and the People's Monarchist Party (PPM). The outgoing government was the first to be formed by an entity other than the PS in more than a decade.

³ The confidence vote was requested by the Prime Minister following the allegations of profits from public procurement contracts obtained by his family-owned business. The no confidence vote was preceded by several unsuccessful censure motions initiated by the *Chega* and the Portuguese Communist Party (PCP), and the commission of inquiry initiated by the PS.

⁴ The presidential [decree](#) on dissolution of the parliament was signed on 19 March, and entered into force on 20 March. The Constitution prescribes elections to be held within 60 days after the dissolution of the parliament, and the election law requires the elections at least 55 days after the dissolution.

⁵ The Standing Committee is composed of the President and Vice-Presidents of the parliament, and of MPs nominated by their respective political parties in proportion to the number of seats held in the Assembly.

⁶ Two national contests in 2021 and 2022, and the conduct of European Parliament elections in 2024. See all previous [ODIHR election-related reports on Portugal](#).

B. LEGAL FRAMEWORK AND ELECTORAL SYSTEM

Parliamentary elections are primarily regulated by the 1976 Constitution (reviewed in 2005) and 1979 Law on Elections of the Parliament (election law).⁷ Other applicable legislation includes the 1999 Law on Voter Registration, the 2003 Law on Political Parties, the 2013 Law on Financing of Political Parties and Election Campaigns, the 2006 Law on Parity, the 1999 Law on Campaign Principles and Neutrality of Public Entities, the 2015 Law on Journalistic Coverage in Campaign Period, the Law on Posting Advertisement and Campaign Materials, the 2009 Law on Exercise of Functions by Holders of Political Office, as well as several laws regulating various levels of election administration and oversight entities. The subsidiary regulations by the National Election Commission (NEC) and the Ministry of Internal Administration (MIA) supplement the law.

The election related legal framework is stable, and remains unchanged since the previous elections.⁸ Many prior ODIHR recommendations remain unaddressed. These include the need to consolidate the legal framework, eliminate the disenfranchisement of persons with intellectual and psychosocial disabilities, allow independent candidates and election observers, decriminalise defamation, reform campaign finance reporting and oversight, and improve the handling of media-related complaints.⁹

While most ODIHR interlocutors considered the legal framework sufficient and conducive for holding democratic elections, all underlined the necessity for its revision and consolidation to eliminate gaps, conflicting provisions and ensure that the law is comprehensible for the general public, reiterating the unaddressed long standing ODIHR recommendation on codification of the election-related legislation.¹⁰ Many interlocutors underlined increasingly restrictive implementation practices related to accessing information of public interest under the data or privacy protection premises, as well as lengthy procedures of oversight agencies, diminishing their effectiveness.

The 230 members of the unicameral parliament are elected for a four-year term under a proportional system with closed candidate lists.¹¹ There are 22 multi-member constituencies (MMCs), the boundaries of the in-country MMCs coincide with the boundaries of administrative districts.¹² The NEC allocates the number of parliamentary seats per constituency based on the number of registered

⁷ Portugal is party to major international and regional instruments related to the holding of democratic elections, including the [1966 International Covenant on Civil and Political Rights](#), [1979 Convention for the Elimination of All Forms of Discrimination against Women](#), [1965 Convention on the Elimination of All Forms of Racial Discrimination](#), the [2006 Convention on the Rights of Persons with Disabilities](#) (CRPD), the [1950 European Convention for the Protection of Human Rights and Fundamental Freedoms](#) and the [1995 Framework Convention on the Protection of National Minorities](#). Portugal is a member of the Council of Europe's European Commission for Democracy through Law (Venice Commission) and Group of States against Corruption (GRECO).

⁸ In 2024, some amendments related to social benefits of public servants were introduced into the law on the Exercise of Functions by Holders of Political Office. Some aspects, including the digital voter register, remain unregulated.

⁹ In paragraph 25 of the [1999 OSCE Istanbul Document](#), OSCE participating States committed themselves "to follow up promptly on the ODIHR's election assessment and recommendations". Paragraph 8 of the [1990 OSCE Copenhagen Document](#) states that participating States "consider that the presence of observers, both foreign and domestic, can enhance the electoral process [...]". See ODIHR Electoral Recommendations Database [Paragraph25.odihr.pl](#).

¹⁰ The parliamentary working group on codification did not render any results due to successive early elections, and there is no [update](#) on the group's deliverables.

¹¹ By Constitution, the parliament elected after the dissolution of the previous convocation serves for the remainder of the previous convocation's term.

