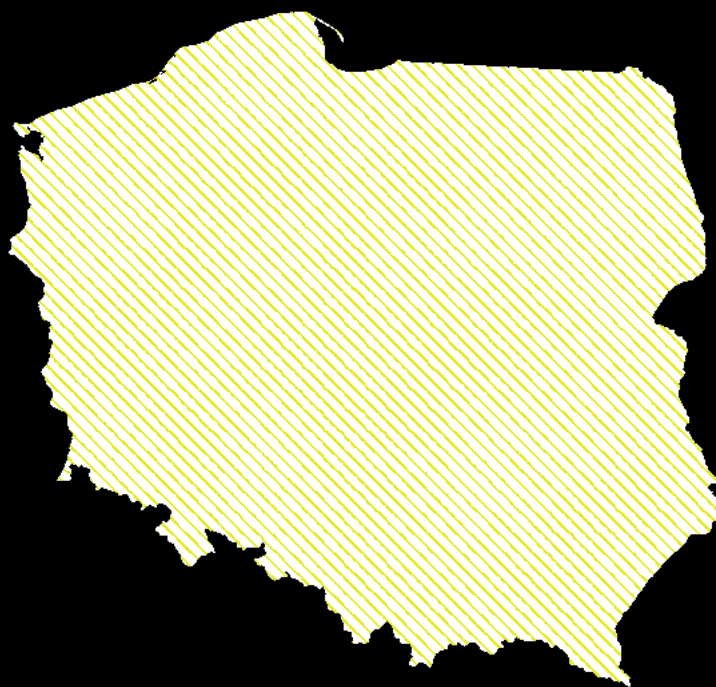


CIVIC SPACE REPORT 2026

# Poland

by OFOP



Ogólnopolska  
Federacja  
Organizacji  
Pozarządowych



Monitoring Action  
for Civic Space



## ABOUT THIS REPORT

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This report was published by the European Civic Forum (ECF) in May 2026, with chapters written by its secretariat, member organisations, and partner organisations. Much of the content originally appeared as part of ECF's submission to the European Commission's Rule of Law consultation, while some country reports were first published under the Monitoring Action for Civic Space (MACS) project. Each chapter reflects the views and analysis of its respective author. For more information about the European Civic Forum, please visit [www.civic-forum.eu](http://www.civic-forum.eu).

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**The National Federation of Polish NGOs** (Ogólnopolska Federacja Organizacji Pozarządowych, OFOP) was established in 2003 by the initiative group of Polish organizations, as a result of a participatory process aimed at establishing a representation body for the third sector in Poland. We are a politically independent and non-governmental organisation guided by the principles of European Charter of the Fundamental Rights and the Charter for Principles of NGO Operation, adopted by a resolution of the OFOPs General Assembly in 2010. Currently, OFOP has 161 member organizations. As many of the members are also federations of organisations, indirectly OFOP may claim over 400 member organisations.



Ogólnopolska  
Federacja  
Organizacji  
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# Key Trends

-  CSOs continue to face structural barriers, funding instability, and burdensome registration procedures and reporting requirements.
-  Despite some reforms, systemic risks persist, including hate speech, SLAPPs, surveillance concerns, and ongoing pressure on organisations working on migration, LGBTQI+ and reproductive rights, and environmental justice.
-  Attempts to criminalise humanitarian aid remain a serious challenge for CSOs.

## Summary

Civicspace is rated as narrowed by the CIVICUS Monitor.<sup>1</sup> The European Commission noted in its 2025 Rule of Law Report that the government of Poland has made some further progress on improving the framework in which civil society operates and recommended continuing the ongoing efforts to improve the framework, taking into account European standards.<sup>2</sup> In 2025, the government has not taken tangible steps to improve the enabling environment for civil society and challenges related to restoring the rule of law remain. For instance, although symbolic- the post of the Minister for Civil Society was eliminated, marking the end of the state's previous policy. In 2025, structural and administrative barriers persisted, such as inconsistent registration and dissolution procedures, complex reporting requirements and fragmented financing rules. While an amendment to the Act on the National Court Register introduced a digital registration process, this excludes organisations lacking digital capacity.

The funding landscape for CSOs remained inadequate due to excessive bureaucracy, inconsistent criteria, lack of funding, particularly for advocacy activities, and heavy co-funding requirements, while reductions in U.S. funding further constrain CSOs' operations. Although no restrictions on foreign funding were introduced, past and ongoing attempts to impose additional reporting obligations reflect a hostile environment for CSOs. The work of specific groups, particularly those supporting migrants at the Polish-Belarusian border, environmental justice, LGBTQI+, and reproductive rights organisations, remains restricted. Many systemic problems of recent years related to media freedom remain unresolved and some attempts at reform are pending. Hate speech remains widespread, and SLAPPs continue to be a significant threat to civic actors and journalists. Attempts to criminalise humanitarian assistance, continue to undermine safe space for civil society.

1. <https://monitor.civicus.org/country/poland/>

2. [https://commission.europa.eu/document/download/a717b80d-1631-4fa1-8aeb-7e423c207948\\_en?filename=2025%20Rule%20of%20Law%20Report\\_country-abstract%20and%20recommendations.pdf](https://commission.europa.eu/document/download/a717b80d-1631-4fa1-8aeb-7e423c207948_en?filename=2025%20Rule%20of%20Law%20Report_country-abstract%20and%20recommendations.pdf)

# Dimensions

## Freedom of Association

During the reporting period, no restrictions were introduced on the establishment of or membership in non-governmental organisations (NGOs). However, the right to form associations is limited to Polish citizens and foreigners residing in Poland.<sup>3</sup> Since 2021, civil society organisations (CSOs) have been advocating for improvements to the registration process for associations. Problems with the registration of associations mainly concern inconsistent interpretation of regulations and protracted formalities and are one of the challenges that CSOs have been facing for many years. The National Court Register should consider an application for registration within seven days, but the experience of organisations shows that this period is much longer and depends on factors such as requests for supplementary documentation as well as the workload at the courts. On 4 November, the president signed an amendment to the Act on the National Court Register and certain other acts which may lead to new challenges, including potential exclusion of those that cannot conform to the new registration procedure that is online and requires internet access and a level of digital literacy.<sup>4</sup>

Freedom of association in Poland is guaranteed, yet the legal environment in which CSOs operate should be simplified. The legal system regulating non-governmental organisations is based on the constitution and specific acts such as the Law on Associations, Law on Foundations, Law on Public Benefit Activity and Volunteer Work. However, it should be noted that the regulations in force create administrative burdens for CSOs. Reporting raises questions as to the need to provide all information currently required. Though insufficient, in late 2025 there were important developments. On 30 December, the finance minister signed a regulation repealing the audit obligation for small public benefit organisations.<sup>5</sup> However, this is only a

minor change, and a more robust reform is needed. For example, organisations that do not carry out economic activity are not able to access the same mechanisms as enterprises can to make their operations more efficient (e.g. reducing the number of concurrent inspections, and requiring fewer formalities for micro-enterprises).<sup>6</sup> Unfortunately, despite advocacy efforts of CSOs, including within the Working Group on Legal Simplification for Non-Governmental Organisations, only limited efforts were made in 2025 to remedy unclear and burdensome regulations.<sup>7</sup> However, as of 1 January 2026, NGOs with under 1 million PLN (€233,600) in revenue (and no commercial activity) are able to make use of a revenue and cost system, instead of full accountancy, when implementing public-funded projects.<sup>8</sup> This rule does not apply to public benefit organisations.

