



Office for Democratic Institutions and Human Rights

REPUBLIC OF POLAND

PRESIDENTIAL AND PARLIAMENTARY ELECTIONS 2015

OSCE/ODIHR NEEDS ASSESSMENT MISSION REPORT
9-12 March 2015



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I. INTRODUCTION

Following an invitation from the Ministry of Foreign Affairs of the Republic of Poland to observe the 10 May 2015 presidential election, in view of the upcoming parliamentary elections later this year, and in accordance with its mandate, the OSCE Office for Democratic Institutions and Human Rights (OSCE/ODIHR) undertook a Needs Assessment Mission (NAM) from 9 to 12 March. The NAM included Mr. Steven Martin, OSCE/ODIHR Senior Adviser on New Voting Technologies, and Mr. Alexander Shlyk, OSCE/ODIHR Election Adviser.

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

The OSCE/ODIHR would like to thank the Ministry of Foreign Affairs for its assistance and co-operation in organizing the visit. The OSCE/ODIHR would also like to thank all of its interlocutors for having taken the time to meet with the mission and sharing their views.

II. EXECUTIVE SUMMARY

On 10 May, voters will elect the president for a five-year term, and later this year – members of the two chambers of parliament for four-year terms. All OSCE/ODIHR NAM interlocutors highlighted the political importance of these upcoming elections, while underscoring particular significance of the parliamentary ones.

The Election Code, adopted in 2011, governs the conduct of both presidential and parliamentary elections. Since the last parliamentary elections in 2011, a number of amendments were introduced to the Election Code affecting both upcoming elections. Namely, the option of postal voting was extended to all eligible voters, which was welcomed by OSCE/ODIHR NAM interlocutors. Amendments also reinstated provisions allowing and regulating paid political advertising on television and radio. While some changes addressed previous OSCE/ODIHR recommendations, a number of them remain to be implemented. OSCE/ODIHR NAM interlocutors expressed general confidence in the legal framework for elections.

Local elections, held in November 2014, were marred by the failure of the electronic tabulation system, which resulted in a considerable delay in the announcement of final results. All OSCE/ODIHR NAM interlocutors pointed out that this incident has diminished the level of public confidence in the preparedness and effectiveness of the election administration at the national level. Following the local elections, a number of amendments to the Election Code were proposed to the parliament, including by the president. However, it is unlikely that these changes will be adopted before both upcoming elections.

A national Universal Electronic System for Registration of the Population is maintained by the Ministry of Internal Affairs and Administration. For each election, voter lists are drawn from this register by the local government authorities. OSCE/ODIHR NAM interlocutors did not express any concerns with regard to the accuracy of voter registration.

Parliamentary elections can be contested by candidates put forth by electoral committees formed by either groups of voters, or political parties or coalitions thereof. For the presidential election, an electoral committee can only be established by citizens who also need to collect 100,000 supporting signatures to nominate a candidate. According to the law, constituency candidate lists put forward for elections to the lower chamber of the parliament should be supported by signatures of at least 5,000 voters permanently residing in the given constituency, while candidates to the upper chamber require 2,000 signatures. OSCE/ODIHR NAM interlocutors expressed no concerns with regard to inclusiveness and transparency of the candidate registration process.

A number of OSCE/ODIHR NAM interlocutors noted that, in view of the proximity of the two elections, political party activities may informally turn into campaigning outside of legally-prescribed timeframes, serving as one extended campaign for both elections. OSCE/ODIHR NAM interlocutors expected the contestants to focus on such matters as economic development, national and regional security, as well as a range of ethical and faith-related issues. No concerns were raised with regard to the ability of electoral contestants to reach out to voters.

Most OSCE/ODIHR NAM interlocutors considered the oversight of political and campaign finance by the National Electoral Commission (NEC) fair yet limited in effectiveness due to insufficient regulation and human resources. Some parties pointed out that the rules of accounting and reporting on campaign finance are cumbersome and that the law allows the NEC to reject annual reports of political parties based on minor transgressions, which can lead to withdrawal of state support for up to three years.