¹² These include 18 MMCs for the continental territory, 1 MMC each for the autonomous regions of Azores and Madeira, and 2 constituencies for voters residing abroad (one for Europe and one for the rest of the world).

voters, aiming to respect the principle of equality of the vote across constituencies.¹³ There is no electoral threshold for political parties to obtain a mandate, and seats are allocated under the *d'Hondt* method.¹⁴ Elected deputies enjoy a free mandate but cannot change a political group without losing their parliamentary seat. The elected MPs represent the nation, not their constituencies.

C. ELECTION ADMINISTRATION

The elections are administered by a three-tiered structure of election commissions, and public administration institutions at all levels. The election administration is composed of a permanent NEC, as well as 22 Tabulation Centre Commissions (TCCs) and some 13,000 Polling Station Commissions (PSCs) established prior to each electoral cycle in country and abroad. The Ministry of Internal Administration (MIA), assisted by regional and local governments (308 municipal authorities and 3,092 civil parishes), is executing the logistical and administrative preparations. All ODIHR NAM interlocutors expressed a high level of trust in the integrity and professionalism of election administration, including in the conduct of election day procedures.

The NEC has the overall responsibility to supervise the legality of the electoral process, to ensure equal conditions for campaigning for all contestants, to allocate media space for campaigning, to resolve some disputes, and to publish election results.¹⁵ The NEC is an independent body within the parliament; its composition is renewed after each parliamentary elections and reflects the parliamentary representation, as each parliamentary group is entitled to appoint one representative. The NEC is chaired by Judge Counsellor of the Supreme Court of Justice; the MIA and the Ministry of Justice and the government department responsible for the media delegate technical support personnel.¹⁶ The NEC publishes the minutes of its meetings online, but its sessions are not public, contrary to prior ODIHR recommendations.

TCCs are responsible for the tabulation of results, deciding on appeals against decisions by the PSCs, and allocation of mandates in each of the 22 constituencies.¹⁷ The PSCs are in charge of electoral procedures at polling stations. The PSC members are contestants' nominees or citizens from a respective local roster, appointed by a mayor.¹⁸ The law does not prescribe gender diversity for election management bodies.

¹³ For the 2025 elections, the NEC published the [list on the distribution of seats](#) within the MMCs on 24 March, based on [the territorially disaggregated data](#) provided by the MIA. The number of seats per MMC in the country vary from 2 to 48, with 1 MMC with 2 seats, 4 MMCs with 3 seats, 1 MMC with 4 seats, 3 MMCs with 5 seats, 1 MMC has 6 seats; 1 MMC has 8 seats; 3 MMCs have 9 seats; 1 MMC has 10 seats; 1 MMC has 16 seats; 2 MMCs have 19 seats; the MMC of Porto has 40 seats, and the MMC in Lisbon has 48 seats. The number of MPs for the electoral districts abroad is not calculated, but is set by the law to 2 MPs each.

¹⁴ In Portugal, the law prescribes a correction to the *d'Hondt* formula for the distribution of the last mandate in case several candidate lists obtained equal quotients: the contested mandate will be awarded to the list that received the lowest total number of votes.

¹⁵ For the parliamentary elections, the role of the NEC in dispute resolution is limited to complaints about allocation of free advertising spaces, and appeals related to election day irregularities.

¹⁶ The mandate of the NEC members terminates 30 days after the newly elected parliament's inauguration. The current NEC was sworn in on 2 October 2024.

¹⁷ Each TCC is chaired by a district court judge and is comprised of a secretary and 11 members, including 2 lawyers appointed by the chairperson, 2 mathematicians appointed by the Ministry of Education and Culture or, in Azores or Madeira - by the Minister of the Republic, and 6 chairpersons of the PSCs of the respective constituency, selected by the district court.

¹⁸ One polling station is established in each parish for up to 1,000 voters. Each PSC consists of five members, including a chairperson, a deputy, a secretary and two clerks. Each municipality maintains a roster of voters who volunteered to serve at PSCs. Voters are appointed to the PSCs in case political parties' nominations are insufficient, upon a training by the election administration; there is a possibility to opt out for the elderly, sick, or those residing abroad.

The MIA maintains voter registration and election results management systems. It is also responsible for voter education and general public information, including the distribution of respective materials; it also ensures unimpeded access to voting premises, and, together with the Ministry of Foreign Affairs and consulates, administers the out-of-country voting. The MIA informed the ODIHR NAM about significant time and operational constraints in organizing four consecutive elections within a short period of time, as well as a series of consequential operationally complex early parliamentary elections.¹⁹ The interlocutors invoked considerable challenges with respect to recruitment of personnel on short notice, the large-scale preparatory procedures for voting abroad, and lengthy public procurement procedures in a limited market for a number of key services. The MIA stated that attempts were being made to renew recruitment of the previously employed personnel to minimise the need for trainings.