Between January and November 2025, the majority of CSOs experienced no instances of illegal interference with their work. Although this problem does not affect the entire sector, there are substantial threats to the functioning of certain types of organisations or informal civic initiatives. This is particularly true for organisations providing legal assistance to migrants in applying for international protection and providing humanitarian aid on the Polish-Belarusian border. Organisations involved in this type of activity face significant restrictions on their work in this area, and the risk of criminal sanctions against activists significantly affects their operating conditions.<sup>9</sup> This issue is discussed in detail in the section on Safe Space.

The responsible administrative bodies (Ministry of Justice under the Justice Fund or the National Institute of Freedom [NIW-CRSO] under government programmes) have attempted to recover funds allocated unlawfully under the previous government, but this is being

3. According to the Act of 7 April 1989, Law on Associations: "Art. 4 sec. 1. Foreigners residing in the territory of the Republic of Poland may associate in associations in accordance with the provisions applicable to Polish citizens. Paragraph 2. Foreigners not residing in the territory of the Republic of Poland may join associations whose statutes provide for such a possibility."

4. More: <https://www.sejm.gov.pl/Sejm10.nsf/PrzebiegProc.xsp?nr=1311> (as of November 2025). In addition, it can also be pointed out that a particular challenge is the issue of transgender rights and the long path to gender recognition – the lack of a dedicated law in this area; transgender people without agreed documents when setting up an organisation are forced to provide assigned data – which may result in doxing or discrimination (including online).

5. [https://www.gov.pl/web/pozytek/badanie-sprawozdan-finansowy--nowe-zasady-dla-opp?fbclid=IwY2xjawP\\_-1lIeHRuA2FlbQIxMABicmlkETFGTk5zaEVvdjlpMHVhRm5ic3J0YwZhcHBfaWQQMjlyMDM5MTc4ODIwMDg5MgABHmUrm07aA\\_Qlurtq\\_2A6ibqsmTjLbtT15dzxP8Sn0yuiu7PKvpsS7eiwhPg5\\_aem\\_NyxCaGWADMGsSuS8k8086Cw](https://www.gov.pl/web/pozytek/badanie-sprawozdan-finansowy--nowe-zasady-dla-opp?fbclid=IwY2xjawP_-1lIeHRuA2FlbQIxMABicmlkETFGTk5zaEVvdjlpMHVhRm5ic3J0YwZhcHBfaWQQMjlyMDM5MTc4ODIwMDg5MgABHmUrm07aA_Qlurtq_2A6ibqsmTjLbtT15dzxP8Sn0yuiu7PKvpsS7eiwhPg5_aem_NyxCaGWADMGsSuS8k8086Cw)

6. More: <https://publicystyka.ngo.pl/niedoceniany-partner-organizacje-pozarządowe-komentarz>

7. More: <https://publicystyka.ngo.pl/grupa-robocza-ds-uproszczen-prawnych-dla-organizacji-pozarządowych-krotkie-podsumowanie-pierwszego-polroczna-dzialalnosci-tau>

8. Przepisy dopasowane do potrzeb trzeciego sektora - ogłoszenie rozporządzenia Przewodniczącego Komitetu do Spraw Pożytku Publicznego - Komitet do Spraw Pożytku Publicznego - Portal Gov.pl, Ogłoszenie rozporządzenia Ministra Finansów i Gospodarki dotyczącego uproszczonej ewidencji przychodów i kosztów (UEPIK) - Komitet do Spraw Pożytku Publicznego - Portal Gov.pl

9. The phenomenon of criminalisation of humanitarian aid and the associated restrictions on the activities of organisations is described below.

conducted, as far as it is known, in accordance with the Public Finance Act and the relevant procedures.<sup>10</sup> According to information published in March 2025, the Minister of Justice “called on eight entities to return 90 million from the Justice Fund.”<sup>11</sup> Since 2024, the Justice Fund, a special-purpose fund supporting victims of crime, has been operating on the basis of amended regulations aimed at curbing the awarding of grants outside the competition procedure or without any connection to the Fund’s objectives.<sup>12</sup> Between 2017 and 2023, the Justice Fund transferred over 25 million PLN (approximately five million EUR) to nearly 130

organisations. Unfortunately, as audits have shown, these funds were sometimes used contrary to the Fund’s mission (which is to help victims of crime). One such case was the purchase of Pegasus spyware which was used for surveillance of the opposition.<sup>13</sup>

In 2025, there were no restrictions on the objectives of CSOs under Polish law. However, it seems that the system of financing organisations and the structure of their revenue, predominantly public funds, significantly affects their ability to sustain their operations.

## Access to Funding

Access to funding is one of the main challenges for CSOs. The system tends to drain the resources of organisations by requiring an “own contribution” and demanding excessive bureaucracy rather than actually supporting their long-term development. The increased contribution at the government level (under the Power of Small Communities programme) is far from sufficient for CSOs’ needs and expectations.<sup>14</sup> As of November 2025, no systemic legal changes had been adopted that could significantly affect access to funding. However, a new provision has been introduced, allowing individual ministers to transfer their grant competitions to a government agency called the National Institute of Freedom – Centre for the Development of Civil Society (NIW-CRSO). Nevertheless, both the structure of the public subsidy system and the practice of its application have been criticised. There are differences in the regulations governing the financing of organisations from central and local government funds, and the so-called minor amendment to the Act on Public Benefit Work and Volunteering further exacerbates these differences.<sup>15</sup> However, there is an ongoing discussion that

may lead to more decisive reform, which considers several proposals from CSOs that were worked out in partnership with local authorities.<sup>16</sup> Such discussions are planned for the first quarter of 2026.

In 2025, the practice of allocating grants from existing funds (Justice Fund, EU National Recovery and Reconstruction Plan (NRRP) or the Active+ programme) caused considerable concern among organisations.<sup>17</sup> For example, there was a controversy around the call for proposals criteria for organisations operating in the cultural sector that applied for grants under the EU NRRP, which is supervised by the Ministry of Culture and National Heritage.<sup>18</sup> The call criteria and rules resulted in 77% of applicants receiving zero points on their applications, which was perceived as an issue in the way the call was designed. In case of other funding programmes, there have been significant delays in the call announcements, which impacted the implementation of projects and the overall conditions in which organisations work. The reduction in US funding for organisations has also significantly limited their ability to operate, and the government, despite discussions on

10. Numerous irregularities were revealed by audits carried out in previous years by the Supreme Audit Office and the Ministry of Justice with regard to funds for organisations at their disposal: the National Institute of Freedom – Centre for the Development of Civil Society (NIW-CRSO) (the NIK audit covered the period from 1 January 2021 to 24 November 2023) and the Ministry of Justice (the Supreme Audit Office’s audit covered the period from 2 June 2020 to 14 May 2021). Post-audit conclusions concerning corrective measures are available on the websites of these institutions: <https://www.nik.gov.pl/aktualnosci/realizacja-zadan-funduszu-sprawiedliwosci.html>, <https://www.nik.gov.pl/najnowsze-informacje-o-wynikach-kontroli/beneficjenci-funduszu-sprawiedliwosci.html>, the result of the audit of the Ministry of Justice: <https://www.tvp.info/77785080/tak-wydawano-kase-z-funduszu-sprawiedliwosci-ministerstwo-opublikowalo-raport->, <https://www.msn.com/pl-pl/wiadomosci/polska/ministerstwo-sprawiedliwosci-c59bci-chce-zwrotu-pieni%C4%99dzy-z-funduszu-sprawiedliwosci-c59bci/ar-AA1C0eUP>, NIW audit results: <https://www.nik.gov.pl/najnowsze-informacje-o-wynikach-kontroli/narodowy-instytutu-wolnosc-niw-crso.html>. Corrective measures at NIW: <https://niw.gov.pl/michal-braun-kontrola-nik-wykazala-liczne-nieprawidlowosci-w-niw-crso/>