Poland's media environment is open and pluralistic. The Constitution guarantees media freedom and prohibits censorship, although criminal liability for defamation and public insult remains in place. The OSCE/ODIHR NAM was informed that the state-owned *Telewizja Polska (TVP)* plans to organize debates among presidential candidates and dedicate a significant amount of free-of-charge airtime to their campaign spots, in line with its legal obligations. National Broadcasting Council issued instructions to the *TVP* with regard to coverage of the presidential election and will do the same for the parliamentary elections at a later stage.

The legislation establishes a clearly defined complaints and appeals process with a single hierarchical structure of responsibility. Decisions of election commissions may be appealed to higher-level commissions up to the level of the NEC. A number of OSCE/ODIHR NAM interlocutors expected a high number of complaints to be submitted to election commissions and courts during the campaign period and with regard to the validity of elections, largely due to the high polarization of the political environment and problems encountered during 2014 local elections.

The OSCE/ODIHR NAM noted that the existence of a wide range of political parties and media contributes to a pluralistic election environment. At the same time, given the impact of the 2014 local elections on public confidence in the preparedness and effectiveness of the election administration, the OSCE/ODIHR NAM sees benefit in undertaking a more in-depth assessment

of the capacity and performance of the election administration at the national level. As noted by OSCE/ODIHR NAM interlocutors, the legal framework for elections may also benefit from further review. Given the lack of legal provisions for election observation by citizen organizations, and in light of concerns shared by interlocutors with regard to campaign financing, further review of the existing regulations, their implementation and oversight could be of added value. The adjudication of possible electoral disputes may also benefit from further scrutiny.

Most OSCE/ODIHR NAM interlocutors welcomed the presence of an OSCE/ODIHR observation activity as a way to enhance public confidence in the electoral process and to further improve it. The majority of OSCE/ODIHR NAM interlocutors did not, however, indicate a need to observe elections at regional or local levels. Accordingly, in view of the political significance placed by the OSCE/ODIHR NAM interlocutors on the parliamentary elections and given the powers vested in the parliament under the Constitution, the OSCE/ODIHR NAM recommends the deployment of an Election Assessment Mission (EAM) specifically for the parliamentary elections. The OSCE/ODIHR EAM could focus on the capacity and performance of the electoral administration at the national level, regulation and practice related to campaign finance, regulation of the media coverage of campaign, as well as the adjudication of possible electoral disputes.

III. FINDINGS

A. BACKGROUND

Poland is a parliamentary republic with a president as a head of state and a prime minister heading the executive branch of government. On 4 February, the speaker (*Marszalek*) of the lower chamber of the parliament (*Sejm*) called the presidential election for 10 May. The president will be elected for a five-year term. In line with the legal framework, by 30 October, voters will also elect members of both chambers of the parliament for four-year terms. All interlocutors of the OSCE/ODIHR NAM highlighted the political importance of the upcoming elections, while underscoring particular significance of the parliamentary ones, including given the powers vested in the parliament under the Constitution.

Following the 9 October 2011 parliamentary elections, candidates from six lists were elected to the *Sejm*. The Civic Platform (PO) gained the largest number of seats (207), followed by the Law and Justice Party (PiS; 157), the Palikot's Movement (40), the Polish People's Party (PSL; 28), the Democratic Left Alliance (27), and the German Minority (1). Following the elections, the PO formed a majority coalition government with the PSL. Subsequently, a number of members of parliament left the PO to form the party Poland Together United Right and the PiS to form a new party, United Poland. These members of parliament formed their own faction in the *Sejm*. A number of parliamentarians shifted factions or became independent.

In 2011, the PO also obtained the majority of seats in the upper house of the parliament (*Senat*) gaining 63 seats, followed by the PiS (31), and the PSL (2), as well as 4 independent senators. Since then, one senator switched from the PO to the PiS faction and one quit the PO to represent the Poland Together United Right in the *Senat*.

Local elections, held in November 2014, were marred by the failure of the electronic election result tabulation system, which caused a considerable delay in the announcement of final results due to the necessity to implement manual tabulation.

The OSCE/ODIHR has previously observed two elections in Poland since 2007.¹ The Election Assessment Mission deployed for the 2011 parliamentary elections concluded that the elections “were pluralistic and democratic, with a broad choice available to the voters and a high degree of public confidence in all stages of the election process.”