The legislation provides for a wide range of voting options for different categories of voters, including early, mobile, out-of-country in person and postal voting. Early voting is conditional to registration at least 10 days prior to election day, and is organised on the Sunday before elections day at a single polling station in each municipal capital. The NEC supervises, and MIA and local administration organize mobile voting in hospitals and detention facilities. Voters with registered residence abroad may vote in-person or by post, upon their choice.²⁰ Citizens temporarily staying abroad can receive the voting materials at diplomatic or consular representations.²¹ The results will be tabulated per constituency of voters' permanent registration. The process is designed to ensure outreach, but MIA cited logistical challenges related to timely transfer of posted materials to the in-country tabulation centers, and large-scale operational requirements for the processing and tabulation of early voting materials from abroad. Out-of-country in-person voting will be conducted on 17 and 18 May. Postal voting will be ongoing until 28 May, the counting and tabulation of the election results is scheduled for 27 and 28 May.

Voters who are not able to cast their votes independently are entitled to request assistance from a voter of their choice. The law provides for the Braille ballot guides to accommodate voters with visual impairments, and accessibility of voting premises. Civil society representatives informed the ODIHR NAM that all municipalities confirmed accessibility of their polling stations, but stated that in many cases the inadequate physical infrastructure did not ensure independent access. They also informed that the PSC members may request a medical mental capacity certification on election day, in case of doubt about the health condition, to allow assisted voting, which makes the procedure complex and time-consuming. The ODIHR NAM was also informed that due to high production costs, the Braille guides were not available in every parish. The National Center for Rehabilitation also initiated equipping polling stations with machines allowing persons with motor system disorders to mark their choice on the screen and print the ballot papers, to prevent invalidation due to incorrectly placed marks.

¹⁹ These relate to the March 2025 elections in Madeira, 18 May early parliamentary elections, local elections to be held in September – October 2025, and presidential elections to be held in January 2026.

²⁰ By law, polling stations abroad are established in diplomatic or consular representations, in case more than 5,000 voters are registered to vote there. ODIHR NAM interlocutors informed that preparations are conducted to distribute 1.6 million sets of voting materials for postal voting in 183 countries, including some 900.000 sets for early voting. Voting materials will be sent to all voters with registered residence abroad, unless they explicitly opt to vote in person by the deadline of 19 March.

²¹ While the option was designed to accommodate the requirements of citizens staying abroad due to objective circumstances, including education or professional activities, the law does not prescribe for the proof, therefore, the MIA and MFA are making efforts to ensure that voting will be widely available to all those abroad on election day. As there is no possibility to estimate the number of voters staying abroad, except for the military contingents deployed abroad, the MIA is preparing to distribute multiple copies of election materials to be available upon request.

For election day, the National Cyber Security Centre (CNCS) in co-operation with the intelligence and criminal investigation services intends to conduct risk assessment and set-up a situation room, including for election results management. Furthermore, the CNCS informed the ODIHR NAM about awareness raising campaign for citizens and political parties on disinformation and the use of trusted sources.

D. VOTER REGISTRATION

Voting rights are granted to Portuguese citizens of and above the age of 18, as well as Brazilian citizens, who enjoy the status of equal political rights and duties lawfully residing in Portugal. The law provides for disenfranchisement of citizens with intellectual and psychosocial disabilities, at odds with international standards and prior ODIHR recommendations.²² Those convicted for a grave crime may be disenfranchised under an individualised judicial decision.²³

Voter registration is passive; the voter register is extracted from a national population register administered by the MIA.²⁴ The registration is renewed upon the issuance of an ID or citizen card; Portuguese citizens living abroad, as well as foreign citizens living in Portugal are entitled to withdraw. The MIA finalizes the updates to the register 60 days before election day.²⁵ The voters who change their residence after this deadline cannot change the voting address. Voter lists are available for verification at the municipalities and online, and voters can request correction of mistakes or omissions. Voters also have the possibility to verify the location of their polling station online, via mobile application or SMS. There are currently some 10.85 million registered voters, including almost 1.68 million voters abroad.²⁶ ODIHR NAM interlocutors expressed overall confidence in the accuracy and inclusiveness of the voter register.