11. <https://www.msn.com/pl-pl/wiadomosci/polska/ministerstwo-sprawiedliwosci-c59bci-chce-zwrotu-pieni%C4%99dzy-z-funduszu-sprawiedliwosci-c59bci/ar-AA1C0eUP>, <https://tvn24.pl/polska/fundusz-sprawiedliwosci-wezwane-przez-ministra-sprawiedliwosci-adama-bodnara-organizacje-nie-zwrocily-pieniedzy-st8502036>

12. <https://www.gov.pl/web/sprawiedliwosc/fundusz-sprawiedliwosci---koniec-finansowania-zadan-pozza-procedura-konkursowa>

13. More on the prosecutor’s allegations regarding the use of funds: <https://www.bankier.pl/wiadomosc/Pierwszy-akt-oskarzenia-w-sprawie-zakupu-Pegasusa-Prokuratura-uderza-w-zastepce-Ziobry-9027893.html>, Other information: <https://www.gov.pl/web/sprawiedliwosc/ministerstwo-upublicznia-dokumenty-dotyczace-zakupu-systemu-pegasus> <https://polskieradio24.pl/artykul/3602630,o-co-chodzi-w-aferte-funduszu-sprawiedliwosci-wyjasniamy>, <https://wyborcza.pl/7,75398,31134814,afere-funduszu-sprawiedliwosci-w-30-punktach-adam-bodnar-odpowiada.html>

14. <https://niw.gov.pl/nasze-programy/moc-malych-spolecznosci/>

15. Debate on the amendment to the Act on Public Benefit and Volunteer Work: <https://publicystyka.ngo.pl/propozycje-zmian-w-ustawie-o-dzialalnosc-pozytku-publicznego-modyfikacje-ogolnych-zasad-zlecenia-realizacji-zadan-tau>

16. See full proposal: [Zalacznik1-Zlecenie-zadan-propozycja-zmian-w-ustawie.pdf](https://www.gov.pl/web/sprawiedliwosc/ministerstwo-upublicznia-dokumenty-dotyczace-zakupu-systemu-pegasus)

17. <https://polityka-senioralna.pl/porazka-na-calej-linii/>, <https://publicystyka.ngo.pl/kpo-dla-kultury-organizacje-beda-zmeczzone-i-wypalone-a-nie-wzmocnione-tau>, <https://publicystyka.ngo.pl/ms-oswiadczenie-w-sprawie-funduszu-sprawiedliwosci>

18. <https://wyborcza.pl/7,75410,32206654,nie-dostales-pieniedzy-z-kpo-widac-twoj-projekt-byl-za-slaby.html>

the issue, has not decided on any significant initiative in this regard.<sup>19</sup>

Discussions are ongoing on the amendment to the Act on Public Benefit and Volunteer Work which would introduce new procedures for commissioning public duties.<sup>20</sup> The law specifies the rules for commissioning tasks in the field of public benefit.<sup>21</sup> Unfortunately, as pointed out by NGOs,<sup>22</sup> the possibility of supporting the development of organisations and civic activity is limited at the local government level, as funds can only be allocated for the implementation of public duties.<sup>23</sup> There are no such restrictions at the central level, where such support is permitted under the Act on the National Institute of Freedom.<sup>24</sup> In addition, a separate financing system applies to Rural Housewives' Clubs. Funds are also available to organisations for the implementation of duties under the public procurement law, with the possibility, though rarely used in practice, of applying special provisions to improve the social impact of public fund expenditures.<sup>25</sup> Organisations also apply for funding from the European Union, but formal barriers such as bureaucracy, the need for co-financing, a lack of small grants, and the need for experience in managing large budgets significantly limit such opportunities. This relates to all EU funds both in direct and shared management, such as EFS+, regional programmes implementing Cohesion policies, and the CERV programme).

In 2025, the possibilities for obtaining funds from private sources remained stable. However, the weakness of independent philanthropy is, at least in part, a result of the weakness of Polish legal regulations. Reporting methods are highly bureaucratic and constitute an unnecessary source of additional bureaucracy for some organisations. Proposals to change the system by increasing tax deductions and implementing a

1.5% corporate income tax rate for CSOs have not been successful thus far, as there is a general lack of understanding when it comes to the importance of such regulations.<sup>26</sup>

Data from the annual Klon/Jawor report on the condition of Polish civil society in 2024 shows that when it comes to organisational resources, "65% of foundations and associations surveyed indicate that most of the people involved in their day-to-day activities use private devices for work. Only one in five organisations (21%) provides their employees and associates with work equipment", and only 19% of organisations employ people on a full-time employment contract.<sup>27</sup> The survey also shows that "the larger the town in which an organisation is based, the higher its average revenue, with the average revenue of organisations in rural areas at approximately PLN 30,000 (€7,100), in towns with over 200,000 inhabitants – PLN 73,000 (€17,277) and among organisations in Warsaw – PLN 85,000 (€20,117)."<sup>28</sup> As for the diversification of funding sources, this is gradually improving, but "as in previous years, most organisations use funds from membership fees (57%), local government sources (55%), and donations from private individuals (54%). Almost 40% of organisations receive funds from companies or institutions. Revenues from the 1.5% tax and from paid public benefit activities contribute to the budgets of approximately 30% of entities. One in four associations and foundations receives grants from government or central administration funding."<sup>29</sup>

Currently, there are no special restrictions or procedures for CSOs regarding the receipt and use of foreign and international financial or material support, nor for donors regarding the financing of organisations. However, there have been attempts to introduce such restrictions in the form of a petition in

19. The content of the organisation's appeal of 19 February 2025: <https://publicystyka.ngo.pl/apel-organizacji-pozarządowych-w-sprawie-decyzji-prezydenta-stanow-united-in-suspending-funding-for-foreign-aid> and the minutes containing a detailed account of the discussion on this topic at the third extraordinary meeting of the Public Benefit Work Council (RDPP) of the 8th term on 17 February 2025: [Communiq   from the 3rd plenary meeting of the Public Benefit Work Council - Public Benefit Committee - Gov.pl portal, Minutes\\_from\\_the\\_3rd\\_meeting\\_of\\_the\\_RDPP \(1\).pdf](https://publicystyka.ngo.pl/minutes-from-the-3rd-meeting-of-the-rdpp). Although the government administration announced that it would allocate additional funds to the organisations' activities, this was not a direct response to the specific needs of the organisations that arose as a result of the sudden cut-off of funding in areas such as humanitarian aid, the rule of law, education, and media independence. Report by the organisation *Mapuj Pomoc* on the effects of the suspension of USAID funding in Poland: <https://mapujpomoc.pl/jak-wstrzymanie-amerykanskiej-pomocy-zagranicznej-zmienilo-finansowanie-dzialan-spoecznych-w-polsce-podsumowanie/>

The report estimates the funding gap in the area of humanitarian aid at approximately 100 million PLN. However, the report of 17 February is based only on approximate and estimated data, due to the lack of complete data (some of the funds went to Poland, for example, through UN agencies).