B. ELECTORAL SYSTEM

The president is directly elected in a single, country-wide constituency by majority of the valid votes. If no candidate receives the majority in the first round, a second round between the two leading candidates is organized two weeks later. The winner of the second round is determined by simple majority of the valid votes cast.

The bicameral parliament consists of the 460-member *Sejm* and the 100-member upper house (*Senat*). Parliamentary elections are announced by the president and are to be held on a non-working day within 30 days before the expiry of the term of office of the parliament. Members of the *Sejm* are elected by proportional representation from 41 multi-member constituencies in an open list system. The number of mandates per constituency varies between 7 and 20. Despite previous OSCE/ODIHR recommendations, independent candidates cannot stand alone in the *Sejm* elections but only through list-sharing with other candidates in a multi-member constituency. *Senat* deputies are elected through a first-past-the-post system in 100 single-mandate constituencies.

To compete in the parliamentary elections, political parties, coalitions and groups of voters must form electoral committees following the announcement of the elections. For the presidential election, electoral committees can only be established by groups of citizens. Electoral committees are the legal entities entitled to register presidential and *Senat* candidates and lists of candidates for the *Sejm* elections. Electoral committees whose constituency candidate lists collectively receive at least five per cent of the total number of valid votes cast nationwide (eight per cent for coalitions) participate in the distribution of mandates to the *Sejm* in relevant constituencies. Electoral committees registered by national minorities are exempted from these threshold requirements.

C. LEGAL FRAMEWORK

Both presidential and parliamentary elections are conducted under a legal framework that comprises the 1997 Constitution, the 2011 Election Code (last amended in July 2014), the 1997 Political Parties Law (last amended in December 2010), the 1992 Broadcasting Act (last amended in October 2012), the 1984 Press Law (last amended in 2013), and other secondary legislation. OSCE/ODIHR NAM interlocutors expressed general confidence in the legal framework for elections.

In 2014, a number of amendments were introduced to the Election Code affecting both upcoming elections. The option of postal voting was extended from being available only to disabled voters and voters abroad to all eligible voters and was welcomed by all OSCE/ODIHR NAM interlocutors as furthering inclusiveness. Voters are now allowed to change the polling

¹ See [all previous OSCE/ODIHR reports on Poland](#).

station to which they are assigned until five days before elections. Amendments also introduced personal responsibility of financial representatives of the electoral committees for violations of legal provisions pertaining to the maintenance and publication of records of donations and loans received by electoral contestants. Additionally, following a 2011 ruling of the Constitutional Tribunal, amendments reinstated provisions allowing and regulating paid political advertising on television and radio.

A number of previous OSCE/ODIHR recommendations remain to be implemented. Proxy voting, the practice, which was previously recommended by the OSCE/ODIHR to be reconsidered, remains in place for disabled and elderly voters (over 75 years of age). In addition, the electoral legal framework does not provide for election observation by citizen organizations, which was noted with concern by a number of OSCE/ODIHR NAM interlocutors.

Following the 2014 local elections, a number of amendments to the Election Code were proposed to the parliament. Draft amendments submitted by the president, among other things, propose to reintroduce a requirement that reasons for invalidating ballots be written into the results protocols and to change the ballot format from a booklet to a single-sheet. Both suggested amendments correspond to previous OSCE/ODIHR recommendations. OSCE/ODIHR NAM interlocutors noted that these amendments are unlikely to be introduced before both upcoming elections; however, they pointed out that the issues around the 2014 local elections highlighted the importance of further review of legal provisions pertaining to elections.

D. ELECTION ADMINISTRATION

The elections will be administered by a three-tiered structure led by the National Election Commission (NEC), a permanent body composed of nine active or retired judges appointed by the president upon nominations from the respective courts.² Following the 2014 local elections, seven members of the NEC were replaced.³ All members of the NEC are men.

The National Election Office (NEO) is the executive body of the NEC responsible for the organizational, administrative, financial and technical arrangements for the conduct of elections.⁴ There are 51 local units of the NEO, at least one in each constituency. The NEO units are led by election commissioners, 18 of whom are women. NEO offices provide logistical support for the work of the lower-level election commissions in close co-operation with the local administrations. A number of OSCE/ODIHR NAM interlocutors noted that the NEC and the NEO could increase efforts of voter outreach to maintain trust in their effectiveness as well as to address the high number of invalid votes recorded in the recent elections and to provide information about different voting methods, including postal voting. Given the failure of the electronic election result tabulation system in 2014, the NEC indicated that manual tabulation would be instituted for at least the presidential election, while a new electronic tabulation system is under consideration.