E. CANDIDATE REGISTRATION

The right to be elected as members of the parliament is granted to all voters, except for certain acting officials.²⁷ Only registered political parties may contest the elections though candidates are not required to be party members.²⁸ The law does not allow individual candidates, contrary to paragraph 7.5 of the OSCE Copenhagen Document.²⁹

²² Voting rights can be withdrawn upon admission to a psychiatric establishment or declaration of disability status by a two-member medical board. Paragraph 7.3 of the [1990 OSCE Copenhagen Document](#) provides that participating States will “guarantee universal and equal suffrage to adult citizens”. Deprivation of the right to vote on the basis of mental disability is inconsistent with Articles 12 and 29 of the [2006 UN CRPD](#). See also concluding observations of the [2016 report](#) on Portugal by the Committee on the Rights of Persons with Disabilities.

²³ 7.3 of the [1990 OSCE Copenhagen Document](#) provides for universal and equal suffrage, while paragraph 24 allows the restrictions on rights and freedoms that are “strictly proportionate to the aim of the law”.

²⁴ Registration is automatic for all citizens above the age of 17 resident in Portugal, and is optional for those residing abroad and foreign nationals residing in Portugal.

²⁵ For early elections, the register is finalized next day after the elections are scheduled.

²⁶ Upon the announcement of the elections the MIA published the [territorially disaggregated voter registration data](#) as of 31 December 2024. Of 1.678 million voters registered abroad, 1 million reside in European states, some 67,000 in Africa, 482,078 – in America, and 124,479 in Asia and Oceania. The number of voters registered abroad increased since the enactment of the 2018 amendment to the Law on Voter Registration that allowed to indicate a foreign address upon the receipt or renewal of ID cards.

²⁷ This excludes the president of the Republic, judges and prosecutors, members of the NEC, as well as active military and diplomatic personnel. Additional limitations for heads of tax authorities, members of the clergy, and citizens with dual nationalities holding public or political office restrict their candidacies to the constituencies outside of their place of duty or the state of the other citizenship.

²⁸ As of April 2025, there have been 24 political parties, [registered](#) by the Constitutional Court. There is no requirement to renew the registration prior to new elections.

²⁹ Paragraph 7.5 of the [1990 OSCE Copenhagen Document](#) provides for rights of individual independent candidates to contest elections.

Political parties or their coalitions registered for each election by the Constitutional Court submit candidate lists to the district court of the respective constituency.³⁰ Candidates can only run on one candidate list and in one constituency. The 2006 “Parity” Law requires a minimum representation of 40 per cent of each gender on candidate lists and prescribes that each gender be represented among every three consecutive candidates on a list.

The courts assess the eligibility of the candidates, the lists’ registration criteria, and the documents authenticity within two days. Parties and coalitions have two days to correct irregularities or substitute ineligible candidates, and two days to challenge a rejected list to the respective district court and consequently to the Constitutional Court for a final decision. The publication deadline for these elections for preliminary candidate lists, including those rejected, is 16 April, for the final lists it is 5 May. ODIHR NAM interlocutors did not raise concerns regarding the inclusiveness of the candidate registration process, but some questioned the efficiency of the 40 per cent gender requirement for candidate lists, and uniformity of judicial interpretation of the candidacy requirement.

F. ELECTION CAMPAIGN

The official campaign period starts 14 days and ends one day before election day, including online.³¹ While there is no limitation on regular political activities from the elections’ announcement to the start of the campaign, during the official campaign the candidates gain additional entitlement to free airtime and space for political advertising. Paid political campaign advertisement is prohibited. The legislation provides for equal opportunities for all contestants, including by equally allocating public spaces for campaign purposes by parish councils and mayors. During the official campaign period, rules for equitable and indiscriminate media access for electoral contestants and coverage by media of the election campaigns apply. Political parties may organize campaign rallies and distribute campaign materials.

The law provides for safeguards against misuse of office or public resources enforced two months prior to elections. Public entities are subject to a reinforced duty of impartiality and neutrality during the campaign period. Candidates in public service shall suspend their functions during the election campaign. The law stipulates election-related restrictions on public procurement, bidding announcements and advertising by public companies, or companies with public contracts, as well as public inaugurations.