20. <https://publicystyka.ngo.pl/zmieniamy-ustawe-o-dzialalnosci-pozytku-publicznego-rdpp-o-mozliwych-i-niemozliwych-nowelizacjach-tau>

21. Act of 24 April 2003 on Public Benefit Work and Volunteering, *Journal of Laws* 2003 No. 96, item 873.

22. <https://publicystyka.ngo.pl/ustawa-o-pozytku-proponowane-zmiany-rozwoj-aktywnosci-obywatelskiej> see also: <https://ofop.eu/o-pozytku-publicznym-po-dwoch-dekadach/>

23. In discussions on how to finance organisations, it has been pointed out many times that commissioning public tasks does not support organisations, and sometimes certain forms of such financing can even drain the resources of organisations. Performing tasks for public administration is a type of subcontracting and is not always done on terms favourable to the organisation. However, organisations undertake these tasks guided by a sense of mission rather than the conditions of their implementation, which often leads to a depletion of resources (human, material, time, etc.). This is the case, for example, in crisis situations, when organisations are the only ones capable of responding quickly and comprehensively to local needs.

24. Act of 15 September 2017 on the National Institute of Freedom - Centre for the Development of Civil Society, <https://api.sejm.gov.pl/eli/acts/DU/2023/1618/text.pdf>

25. See: #prosteNGO. Public procurement available to non-governmental organisations - [ngo.pl](https://publicystyka.ngo.pl/prosteNGO)

26. See also: Letter from the Donors Forum to Minister Adriana Porowska dated 26 March 2025.

27. B. Charycka, J. Bednarek, A. Belina, M. Gumkowska, *The Condition of Non-Governmental Organisations 2024*, Klon/Jawor, 2025. More: <https://kondycja.ngo.pl/>

28. *Ibid.* p. 74.

29. *Ibid.* p. 78.

parliament.<sup>30</sup> Attempts to introduce special procedures for foreign funding in previous years (the so-called *Lex Woś*) faced significant opposition from organisations.<sup>31</sup> The proposed regulations were aimed at imposing new reporting obligations and specific rules for disclosing foreign funding, which would ultimately undermine trust in organisations that benefit from such funding.<sup>32</sup> Organisations, including the Donors Forum and the National Federation of Polish Non-Governmental Organisations (OFOP), argued that these were excessive regulations aimed at placing an additional bureaucratic burden on organisations, paving the way for the imposition of penalties, increasing control over the activities of organisations, and consequently interfering with their activities.<sup>33</sup> If adopted, these provisions could have a potential negative effect on the freedom of association and the quality of democracy. The effects of such a bill can already be seen in Hungary.<sup>34</sup> In this context, it is worth noting that the introduction of comparable provisions is currently being considered at the EU level.

As part of the government restructuring, the post of the Minister for Civil Society was eliminated. Symbolically, this weakens support for CSOs and marks the end of the state's previous policy.<sup>35</sup> However, due to the short period of this role (from 2023 to 2025) and its minor impact on the sector, this does not fundamentally change the operating conditions for civil society.

## Freedom of Peaceful Assembly

As Amnesty International found in its 2024 report, “state authorities across Europe (...) deliberately stigmatise, block, discourage and punish those who protest.”<sup>37</sup> In Poland, a significant problem with regulations governing the freedom of assembly arose with the amendment to the Law on Assemblies of 13 December 2016, which came into force in April 2017, introducing

Similarly, the “minor” amendment to the Act on Public Benefit Work and Volunteering does not introduce the expected fundamental changes in the financing of non-governmental organisations.<sup>36</sup>

However, the government announced that a broader reform package is planned for the beginning of 2026, though organisations expressed concern that such a reform requires time and so the process may not be completed in this parliamentary term.

Organisations interviewed by OFOP highlight problems related to the lack of funding for advocacy activities. Meanwhile, from the perspective of CSOs, advocacy is the most effective tool for introducing lasting, systemic changes. However, institutions and private grantors more often choose activities that are more visible and easier to promote, such as events or training courses, which do not provoke wider public debate. Advocacy, due to its long-term and time-consuming nature, as well as the high costs associated with it — such as the need to use legal expertise — remains underfunded. As a result, CSOs have limited human resources and are unable to participate in consultation and participation processes on a scale to match the real challenges and needs. This applies, among other things, to participation in dialogue bodies, *ad hoc* consultations, and EU fund monitoring committees.

the institution of so-called cyclical assemblies.<sup>38</sup> This solution limited the possibility of organising counter-demonstrations, giving priority to cyclical assemblies, which raises doubts both from the point of view of constitutionality<sup>39</sup> and compliance with international standards. In addition, an obligation to maintain a distance of 100 metres between two assemblies was

30. <https://www.senat.gov.pl/prace/petycje/wykaz-tematow-petycji/petycja,1055.html> and <https://proste.ngo/biuletyn-104/>

31. <https://publicystyka.ngo.pl/projekt-ustawy-o-transparentnosci-finansowania-organizacji-pozarządowych-apel-forum-darczyńców-i-ofop>

32. In addition, in the past and present, for example, when funding for organisations under USAID was suspended, attempts were made to attack non-governmental organisations. Articles published at that time described the organisations in a stigmatising manner. For example: <https://dorzeczy.pl/kraj/721611/ngo-warzecha-pozarządowy-rak.html>

33. <https://publicystyka.ngo.pl/lex-wos-istota-ustawy-jest-oddanie-pelnej-kontroli-nad-organizacjami-zbigniewowi-ziobrze-felieton-sadlo>, <https://oko.press/lex-wos-solidarna-polska-deputinizowac-organizacje-porzarządowe-przy-pomocy-ustawy-od-putina>

34. Protest letter from organisations operating across Europe: <https://hfhr.pl/aktualnosci/apel-wegry>, see also: <https://pl.euronews.com/europa/2025/05/24/komisja-europejska-zada-od-wegier-wycofania-projektu-ustawy-o-przejrzystosci> ;

<https://www.france24.com/en/live-news/20250518-hungarians-protest-authoritarian-bill-against-ngos-media> ;

<https://telex.hu/english/2025/05/14/russian-style-law-targeting-independent-press-and-ngos-tabled-in-hungarian-parliament> ;

<https://www.euronews.com/my-europe/2025/05/14/foreign-funded-ngos-in-hungary-that-threaten-sovereignty-targeted-in-draft-law> ;

[https://ec.europa.eu/commission/presscorner/detail/ga/ip\\_24\\_4865](https://ec.europa.eu/commission/presscorner/detail/ga/ip_24_4865)

35. [https://publicystyka.ngo.pl/ministra-ds-spolnoczenia-obywatelskiego-stracona-szansa-czy-z-gory-przebrana-sprawa-komentarz-ewy-kulik-bielinskiej-tau?fbclid=IwY2ZjxjawnNlnjRleHRuA2FlbQlxMQABHntXKuPuSu\\_qwxqmczHVeFxFN\\_c4KSSHsif\\_UKwv5N1a8ulX69o2bsfIFUjTUJ\\_aem\\_NDF4cckmK2j9xEoguOvNSnSj](https://publicystyka.ngo.pl/ministra-ds-spolnoczenia-obywatelskiego-stracona-szansa-czy-z-gory-przebrana-sprawa-komentarz-ewy-kulik-bielinskiej-tau?fbclid=IwY2ZjxjawnNlnjRleHRuA2FlbQlxMQABHntXKuPuSu_qwxqmczHVeFxFN_c4KSSHsif_UKwv5N1a8ulX69o2bsfIFUjTUJ_aem_NDF4cckmK2j9xEoguOvNSnSj)

36. <https://publicystyka.ngo.pl/zapowiadana-nowelizacja-ustawy-o-dzialalnosci-pozytku-w-planach-rady-ministrow-tau> ;

<https://ofop.eu/nowelizacja-ustawy-o-dzialalnosci-pozytku-publicznego-stanowisko-ofop-i-forum-darczyńców/> ;