Two lower-levels of the election administration are temporary bodies appointed for each election. The presidential election will be administered by 51 District Election Commissions

² The Constitutional Tribunal, the Supreme Court and the Supreme Administrative Court each nominate three judges.

³ One other member was appointed in November 2014 to replace a member who attained the age of 70, the age limit for NEC members. The ninth member retained his position.

⁴ The Head of the NEO was also replaced following the 2014 local elections.

(DECs), each chaired by an election commissioner. Parliamentary elections will be administered by 41 Constituency Election Commissions (CECs), each responsible for one constituency for the election of *Sejm* deputies and chaired by an election commissioner. The CECs set up for the *Sejm* elections will also be responsible for organizing elections to the *Senat*. Each DEC and CEC comprise from 5 to 11 judges, appointed by the NEC upon nomination by the Ministry of Justice.

In addition, both elections will also be administered by some 26,000 Precinct Election Commissions (PECs) to be established by the respective heads of local administrations at least 21 days before the respective election days. In addition, some 220 PECs will be established in diplomatic representations in 85 countries for citizens residing abroad. Each PEC will comprise six to eight members nominated by the electoral contestants (lots are drawn if more nominations are received than there are places on the PEC) and an additional member is appointed by the head of the local administration. Some OSCE/ODIHR NAM interlocutors noted that the legal provision restricting membership in the PECs to permanent residents of the corresponding locality is at times difficult to meet and may disadvantage less prominent contestants or those whose support is concentrated in particular areas.

In the wake of the 2014 local elections, several OSCE/ODIHR NAM interlocutors raised doubts with regard to the trustworthiness of the reported election results and pointed out that some results have still not been published by the NEC. Most electoral stakeholders met with by the OSCE/ODIHR NAM dismissed claims of electoral fraud and maintained that the NEC acted impartially. However, they noted that this incident and the perceived inadequate response of the NEC challenged public confidence in the preparedness and effectiveness of the election administration at the national level.

E. VOTER REGISTRATION

The right to vote is granted to citizens who are at least 18 years of age on election day. Despite previous OSCE/ODIHR recommendations, voting rights are withheld for those who have been declared as legally incapacitated, those deprived of public or electoral rights by a final court judgment, and for all individuals who have committed an offence deserving particular reprobation.

A national Universal Electronic System for Registration of the Population is maintained by the Ministry of Internal Affairs and Administration. For each election, voter lists are drawn from this register by local government authorities in co-operation with the NEC. Voters may obtain information on their inclusion in the voter register upon submitting a request to the municipality of their residence. On 16 February, the NEC announced that the provisional total number of registered voters for the presidential election was 30,532,995.

Following the 2014 amendments, a voter may request to be included in a voter list at the place of his/her temporary residence. A voter may also receive an absentee voter certificate (AVC) to cast ballot at any polling station within the country. These voters will be added to the voter list by the PEC on election day. While as per 2014 amendments the AVCs will be better protected against fraud through inclusion of holograms, their formats vary across the country and were not harmonized, despite a previous recommendation by the OSCE/ODIHR. OSCE/ODIHR NAM interlocutors did not express any concerns with regard to the accuracy of voter registration.

F. CANDIDATE REGISTRATION

Citizens with active suffrage rights who have reached 21 years of age by election day are eligible to be elected to the *Sejm*, those who have reached 30 years of age – to the *Senat*, and those of at least 35 years of age can be elected president.⁵

For the presidential election, a group of 1,000 citizens should be registered by the NEC prior to collecting at least 100,000 supporting signatures to nominate a candidate. While political parties are not directly linked to the electoral committees established for the presidential election, most candidates are associated with specific parties. Each constituency list of candidates for elections to the *Sejm* should be supported by signatures of at least 5,000 voters permanently residing in the given constituency, and 2,000 signatures are required for *Senat* candidates.