The political parties engaged in active campaigning immediately upon the dissolution of the parliament. No ODIHR NAM interlocutors expressed any concerns with respect to their ability to campaign freely. The main contestants did not plan to considerably alter their electoral programmes, as there was no sufficient time to implement the promised reforms since the 2024 parliamentary elections. The campaign is to focus primarily on issues of domestic importance, including health, education, housing, social security, and corruption. Several ODIHR NAM interlocutors expressed concerns that ongoing judicial proceedings and ethical challenges involving senior government and opposition figures may shift the focus from important socio-economic policy issues to a personality-

³⁰ By law, at least 41 days prior to election day. The registration of coalitions is conducted by the Constitutional Court and shall be communicated before nomination of the candidate lists; the deadline is 6 April. If a list is submitted by a coalition, each candidate must be designated to a constituent party. Following the split of the ruling coalition, the PPM contested the use of the former AD designation by the PSD and CDS for the forthcoming parliamentary elections, which was supported by the Constitutional Court’s 31 March decision due to its potential to mislead voters. The Constitutional Court [approved](#) the new coalition designation on 3 April, which was appealed by the PPM on 4 April as unsubstantiated and unlawful, but to no avail.

³¹ Violations of electoral silence are punishable with up to a 6-month imprisonment, while the fines are disproportionately low, up to EUR 25.

driven campaign narrative. Following imposition of trade tariffs by the US administration, the campaign narrative shifted further towards the economic sustainability, to which the government responded with a plan to support export and promote local businesses.³²

Many ODIHR NAM interlocutors noted that, due to geographical distance and a general perception that there was no foreign influence over the Portuguese politics, international security issues were of lesser urgency for Portugal compared to most European countries, and therefore unlikely to shape the campaign narrative. However, foreign digital security threats and misinformation spread, in particular on social networks, were widely mentioned as areas of key concerns in the context of the 2025 parliamentary elections. Several stakeholders emphasized the need for enhanced institutional co-ordination, increased media literacy efforts, public support to and promotion of fact-checking initiatives, and closer co-operation with social media companies to mitigate the impact of such threats on the electoral process.

ODIHR NAM interlocutors informed about the ongoing efforts to strengthen cyber security system, including for the protection of public institutions and personal data. The National Cyber Security Centre (CNCS), the media regulator, the NEC and other agencies co-ordinate activities within the framework of an inter-agency working group. The CNCS informed about elaborated methodologies and action plans to reinforce cyber-security of public institutions, as well as training materials and courses for the public to increase media and cyber security literacy.

Domestic associations representing persons with disabilities informed the ODIHR NAM that the efforts to engage individuals with disabilities in electoral campaigns and political life broadly remained insufficient. The law does not provide for any electoral quota for persons with disabilities, or incentives for political parties to ensure inclusion. The issues related to special requirements are rarely featured in election campaigns. To raise awareness to the lack of inclusivity in politics, domestic rights NGOs conducted educational campaigns and inclusivity trainings, also encouraging candidates to sign the European Disability Forum Manifesto.

Many ODIHR NAM interlocutors underlined rising online hate speech and threats against women politicians and their families, persistent gender stereotypes, and barriers to women's political leadership. They also questioned the efficiency of the 40 per cent candidate lists threshold, as it does not adequately translate into the number of elected candidates, in particular due to the fact that parties do not ensure balance among lead candidates. Additionally, concerns were raised about increasing discriminatory rhetoric, in particular circulated by the far-right politicians, against ethnic minority groups and migrants.³³

G. CAMPAIGN FINANCE

Party and campaign finance is primarily regulated by the 2013 Law on Financing of Political Parties and Election Campaigns (LFPPEC) and the 2005 Law on the Organization and Functioning of the Entity on Political Finance and Accounts, both amended in 2018. Notwithstanding the amendments, most prior ODIHR recommendations related to campaign finance, including provisions for interim reporting, and proactive publication of public information, remain unaddressed.

³² On 10 April, the caretaker government announced adoption of the [Reinforcement plan](#) with a EUR 10 billion worth package of financial instruments aimed at supporting the local economy in response to the U.S. trade tariffs, including loans, grants and export incentives programme.

³³ On 3 March 2025, the European Commission published a [Report](#) on Hate Speech and Immigration by the MygraMyth project that highlighted a recent substantial rise in hate-speech narrative against migrants in Portugal, primarily circulated via online and social media, as well as encountered during official administrative procedures.

Political parties may finance their election campaigns from party funds, individual donations and state subsidies earmarked for election campaigns. Political parties' resources employed for campaigns include annual public funding, membership fees, income from fundraising activities and individual donations.³⁴ Annual public funding is allocated to parliamentary political parties and those with at least 50,000 votes in the last parliamentary elections, proportionally to the number of valid votes received. After each parliamentary elections, parties and coalitions that nominated at least 115 candidates and gain at least one mandate, are eligible for campaign expense reimbursement.³⁵ An individual may donate up to EUR 12,000 annually for party activities, and may transfer EUR 31,350 for election campaigns.³⁶ Anonymous donations and contributions from all legal entities are prohibited; financing by third parties is unregulated. Contestants are required to submit their estimated non-binding campaign budgets to the Entity for Accounts and Political Financing (EAPF) 41 days before the election day. Campaign expenses are capped at EUR 25,080 per registered candidate and shall be made by traceable payment methods.