<https://publicystyka.ngo.pl/mala-nowelizacja-pozytku-ruszyla-konsultacje-tau>

37. <https://www.amnesty.org.pl/raport-systematyczne-represje-prowadza-do-ograniczania-pokoju-protestow/>

38. <https://poradnik.ngo.pl/nowelizacja-zgromadzen-2016-kontrowersje-wokol-zgromadzen-cyklicznych>

39. As the Helsinki Foundation for Human Rights points out: “This kind of privileging of cyclical assemblies causes a lot of controversy. In its ruling of 16 March 2017 (ref. no. Kp 1/17), the Constitutional Tribunal ruled that the construction in question does not violate the Constitution. However, due to the fact that this ruling was issued with the participation of three persons who were improperly appointed to the position of Constitutional Tribunal judge, the legal force of this ruling is debatable.” See: [https://hfhr.pl/upload/2022/01/prawo-o-zgromadzeniach\\_-\\_praktyczny-przewodnik.pdf](https://hfhr.pl/upload/2022/01/prawo-o-zgromadzeniach_-_praktyczny-przewodnik.pdf)



24 February 2025,<sup>52</sup> and in the second case the District Prosecutor's Office in Warsaw filed an indictment against an ABW officer who, in February 2025, was charged with exposing others to direct danger of serious bodily harm.<sup>53</sup>

Actions taken against assemblies and protests organised by the LGBTQI+ community have also been a significant problem. According to Amnesty International's 2022 report, 2019–2020 was particularly concerning in terms of harassment by law enforcement agencies and other forms of attacks.<sup>54</sup> During this time, there were attacks on equality marches in Białystok and Lublin, as well as the so-called "Rainbow Night" in Warsaw on 7 August 2020, during which a large number of arrests were made and police violence occurred.<sup>55</sup> Other problems highlighted in the report include the "preventive" bans on assemblies by local authorities, especially in 2018-2019, and insufficient protection against aggressive counter-demonstrators.<sup>56</sup> In the case of activists working for LGBTQI+ rights who participated in assemblies, the following provisions were most often used against them: Article 137 (insulting a state sign or symbol), Article 196 (insulting religious feelings), and Article 261 of the Criminal Code (insulting a monument) and Article 108 of the Law on the Protection of Monuments.<sup>57</sup> According to Amnesty International, all these actions constituted "systemic violence" directed against people advocating for the rights of the LGBTQI+ community.<sup>58</sup> In the ILGA Rainbow Map Index for 2025, Poland ranks 39th.<sup>59</sup> The situation of people advocating for LGBTQI+ rights has improved only minimally, and there are still many areas where legal changes are needed that go beyond the issue of freedom of assembly, particularly with regard to hate speech, which also has an impact on the freedom of assembly challenges analysed here. Although this does not concern the current year, it is worth adding that in 2024, a citizens' bill amending the Act of 24 July 2015 on the Law on Assemblies and

certain other acts was submitted for its first reading. The bill would restrict freedom of peaceful assembly and expression for LGBTQI+ persons. The ombudsman took an unequivocal position, stating that "the bill should be considered unconstitutional and in violation of the Republic of Poland's international obligations. It is inconsistent with the principle of protecting human dignity. It also unacceptably restricts freedom of expression and freedom of assembly. And the ban on gatherings such as equality marches violates the prohibition of discrimination on the grounds of sexual orientation and gender identity." The bill was rejected at its first reading.<sup>60</sup> The number of incidents occurring during equality-related events appears to be lower than in previous years (based on interviews), but in 2025, for example, the organisers of Tychy Equality Day at the City Museum faced a wave of opposition, and during the 7th Equality March in Szczecin in July 2025, an activist was attacked. The attacker was charged with making criminal threats and violating physical integrity in November 2025.<sup>61</sup>

Another challenge is the level of proportionality of interventions by the authorities. Of particular relevance here are protests related to climate change, which often take the form of civil disobedience, such as road blockades. In May 2025, the District Court in Warsaw upheld a court ruling sentencing two climate activists who interrupted a concert at the Philharmonic in 2024 to 20 hours of community service.<sup>62</sup> Politicians' comments on the police response to the 2024 protests (such as the interior minister calling the protest a "pathology") were cited widely, which may raise concerns about the level of proportionality of the authorities' response in such situations.<sup>63</sup> This is particularly true given that unwarranted actions have been taken in the past.<sup>64</sup> It is therefore necessary to monitor such interventions, such as the police intervention at the gates of the Gdańsk Shipyard, and the measures used against

52. <https://www.gov.pl/web/po-warszawa/umorzenie-sledztwa-w-sprawie-zlamania-reki-aktywistce-podczas-protestu-na-ul-wilczej-w-grudniu-2020-r>

53. <https://polskieradio24.pl/artykul/3512470,funkcjonariusz-abw-stanie-przed-sadem-chodzi-o-strajk-kobiet>, <https://tvn24.pl/tvnrwarszawa/mokotow/warszawa-wjechal-w-protestujacych-przeciwko-orzeczeniu-tk-w-sprawie-aborcji-funkcjonariusz-abw-uslyszal-zarzut-st8304543>

54. The 2021 Amnesty International report points to the systemic nature of violence. "As a result of the government's campaign of hatred against LGBTQ+ people, which intensified particularly before the 2019 presidential campaign, attacks on LGBTQI+ people during peaceful gatherings have also intensified. At the same time, the inability to report violence against LGBTQI+ people as hate crimes prevents law enforcement agencies from effectively holding perpetrators accountable."

55. During the protest on 7 August 2020, 48 people were detained and there were abuses by police officers. <https://kph.org.pl/wtedy-pierwszy-raz-poczulam-ze-jestesmy-ruchem-teczowa-noc-5-lat-pozniej>, [https://www.amnesty.org.pl/bylismy-traktowani-jak-przestepcy-historie-represji-polskich-aktywistow\\_ek-lgbti-raport-amnesty-international/](https://www.amnesty.org.pl/bylismy-traktowani-jak-przestepcy-historie-represji-polskich-aktywistow_ek-lgbti-raport-amnesty-international/)

56. *Ibid.*, p. 8.

57. *Ibid.*, p. 10.

58. *Ibid.*, p. 8.

59. See: ILGA Europe: <https://rainbowmap.ilga-europe.org/countries/poland/>

60. Voting result: <https://infopolityka.pl/posiedzenia/6-posiedzenie-sejmu-x-kadencji/glosowania/16/>

This point concerns freedom of assembly, so other issues related to attacks on the LGBTQI+ community are discussed later in the report.