Following the 2014 amendments to the Election Code, and in line with the OSCE/ODIHR recommendation, electoral committees that have registered candidate lists for the *Sejm* in more than half of the constituencies (in at least 21 of 41 constituencies) will be automatically registered nationwide without requiring supporting signatures from the other constituencies.⁶ OSCE/ODIHR NAM interlocutors did not any express any concerns with regard to the inclusiveness and transparency of the candidate registration process.

G. CAMPAIGN AND CAMPAIGN FINANCE

The election campaign commences after presidential or *Senat* candidates or lists of candidates to the *Sejm* are registered by the NEC. Noting the proximity of presidential and parliamentary elections to each other, as well as the existing political polarization, a number of OSCE/ODIHR NAM interlocutors noted that in view of the proximity of the two elections political party activities may informally turn into campaigning outside of legally-prescribed timeframes, serving as one extended campaign for both elections.

OSCE/ODIHR NAM interlocutors noted the political importance of both upcoming elections. They expect contestants to focus on such matters as economic development, national and regional security, as well as a range of ethical and faith-related issues. No concerns were raised with regard to the ability of electoral contestants to reach out to voters.

Campaign financing is regulated by the Election Code, while the Political Parties Law governs political party financing. Political party finances can be derived from a range of sources, including membership fees, donations, legacies, bequests, revenues from assets and allocations from the state budget. In addition, political parties receive two types of public funding – subsidies and subventions. Each political party, coalition or committee of voters and organization, which gains at least one seat in the *Sejm* or the *Senat*, is eligible to receive a state subsidy. This amount is calculated on the basis of the total expenditures declared in the financial reports and is proportionate to the number of *Sejm* and *Senat* mandates obtained but cannot exceed the limit of the campaign expenditure or the actual expenses of the electoral committee. Moreover, each political party that receives more than three per cent of the total number of votes

⁵ Restrictions on being elected to parliament or presidency exist for those sentenced for an intentional indictable offence or intentional tax crime and who are deprived of the right to be elected by a court decision on the basis of the Lustration Act.

⁶ Previously, electoral committees required a certificate from the NEC allowing nationwide registration. The deadline to apply for this certificate and to be registered in the constituencies coincided, which caused a logistical issue and prevented one committee from receiving a nationwide registration in 2011.

cast or is part of a coalition that receives more than six per cent of the votes cast for the *Sejm* can obtain annual state subventions during the term of the *Sejm*. For the elections to the *Sejm*, campaign expenditure is limited to PLN 0.82 per voter in each constituency where an electoral committee registers a list, while for the *Senat* elections the limit is PLN 0.18 per voter. For the presidential election, campaign expenditure of the electoral committees is limited to PLN 0.60 per voter (a total of some PLN 18.3 million).⁷ Expenses for the presidential campaign are not compensated by the state subsidy.

Political parties that receive annual state subventions are obliged to submit by 31 March annual finance reports to the NEC, in which they report on all party income, expenses from the election fund and expenditures financed from the state subvention. However, these financial reports are not required to contain information about the expenses of the party for statutory activities not funded by state subventions. A number of OSCE/ODIHR NAM interlocutors pointed out that the law allows the NEC to reject a party's annual report based on minor transgressions, which can lead to the withdrawal of state support for up to three years. In 2012, the Constitutional Tribunal considered the proportionality of relevant sanctions to possible violations and ruled that applicable political and campaign finance rules are in conformity with the Constitution.⁸

Finances used for campaigning by electoral committees for both elections can come from political parties' funds dedicated to election-related activities, as well as from private donations and loans. Moreover, volunteers can provide in-kind support to the electoral committees by engaging in leafleting, erecting posters and assisting in office work. Individuals can donate up to 15 times the minimum salary and guarantee a loan taken by a political party up to the same amount.⁹ Donations to electoral committees must be made by bank transfer.

Most OSCE/ODIHR NAM interlocutors considered the oversight of political and campaign finance by the NEC fair, but noted that its effectiveness is limited by insufficient regulation on spending reporting as well as shortage of human resources. Some parties pointed out that requirements of accounting for and reporting on campaign finance are cumbersome, in particular during this prolonged campaign period extended over both elections. The OSCE/ODIHR NAM was informed that the requirement for the disclosure of financial information by parties and electoral committees is of limited effectiveness, as they only need to submit receipts without specifying the nature of the expenses, which may limit the transparency of the campaign finance system.