Contrary to prior ODIHR recommendation and international good practice, there is no provision for interim campaign finance disclosure. Political parties shall submit financial reports to the EAPF within 60 days after the elections.³⁷ The reports should be submitted on the templates elaborated by the EAPF and contain disaggregated data for all transactions, substantiated with the financial and fiscal statements. The EAPF shall publish the reports online, but previously the displayed versions were in a non-user-friendly format. The failure to submit financial reporting is sanctioned with fines.³⁸ The Entity has a year to scrutinise the reports.³⁹

The EAPF is the primary oversight institution and has the right to issue decisions, audit reports and apply administrative sanctions. The Constitutional Court serves as the appellate instance for the EAPF's decisions on the legal compliance of the annual and campaign accounts. The EAPF informed the ODIHR NAM that it planned to conduct on-site and social media monitoring of campaign activities to verify the reported data.⁴⁰ The EAPF also noted that, as its budget has not been revised, its financial resources were inadequate to effectively respond to the series of early elections, which was exacerbated with understaffing.⁴¹ The ODIHR recommendation on granting the EAPF institutional and financial autonomy and providing it with a legal basis to recruit its own permanent staff remains unaddressed.

Most ODIHR NAM interlocutors noted that the campaign finance legal framework requires revision to adjust its implementation to the digitalised and globalised environment. They also highlighted that the oversight body's broadly formulated mandate, limited tools at its disposal and lack of transparency, and data access hinder the effective oversight and enforcement. Additionally, protracted deadlines and complex procedural requirements under the financing law, in conjunction with the lack of harmonisation with the criminal statute of limitations, create room for impunity. Moreover, according

³⁴ ODIHR NAM interlocutors mentioned large-scale fundraising activities by the Communist Party, which organized an annual music festival, questioning transparency and raising concerns about accountability for the related profits.

³⁵ The amounts are calculated based on the social support index (IAS), currently determined in the 2025 Budget Law equalling to EUR 522,50. For the 2025 early parliamentary elections the total amount of public campaign grant is EUR 8,360,000, of which 20 per cent is distributed equally among the eligible political parties, while 80 per cent will be distributed proportionally to- the valid votes received.

³⁶ The amount includes in-kind contributions.

³⁷ Preliminary accounts of income and expenditure are compiled by the parties within two weeks after the elections to request the public reimbursement of their campaign expenses.

³⁸ The sanctions for financial representatives vary from EUR 2,612.50 to EUR 41,800 (from 5 to 80 IAS respectively); for parties from EUR 7,837.50 to EUR 104,500 (from 15 to 200 IAS respectively).

³⁹ The EAPF informed that the Constitutional Court case law interpreted the deadline as "indicative".

⁴⁰ The EAPF reported a lack of effective co-operation with social media platforms on financial data, noting that monitoring was conducted in-house, limited by institutional capacity.

⁴¹ The EPFA informed that out of 20 planned personnel positions, some posts remained vacant due to legal constraints and insufficiency of the budget.

to the EAPF, sanctions stipulated for campaign finance violations did not serve as an effective deterrent, and require revision.

H. MEDIA

The Portuguese media landscape is diverse, with a wide range of public and private television (TV) and radio stations, print and online media outlets. TV remains the primary source of political information, including among young population, and enjoys high rating for political reporting, followed by social media and other online media.⁴² The media environment is pluralistic, however some ODIHR NAM interlocutors raised concerns about incidents of intimidation against journalists, including strategic litigation against public participation cases, as well as increasing anti-media rhetoric by far-right politicians.⁴³ A number of ODIHR NAM interlocutors highlighted issues related to a contracting media market, exacerbating financial situation of journalists, which, in their view, might reduce the quality of reporting and limit media pluralism.⁴⁴

The Constitution guarantees freedom of expression and of the media.⁴⁵ However, contrary to international standards and prior ODIHR recommendations, defamation, insult and slander remain criminal offences with an increased penalty for offences against state officials or elected politicians. The legal framework on media is fragmented, but is generally assessed as sufficient and conducive to independent journalism. The media-related legislation provides for editorial freedom of media during election campaigns, fair and equitable treatment of candidates in the news. The law prohibits paid political advertising on TV and online from the day the elections are called. Free airtime is provided to contestants on public and some private TV and radio outlets, and is distributed by lot by the NEC.