61. <https://katowice.wyborcza.pl/katowice/7,35063,32206046,w-tychach-wylal-sie-heit-o-dzien-rownosci-w-muzeum-miejskim.html> Details of the incident: <https://tvn24.pl/szczecin/szczecin-aktywistka-dagmara-adamiak-zaatakowana-po-marszu-rownosci-sa-zarzuty-st8750527>

62. More: <https://notesfrompoland.com/2025/05/29/climate-activists-convicted-in-poland-for-disrupting-national-philharmonic-concert/>

63. More: <https://www.pap.pl/aktualnosci/siemoniak-o-blokadach-aktywistow-bedziemy-walczyli-z-tego-rodzaju-patologia-0>

64. More: <https://hfhr.pl/aktualnosci/nielegalne-zatrzymanie-aktywistow-na-wiecu-ko:948771893>

protesters and the media before, during, and after protest actions or gatherings.<sup>65</sup>

## Freedom of Expression

Between 2024–2025, there was a slow recovery from a deep crisis of freedom of expression, the outcome of which, however, remains uncertain. Between 2015 and 2023, regulatory and organisational changes were systematically introduced in the public media and the National Broadcasting Council which significantly undermined media freedom and pluralism.<sup>66</sup> Since 2015, Poland's position in media freedom rankings has declined. For example, in 2015, Poland ranked 18<sup>th</sup> in the Reporters Without Borders (RSF) World Press Freedom Index; in 2022, it ranked 66<sup>th</sup>,<sup>67</sup> and in 2023, 57<sup>th</sup>.<sup>68</sup> The key problems were the biased nature of the public media and intensified attacks on people with different views and their family members which often took extreme forms.<sup>69</sup> It also included increased control over the local media market through the purchase of Polska Press by Orlen. Other issues included exerting influence through the advertising policy of state-owned enterprises, the establishment of the National Media Council, and the use of procedures inconsistent with the Polish constitution.<sup>70</sup> Another significant restriction on media freedom in recent years has been the ban on staying in and, consequently, reporting from the border area with Belarus, where a deepening humanitarian crisis has been ongoing since 2021.<sup>71</sup> One of many letters on this matter was sent by the Helsinki Foundation for Human Rights to the Minister of the Interior and Administration in February 2025, pointing out (once again) that this ban, which restricts fundamental freedoms, is not based on law and is therefore unconstitutional.<sup>72</sup>

In 2024, the media situation began to slowly improve, and since the new coalition took power, Poland has risen to 31<sup>st</sup> place in the RSF World Press Freedom Index.<sup>73</sup> However, such an increase in Poland's rating raises questions, as many systemic problems of recent years remain unresolved. The issue of Polska Press remains unaddressed, although the president of Orlen has announced a sale for 2025.<sup>74</sup> A new media law that could aid in repairing the public media has still not been adopted.<sup>75</sup> As media experts point out, the problems related to the independence of public television and, more broadly, public media have not been systematically resolved.<sup>76</sup> During public consultations on the new media law at the end of 2024, CSOs submitted comments on systemic solutions that would help to remedy the situation. These included changing the structure of the National Broadcasting Council to ensure a transparent procedure in selecting members by ensuring the participation of civil society, i.e. journalistic associations, organisations of creators, or organisations active in the field of human rights, science, and education, or other experts not affiliated with political parties.<sup>77</sup>

On 30 October 2025, a press conference was held by Minister of Culture and National Heritage Marta Cienkowska, where the main provisions of the new media bill were presented after consultations. They include improving the independence of the media, depoliticising the management boards of media companies and their supervisory and programme

65. More: <https://oko.press/brutalna-akcja-policji-wobec-ostatniego-pokolenia>, Wyrok ws. dziennikarek relacjonujących protest pod bramą Stoczni Gdańskiej | Helsińska Fundacja Praw Człowieka

66. E.g. Amendment to the Rules of Procedure of the National Broadcasting Council (Resolution No. 180/2019 <https://www.gov.pl/web/krrit/regulamin-prac-krajowej-rady-radiofonii-i-telewizji>) The composition of the council, which could not guarantee impartiality, also raised doubts.

67. Full text: RSF's 2022 World Press Freedom <https://rsf.org/en/rsf-s-2022-world-press-freedom-index-new-era-polarisation-0>

68. <https://www.press.pl/tresc/87224,polska-odrabia-straty-w-rankingu-wolnosci-prasy>

69. One such case was the disclosure of data identifying the children of an opposition MP who were victims of a crime by a public radio station and TVP info, which resulted in the suicide of the child, as well as attacks on specific non-governmental organisations. Examples: The KPH case <https://kph.org.pl/tvp-inwazja-25-01/>, the case of the disclosure of identifying data, <https://wiadomosci.onet.pl/kraj/nastoletni-syn-poslanki-filiks-nie-zyje-telewizja-polska-obarcza-wina-po/dnbdkdt>

70. Judgment of the Constitutional Tribunal of 13 December 2016 (ref. no.: K 13/16). The judgment concerned the appointment of the authorities of TVP and Polish Radio. The competences are specified in Article 213(1) of the Constitution of the Republic of Poland and belong to the National Broadcasting Council.

71. Data: <https://wearemonitoring.org.pl/>

72. The legal basis indicated (Article 12a of the Act of 12 October 1990 on the protection of the state border. Journal of Laws of 2025, item 184) in the opinion of the Foundation "constitutes a circumvention of statutory regulations which define the procedure and rules for introducing states of emergency resulting in the restriction of civil rights and freedoms. It violates Article 52 of the Constitution of the Republic of Poland, according to which everyone has the right to freedom of movement within the territory of the Republic of Poland (Article 52 § 1), and any restrictions on this freedom may only be imposed by means of a bill (Article 52 § 3). It also constitutes a violation of Article 31(3) of the Constitution of the Republic of Poland, which requires that any restrictions on the exercise of constitutional freedoms and rights be established only by a bill and only when necessary in a democratic state for its security or public order, or for the protection of the environment, public health and morals, or the freedoms and rights of others. More: <https://hfhhr.pl/upload/2025/03/opinia-hfcp-nt-przedluzenia-obowiazywania-zakazu-przebywania-w-strefie-nadgranicznej-luty-2025-.pdf>

73. More: <https://forsal.pl/swiat/artykuly/9791220,stan-wolnosci-prasy-na-swiecie-polska-z-duzym-awanssem.html>, <https://rsf.org/en/country/poland>

74. According to media reports: <https://www.money.pl/gospodarka/orlen-mial-sprzedac-polska-press-wyjasnia-czemu-jeszcze-tego-nie-zrobil-7194497478319008a.html>

75. <https://bip.brpo.gov.pl/pl/content/rpo-europejski-akt-wolnosci-mediow-mkidn>

76. <https://wiadomosci.wp.pl/wielkie-oszustwo-i-pusta-obietnica-medioznawcy-gorzko-o-uspolecznieniu-i-odpolitycznieniu-mediow-publicznych-7184602638871136a>

77. More: Comments from civil society organisations on the draft law implementing the EMFA, 2024, prepared by: Blue Dragon Institute Foundation, Helsinki Foundation for Human Rights, Stocznia Foundation, Batory Foundation, Watchdog Poland Civic Network Association, Association of Journalists and Public Radio Creators, PANOPTYKON Foundation, Local Newspapers Association, Media Forum Foundation, Prague Civil Society Centre and Journalists' Association link: [https://siecobywatelska.pl/wp-content/uploads/2024/09/EMFA\\_uwagi\\_organizacji.pdf](https://siecobywatelska.pl/wp-content/uploads/2024/09/EMFA_uwagi_organizacji.pdf)

boards, and the liquidation of newspapers published by local government units, while strengthening the local press. There are also proposals to regulate state advertising, including the creation of a public database maintained by the National Broadcasting Council (KRRiT).<sup>78</sup> The KRRiT is to periodically monitor issues related to editorial independence. There are also plans to liquidate the National Media Council and transfer its tasks to the KRRiT. Finally, the draft provides for the abolition of the television licence fee.<sup>79</sup> The consultations were planned for December 2025-January 2026, a period which is not covered in this report. However, many of the solutions proposed by the government require improvements.