H. MEDIA

Poland's media environment is open and pluralistic. There are more than 300 private television and radio channels, and some 5,000 printed publications, including national and regional dailies, weeklies, monthly magazines, and thematic editions. The national broadcaster, *Telewizja Polska* (TVP) broadcasts on 12 nationwide and 16 regional channels, with nationwide *TVP1* and *TVP2* enjoying the highest viewership. The *TVN* and *Polsat* are the dominant private broadcasters.

The legal framework for the media includes the Constitution, the 1992 Broadcasting Act, and the 1984 Press Law. The Constitution guarantees media freedom and prohibits censorship. As criminal liability for defamation and public insult remains in place, a number of OSCE/ODIHR

⁷ Equivalent to approximately EUR 4.5 million.

⁸ See [judgment of the Constitutional Tribunal, 18 July 2012, K14/12](#).

⁹ One minimum salary is approximately 420 EUR in 2015.

NAM interlocutors believed it should be removed and pointed to recent cases of insulting statements concerning the incumbent president. Although no official complaints have yet been filed, such acts are punishable by imprisonment of up to three years, in accordance with the Criminal Code.

The Constitution establishes the mandate of the National Broadcasting Council (NBC) to safeguard freedom of speech and public interest. The NBC oversees public and private broadcasters, including their election-related activities.¹⁰ National Broadcasting Council issued instructions to the *TVP* with regard to coverage of the presidential election and will do the same for the parliamentary elections at a later stage. The NBC will monitor election coverage by the broadcasters during the last two weeks of the presidential campaign. The NBC can initiate cases on its own initiative when standards of journalism are transgressed, but has limited sanctioning abilities and relies on courts to consider official complaints of contestants and to issue possible sanctions. While a number of OSCE/ODIHR NAM interlocutors noted the growing importance of campaigning via the Internet, and especially on social networks, the NBC noted that it has no control over online content.

According to the Election Code and pursuant to NBC regulations, *TVP* will allocate 30 hours of television and 40 hours of radio coverage to free-of-charge election spots of the presidential candidates to be broadcast nationwide. For elections to the *Sejm*, the Election Code provides for a total of 15 hours of nationwide television and 30 hours of nationwide radio coverage of electoral contestants. For the *Senat* elections, one third of these quotas for nationwide coverage are shared by all contestants. Additionally, the law provides for a certain amount of free-of-charge coverage of the *Sejm* and *Senat* contestants by regional television and radio channels. The OSCE/ODIHR NAM was informed that the *TVP* plans to organize debates among the presidential contenders, in line with its legal obligations.

TVP also plans to dedicate a significant amount of airtime to editorial and news coverage of campaign events and informed the OSCE/ODIHR NAM that it would strive to maintain political balance while focusing on the newsworthy events. According to the Election Code, both public and private media are obliged to provide the same conditions to all electoral contestants for purchasing airtime for paid political advertising. OSCE/ODIHR NAM interlocutors expected electoral committees to heavily rely on this method of voter outreach.

I. COMPLAINTS AND APPEALS

The legislation establishes a clearly defined complaints and appeals process with a single hierarchical structure of responsibility. The Election Code envisages that decisions of election commissions may be appealed to higher-level commissions up to the level of the NEC.

In its 2012 ruling, the Constitutional Tribunal noted that the lack of a mechanism for judicial appeal of the NEC's rejection of an appeal against the refusal by the CEC to register a list of candidates to the *Sejm* was not in accordance with the Constitution. The OSCE/ODIHR NAM was informed that amendments to the Electoral Code to implement this ruling of the Constitutional Tribunal have been drafted but not yet adopted. Thus, it remains unclear whether such decisions of the NEC can be appealed to the Supreme Court. While there are no specific provisions in the Election Code on the possibility of complaint against an NEC decision on the

¹⁰ The NBC is composed of five members; two appointed by the president, two by the *Sejm*, and one by the *Senat*.

validity of the *Senat* elections, according to the NEC, corresponding provisions on the *Sejm* elections would apply.

Voters have the right to appeal decisions refusing the inclusion in the voter register within three days to the local regional court via the mayor of the municipality responsible for maintaining the voter register. The mayor may also take a decision, based on a complaint, to register the voter.