The law grants the national media regulator (ERC) with broad functions, including the oversight over the legal compliance by broadcast, print and online media during election campaigns and resolution of media-related disputes.⁴⁶ The ERC conducts systematic monitoring of major public and private TV networks one month prior to the elections, with some data collected by contracted companies. By law, the ERC may issue non-binding directives and binding decisions *ex officio* or upon a complaint by any affected party or citizen, and impose warnings or sanctions.⁴⁷ The ERC also accredits companies organising political surveys, and monitors and oversees surveying and publication of opinion polls; the ERC expressed concerns about malign influence on public opinion via unauthorised political polls.

The public broadcaster, *Radio e Televisao de Portugal (RTP)*, informed the ODIHR NAM that it was organising several debates, separate for parliamentary and for non-parliamentary parties contesting the elections. The debates are broadcast by all three major broadcasters, *RTP*, *SIC* and *TVI*. In addition to the debates, a series of one-to-one discussions and interviews with leaders and representatives of contesting parties, and experts are envisaged. The RTP covers the campaign activities of contesting political parties within its daily political news coverage, with obligatory fact-checking.

⁴² The public broadcaster, *Radio e Televisao de Portugal (RTP)*, includes the national TV channels *RTP1*, *RTP2* and *RTP3*, two regional channels that broadcast in the autonomous regions of Azores and Madeira, as well as three national and six regional radio stations. The major private national TV networks are *SIC*, and *TVI*.

⁴³ In 2024, the rating of Portugal in the Rapporteurs Sans Frontiers media ranking changed from 9 to 7 of 180.

⁴⁴ ODIHR NAM interlocutors stated that while currently this mostly affected freelance independent journalists, upcoming public media [reforms](#) – such as a ban on commercial advertising expected to decrease the National Broadcaster’s revenue by 12 per cent- are likely to impact a broader range of media workers.

⁴⁵ The Constitution also protects the independence of the public broadcaster, ensures equitable coverage of contestants in election campaigns, and entails provisions to prevent concentration of media ownership.

⁴⁶ Further ERC responsibilities include ensuring media pluralism and preventing the concentration of media ownership. The ERC undertakes activities to counter disinformation and conducts media literacy projects.

⁴⁷ The ERC’s decisions on sanctions are limited to the violations related to advertising; the decisions are binding and may entail fines ranging from EUR 15,000 to 75,000.

The ODIHR NAM interlocutors informed that, while providing tools for inclusive coverage of political activities is not within the editorial responsibility under the law, subtitling is available for all political programmes within the *RTP* framework, while debates are to be translated in sign language. The *RTP* stated that ensuring the presence of women politicians in its political coverage was problematic, as the selection of representatives for media appearances was generally within the discretion of the respective political parties, and was not coherently ensured; however, the *RTP* informed of its efforts to invite women experts for political debates to provide for diverse perspectives.

Many interlocutors raised concerns about the legal changes and restrictive implementation of access to information of public interest, which limited whistleblowers and conditioned journalists' investigative requests to providing substantiation and reasoning for the request. These are exacerbated with decreasing transparency on personal assets and business activities of politicians, and lengthy processing of the data requests. The ODIHR NAM interlocutors negatively assessed the performance of the Entity for Transparency, a newly established institution in charge of maintaining the database of assets declarations by high ranking officials and of processing data requests, which was partially attributed to the legal gaps in the regulation of its functions, and to its limited resources.⁴⁸

I. ELECTION DISPUTE RESOLUTION

The regulation on election dispute resolution is fragmented among a number of different laws and secondary legislation. The law provides for expedited deadlines, generally of 48 hours, for filing and deciding on complaints, except for those related to the media. ODIHR NAM interlocutors expressed a high level of confidence in an impartial and effective election dispute resolution, however, highlighted diverging interpretation of legal provisions.⁴⁹

The Constitutional Court rules on complaints related to coalition registration and election results, and is the last instance to review the decisions by the NEC and TCCs.⁵⁰ Voter-registration complaints can be filed to the MIA local offices, and the respective district courts decide on appeals. Complaints about election day irregularities are decided by the PSCs, and are reviewed by the TCCs on appeal. The NEC decides on complaints about equal treatment of voters and election contestants. The NEC also screens media-related complaints, prior to forwarding them to the ERC within 48 hours with its opinion. The media regulator decides on complaints related to the media and political surveys. The decisions of the ERC can be appealed to administrative courts, without expedited deadlines in an election period, despite the ODIHR recommendation.⁵¹ Cases of a criminal nature are referred to the prosecutors and the police for investigation.