Hate speech is a very significant problem in Poland that requires legal changes. In March 2025, Prosecutor General Adam Bodnar issued "Guidelines for conducting proceedings for prejudice-motivated crimes".<sup>80</sup> To some extent, this document responds to the problems identified by the Association of Prosecutors, *Lex Super Omnia*, in the 2023 report "Prosecution of hate crimes in the practice of the Polish prosecutor's office in 2016-2022 – a sign of erosion of the law enforcement system".<sup>81</sup> The amendment to the Criminal Code, which was intended to extend protection against hate speech and prejudice-motivated crimes, was passed by the Sejm on 6 March 2025 and referred by President Andrzej Duda to the Constitutional Tribunal on 17 April 2025.<sup>82</sup> On 30 September 2025, the tribunal (which is considered neither independent nor impartial) ruled that the law was unconstitutional.<sup>83</sup> In this context, it is worth noting the 2025 ruling of the European Court of Human Rights (ECtHR) according to which "in the Polish legal framework, the offence of committing a hate crime or discrimination (see Article 119 § 1 of the Criminal Code) does not include the grounds of sexual orientation or gender identity. Moreover, domestic criminal legislation does not provide that discrimination

on such grounds should be treated as a bias motive and an aggravating circumstance in the commission of an offence. (...) In this context, the Court notes that the UN Human Rights Committee, the UN Committee Against Torture, the EU Parliament, the ECRI and the UN Human Rights Council recommended that Poland should amend its criminal law so as to penalise crimes motivated by discrimination on the grounds of sexual identity and gender identity as such."<sup>84</sup> The problem of hate speech in Poland is serious and affects minority groups, people with migration experience, as well as other social groups who are targeted by hateful content, including people who are actively involved in community work, activists and/or employees and volunteers of organisations. Between 2022 and 2025, the Basta Foundation filed 71 complaints with KRRiT over hateful content directed at the LGBTQI+ community in media broadcasts, citing Article 18(1) of the Broadcasting Act.<sup>85</sup> However, these complaints were not considered. The foundation appealed to the Provincial Administrative Court. To date, the court has issued 34 judgments which found that the chairman of the KRRiT had failed to act to prevent hateful content. The Provincial Administrative Court awarded the foundation compensation because "as a result of the actions of the authority, [the Foundation] was irrevocably (...) deprived of its right to a court hearing".<sup>86</sup> Subsequently, the foundation also filed a report of suspected criminal activity, namely abuse of power or dereliction of duty, by the chairman of the National Broadcasting Council, Maciej Świrski, but the District Prosecutor's Office for Warsaw-Wola refused to initiate an investigation.<sup>87</sup>

The prime minister appointed a Commission for the Investigation of Mechanisms of Repression against Civil Society Organisations and Social Activists in the period 2015-2023<sup>88</sup> to describe the mechanisms of repression against civil society at the hands of the

<sup>78</sup>. Recording of the press conference of the Minister of Culture and National Heritage: <https://www.youtube.com/watch?v=8msPoL9av2g>

<sup>79</sup>. The final draft of the bill will be introduced for consultation in December 2025 (after the report period was closed and hence is not covered). <https://www.gov.pl/web/premier/projekt-ustawy-o-zmianie-ustawy-o-radiofonii-i-telewizji-oraz-niektorych-innych-ustaw>

<sup>80</sup>. More: <https://www.gov.pl/web/prokuratura-krajowa/wytyczne-prokuratora-generalnego-w-zakresie-prowadzenia-postepowan-o-przestepstwa-motywowane-uprzedzeniami>

<sup>81</sup>. <https://www.gov.pl/web/prokuratura-krajowa/wytyczne-prokuratora-generalnego-w-zakresie-prowadzenia-postepowan-o-przestepstwa-motywowane-uprzedzeniami>, Full report: <https://monitorkonstytucyjny.eu/archiwa/24272>

<sup>82</sup>. <https://www.gov.pl/web/premier/projekt-ustawy-o-zmianie-ustawy--kodeks-karny2>, <https://wyborcza.pl/7,75398,32289244,sa-tylko-dwie-plcie-tk-wyrzucil-do-koszarnowa-ustawa-o-przestepstwach.html>

<sup>83</sup>. More: <https://kph.org.pl/trybunal-konstytucyjny-niestety-nie-zaskoczyl-w-kwestii-ochrony-przed-nienawiscia-znamy-dzisiejsze-orzeczenie-tk-w-sprawie-nowelizacji-kodeksu-karnego/>, <https://wyborcza.pl/7,75398,32098695,trybunal-w-strasburgu-polska-niewystarczajaco-chroni-przed.html>, Case Bednarek and others vs. Poland, see: <https://hudoc.echr.coe.int/eng#%7B%22itemid%22%3A%22001-208500%22%7D>

<sup>84</sup>. See: <https://wyborcza.pl/7,75398,32098695,trybunal-w-strasburgu-polska-niewystarczajaco-chroni-przed.html>, Case Bednarek and others vs. Poland, see: <https://hudoc.echr.coe.int/eng#%7B%22itemid%22%3A%22001-208500%22%7D>

<sup>85</sup>. Article 18(1) provides: "1. Broadcasts or other communications may not promote activities contrary to the law, the Polish *raison d'état*, or attitudes and views contrary to morality and the public good; in particular, they may not contain content inciting hatred or violence or discriminating on the basis of gender, race, skin colour, ethnic or social origin, genetic characteristics, language, religion or beliefs, political or any other views, nationality, membership of a national minority, property, birth, disability, age or sexual orientation, or inciting terrorist offences."

<sup>86</sup>. <https://fundacijabasta.pl/bezprecedensowa-seria-wyrokow-wsa-wobec-krrit-135-tys-zl-grzywnien-i-525-tys-zl-rekompensat-dla-fundacji-basta/>

<sup>87</sup>. It is worth mentioning that the Sejm voted on bringing Chairman of the National Broadcasting Council, Maciej Świrski before the State Tribunal <https://tvn24.pl/polska/sejm-zaglosowal-w-sprawie-postawienia-szefa-krrit-macieja-swirskiego-przed-trybunalem-stanu-st8571405>, information from the Basta Foundation: <https://fundacijabasta.pl/blyskawiczna-decyzja-prokuratury-ws-swirskiego/>

<sup>88</sup>. More on the Commission's activities later in the report.

state in 2015-2023. It published the first results of its work on 22 September 2025. The first part of the report concerns the activities of the public media,<sup>89</sup> which had launched a “whole range” of repressive instruments against organisations and activists, including those typical of propaganda activities. The report notes that these were “unacceptable and unethical practices such as: disinformation, false analogies, ridicule, mockery, exaggerated language, witch hunts, silence, stigmatisation, exclusion from debate, relativising physical violence, causing moral panic, vilifying a social group, animalisation, disregard, slander, secondary victimisation, deprivation of agency, *pars pro toto*, negative framing, creation of an enemy figure, and others.”<sup>90</sup> These actions were intended, among other things, to undermine attempts to defend democratic institutions through civic engagement, undermine the credibility of CSOs and citizens acting in defence of democracy, strike at protesters and deepen social divisions.<sup>91</sup> However, it is not yet clear whether those responsible will be held accountable, as the commission is only an “auxiliary body of the Prime Minister” and not an investigative commission.<sup>92</sup> At a press conference presenting the report, the chair of the commission, Sylwia Gregorczyk-Abram, emphasised that she hoped the relevant institutions would look into the issues described in the report and draw the appropriate conclusions, and that those responsible would be held accountable.<sup>93</sup> The commission’s recommendations included a proposal to amend the Criminal Code with regard to hate crimes, the criminalisation of deliberate disinformation, the establishment of an independent civic institution to monitor the media for hate speech, the creation of information security mechanisms, the deepening of cooperation with organisations in this area, and the development of appropriate training and educational materials in cooperation with organisations and the Ministry of National Education.