OSCE/ODIHR NAM interlocutors expected the courts to play an important role in adjudicating election-related complaints and foresaw a high number of complaints to be submitted to election commissions and courts during the campaign period and with regard to validity of elections, largely due to the high polarization of the political environment and problems encountered during 2014 local elections.

IV. CONCLUSIONS AND RECOMMENDATIONS

The OSCE/ODIHR NAM noted that the existence of a wide range of political parties and media contributes to a pluralistic election environment. At the same time, given the impact of the 2014 local elections on public confidence in the preparedness and effectiveness of the election administration, the OSCE/ODIHR NAM sees benefit in undertaking a more in-depth assessment of the capacity and performance of the election administration at the national level. As noted by OSCE/ODIHR NAM interlocutors, the legal framework for elections may also benefit from further review. Given the lack of legal provisions for election observation by citizen organizations, and in light of concerns shared by interlocutors with regard to campaign financing, further review of the existing regulations, their implementation and oversight could be of added value. The adjudication of possible electoral disputes may also benefit from further scrutiny.

Most interlocutors of the OSCE/ODIHR NAM welcomed the presence of an OSCE/ODIHR observation activity as a way to enhance public confidence in the electoral process and to further improve it. The majority of OSCE/ODIHR NAM interlocutors did not, however, indicate a need to observe elections at regional or local levels. Accordingly, in view of the political significance placed by the OSCE/ODIHR NAM interlocutors on the parliamentary elections and given the powers vested in the parliament under the Constitution, the OSCE/ODIHR NAM recommends the deployment of an Election Assessment Mission (EAM) specifically for the parliamentary elections. The OSCE/ODIHR EAM could focus on the capacity and performance of the electoral administration at the national level, regulation and practice related to campaign finance, regulation of the media coverage of campaign, as well as the adjudication of possible electoral disputes.

ANNEX: LIST OF MEETINGS

Officials

Ministry of Foreign Affairs

Henryka Mościcka-Dendys, Undersecretary of State
Paweł Wierdak, Deputy Director, Department of United Nations and Human Rights
Jacek Emmel, Counsellor, Department of United Nations and Human Rights
Tomasz Wielgomas, First Counsellor, Consular Department

National Election Commission

Wojciech Hermeliński, Chairperson
Wiesław Kozielowicz, Deputy Chairperson
Beata Tokaj, Secretary, Head of the National Election Office
Lech Gajzler, Acting Director, Department of Legal and Organizational Affairs
Krzysztof Lorentz, Director, Department of Controlling of Political Party and Campaign Finance

Ombudsperson's Office

Jarosław Zbieranek, Department of Constitutional, International and European Law

Supreme Court

Eliza Maniewska, Member, Bureau of Studies and Analysis

Political Party and Campaign Representatives

Civic Platform

Michał Szczerba, MP

Democratic Left Alliance

Tadeusz Iwiński, MP

Independent MPs

Anna Grodzka, MP
Maciej Wydrzyński, MP

Political Party KORWiN

Przemysław Wipler, MP
Łukasz Wróbel, Election Plenipotentiary

Law and Justice

Barbara Bartuś, MP
Grzegorz Schreiber, MP

Polish People's Party

Henryk Smolarz, MP

Media Representatives

***Gazeta Wyborcza* Newspaper**

Wojciech Mazowiecki, Chief, Department of National Affairs

National Broadcasting Council

Jan Dworak, Chairperson

Witold Graboś, Deputy Chairperson

Krzysztof Luft, Member

Stefan Józef-Pastuszka, Member

Sławomir Rogowski, Member

Polish Television (TVP)

Sławomir Zieliński, Director of Programming

Małgorzata Stąpór-Romańska, Deputy Director, Legal Department

Andrzej Godlewski, Director, TVP1

Tomasz Sygut, Director, TVP Info

Monika Sieradzka, Editor of Current Affairs Programmes, TVP1

Paulina Nowakowska, Sales Specialist, Department of Advertising

Civil Society Representatives

Batory Foundation

Ewa Kulik-Bielińska, Director

Helsinki Foundation for Human Rights

Adam Bodnar, Vice-President of the Board

Institute of Public Affairs

Jacek Kucharczyk, President of the Board

Filip Pazderski, Projects manager/Policy Analyst, Democracy and Civil Society Programme