IV. CONCLUSIONS AND RECOMMENDATIONS

All ODIHR NAM interlocutors expressed high degree of confidence in the electoral process and the ability of the election administration to professionally and transparently administer early parliamentary elections, despite the condensed timelines. However, the majority of interlocutors welcomed a

⁴⁸ The Entity for Transparency, an independent body affiliated with the Constitutional Court, was established by the law in 2019, and started functioning in 2023.

⁴⁹ Previously, ODIHR observed instances of incoherent interpretation of candidate nomination rules by district courts in various regions. Interlocutors also noted that some complaints stemmed from diverging interpretation of the rules on equal and equitable media coverage of election campaigns by the NEC and the RTC.

⁵⁰ Any person can lodge a complaint about the election results.

⁵¹ The legislation provides for expedited deadlines for most election disputes, with the exception of media-related ones. The ODIHR NAM was informed that according to the administrative code, the procedure may take up to 120 days; however, the ERC deals with cases in an expedited manner, if needed, establishing a task force for the electoral period.

potential ODIHR observation activity for these elections, recognising that an external assessment would contribute to further improvements to the electoral process. A number of ODIHR NAM interlocutors raised concerns regarding various issues related to the regulation and implementation of the campaign finance and oversight, as well as challenges related to access to information and political reporting in media and the increasing concerns about misinformation and cyber security issues. Women's electoral participation was also identified as a specific area that would benefit from an external review by several ODIHR NAM interlocutors. Based on these findings, the ODIHR NAM recommends the deployment of an Election Expert Team for the 18 May early parliamentary elections to assess the election campaign, including on social media, women's electoral participation, and campaign finance and oversight framework. ODIHR also encourages the authorities to consider previous recommendations, which remain unaddressed, and reaffirms its readiness to support Portugal in a post-electoral reform process.

ANNEX: LIST OF MEETINGS

Ministry of Foreign Affairs

Ana Coelho, Head, Department of International Political Organisations
Cláudia Pereira Cardoso, OSCE Desk-officer, Department of International Political Organisations
Tânia Cachuxo, Co-ordinator, Commission of the Electoral Registration of Portuguese living abroad

Constitutional Court

Mariana Coimbra Piçarra, Senior Advisor to the President of the Constitutional Court
António Abrantes, Advisor to the President of the Constitutional Court

Ministry of Internal Administration

Joaquim Morgado, Deputy Secretary-General for Electoral Management
Sofia Teixeira, Legal Director
Paula Vasco, Director, Electoral Information Systems Division
Elisabete Baptista, EU interface
Joana Barra, Senior Technician
Pedro Vilia, Consultant

National Election Commission

José António Cabral, President
Fernando Anastácio, Board Member
Ilda Rodrigues, Support services
Miguel Gaspar, Support services
Sónia Tavares, Support services

National Cybersecurity Centre

Lino Santos, Head of the National Cybersecurity Centre
Rui Pereira, Advisory Unit
Inês Martins, Advisory Unit

Entity on Political Finance and Accounts

[provided written responses to the ODIHR NAM questions]

Media

Tania Soares, Head, Media Analysis Department, Regulatory Authority for Media
Luísa Bastos, Deputy Head of News, *Radio e Televisao de Portugal*
Luís Filipe Simões, President, Union of Journalists
Vânia Maia, journalist, member of the Union of Journalists

Political Parties⁵²

António Rodrigues, MP, Vice President of the Parliamentary Group, Social Democratic Party
Maria Resende, Secretariat, Social Democratic Party
Diana Camões, Secretariat, Social Democratic Party
Gustavo Behr, Member, Secretariat, Left Bloc
Rodrigo Saraiva, MP, Vice President, Liberal Initiative

⁵² ODIHR offered meetings to all parliamentary political parties.

Civil Society

José Reis, President, National Confederation of Disabled Persons' Organizations

Emília Leite, National Confederation of Disabled Persons' Organizations

José Fontão, Vice-Chairperson, Transparency International Portugal

João Paulo Batalha, Vice President, Frente Cívica

International Community

Representatives of diplomatic missions of the Principality of Andorra, the Republic of Georgia, the Federal Republic of Germany, the Grand Duchy of Luxembourg, the Russian Federation, the Republic of Serbia, the Kingdom of Sweden, and the Republic of Türkiye.⁵³

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The ODIHR NAM extended an invitation to representations of all OSCE participating States resident in Portugal.