Another problem in recent years has been the issue of strategic lawsuits against public participation (SLAPPs). Although the cases brought against activists have received the most publicity, it is clear that the scale

of the phenomenon is much broader and also affects the media. However, precise data is not available, as this information is not easily accessible due to its procedural significance. For example, it is known that between 2015 and 2022, *Gazeta Wyborcza* had been subjected to over 100 SLAPPs.<sup>94</sup> For example, data obtained from the Ministry of Justice in 2023 showed that several hundred SLAPP-type proceedings are brought each year (most often by local authorities or public institutions).<sup>95</sup> What is specific to Poland is that many such cases are initiated by public authorities.<sup>96</sup> In recent years, the problem of SLAPPs in Poland has been particularly significant, with the Coalition Against SLAPPs in Europe (CASE) ranking Poland as the country most affected by this phenomenon. For example, in 2022, Poland was named “SLAPP country of the year”.<sup>97</sup> In the latest report published by CASE, the total number of identified cases was estimated at 135.<sup>98</sup> However, it is possible that the number is much higher. The Commission for the Investigation of Mechanisms of Repression against Civil Society Organisations and Social Activists in 2015-2023 announced the publication of a report on SLAPPs against socially engaged individuals, which may allow for a more in-depth understanding of the situation.

At the same time, in January 2025, the Civil Law Codification Commission presented a draft law implementing Directive 2024/1069 on counteracting SLAPPs. However, organisations point to its fundamental flaws which weaken its actual protection. Article 212 of the Criminal Code, which provides for criminal liability – including imprisonment – for defamation, remains a significant problem. It is sometimes used to exert pressure on journalists, non-governmental organisations, and socially engaged individuals (particularly at the local level).<sup>99</sup> In 2025, CSOs once again called for the repeal of Article 212 of the Criminal Code and for systemic legal support for individuals facing SLAPP lawsuits.<sup>100</sup>

In interviews collected by OFOP, organisations pointed to widespread hate speech on the internet and the lack

<sup>89</sup>. Subsequent parts of the report will be devoted, among other things, to the use of SLAPPs, the behaviour of the services towards protesters, etc. The Commission’s work is therefore scheduled to take many months. Public media are defined in the Report as “public radio and television entities specified in the Radio and Television Act, as well as the Polish Press Agency.” See: Report of the Commission for the Investigation of Mechanisms of Repression against Civil Society Organisations and Social Activists in 2015-2023, *Partial Report No. 1. Activities of public media*, p. 21.

<sup>90</sup>. Report of the Commission for the Investigation of Mechanisms of Repression against Civil Society Organisations and Social Activists in 2015-2023, *Partial Report No. 1. Activities of public media*, p. 55.

<sup>91</sup>. <https://wyborcza.pl/7,75398,32266781,osiem-sposobow-na-politycznych-przeciwnikow-jak-pis-wykorzystal.html>

<sup>92</sup>. Order No. 15 of the Prime Minister of 10 April 2025. <https://eli.gov.pl/api/acts/MP/2025/306/text.pdf>

<sup>93</sup>. Op.cit. Also: <https://wyborcza.pl/7,75398,32266781,osiem-sposobow-na-politycznych-przeciwnikow-jak-pis-wykorzystal.html>

<sup>94</sup>. [https://www.press.pl/tresc/71089\\_gazeta-wyborcza-przez-ostatnie-siedem-lat-otrzymala-ponad-100-pozwow\\_ktore-mozna-uznac-za-slapp](https://www.press.pl/tresc/71089_gazeta-wyborcza-przez-ostatnie-siedem-lat-otrzymala-ponad-100-pozwow_ktore-mozna-uznac-za-slapp)

<sup>95</sup>. <https://publicystyka.ngo.pl/skala-zjawiska-slapp-w-polsce>

<sup>96</sup>. One example is one of the recent interventions by the ombudsman: <https://bip.brpo.gov.pl/pl/content/rpo-gmina-ochrona-dobr-osobistych-wojewoda-odpowiedz>

<sup>97</sup>. See also: <https://publicystyka.ngo.pl/polska-ponownie-wsrod-nominowanych-w-konkursie-na-slapp-roku>

<sup>98</sup>. CASE report: <https://www.the-case.eu/resources/a-2024-report-on-slapps-in-europe-mapping-trends-and-cases>

<sup>99</sup>. As indicated by the Watchdog Poland Civic Network, “In 2021, 217 cases were pending before district courts in Poland under Article 212 § 2 of the Criminal Code. In 2022, 236 such cases were recorded.” More: <https://siecobywatelska.pl/slapp-y-w-polsce/>

<sup>100</sup>. <https://oko.press/zniesmy-kare-za-znieslawienie-apel-organizacji-i-mediow>

of adequate mechanisms to mitigate it or prosecute perpetrators, as well as the significant problem of self-censorship. The accounts showed that this happens in situations where the costs of speaking out outweigh the potential benefits. It is reasonable to conclude that

all the activities described above, which aim to stifle public debate, as well as phenomena such as hate speech, are largely achieving their effect by worsening the already poor quality of public debate in Poland.

## Participation in Decision-making

In 2024, amendments were made to the Rules of Procedure of the Sejm which would enable all citizens to consult draft legislation at the parliamentary level.<sup>101</sup> Prior to the amendment, these bills had not been subject to any consultation.<sup>102</sup> The consultation and dialogue system is extensive. The amendments to the Rules of Procedure of the Council of Ministers<sup>103</sup> and to the Rules of Procedure of the Sejm<sup>104</sup> have, at least in theory, significantly strengthened the role of consultations. However, these are largely just declarations.<sup>105</sup> The government still resorts to limiting consultations, such as creating separate procedures and shortening consultation periods. Recently, it has been using a special track for deregulatory bills, which has raised objections from CSOs.<sup>106</sup> In the Sejm, while consultations have been introduced, there is no response to the comments submitted prior to and during the further legislative process, and thus there is no possibility to assess if voices of citizens had any impact.

In theory, involvement in decision-making processes has been transferred to dialogue bodies. However, the role of organisations here is much weaker than that of local government or social partners. Draft legislation and individual decisions are not subject to mandatory consultation with representatives of civil society, and these bodies (except for monitoring committees) are usually composed of individuals nominated by the administration rather than representatives selected by organisations. When the composition of the Public Benefit Work Council (RDPP) was changed in 2024, discussions were reopened on the role and functioning

of this body. OFOP and other organisations pointed out numerous problems related to the activities of the RDPP, such as the low activity of its members,<sup>107</sup> doubts about the democratic nature of the election of members, and the problem of blurred representation due to the duplication of the RDPP's competences by other bodies and entities.<sup>108</sup>

The main criticism levelled against the authorities at various levels of local and central government, which was echoed in most of the statements collected by OFOP, is that consultations are merely a facade and are used to promote the image of the authorities or their political parties.<sup>109</sup> In their opinion, the comments made by organisations have little impact on the decision-making processes of the administration or individual ministries, elicit perfunctory comments, or are completely ignored — as was the case, for example, with the hearing on Poland's migration policy in 2024.<sup>110</sup> In addition, consultation documents are sent to selected organisations, but it is not always clear how they are chosen.

Despite the general weakness of the consultation processes, in 2025 it was possible to hold public hearings for candidates for three positions: president of the National Electoral Office (11 February),<sup>111</sup> president of the Supreme Audit Office (8 September),<sup>112</sup> and president of the Office of Electronic Communications (25 September).<sup>113</sup> There was also a hearing on the implementation of the Digital Services Act in Poland.<sup>114</sup>

<sup>101</sup>. <https://www.prawo.pl/kadry/jakie-sa-efekty-zmiany-regulaminu-sejmu-dla-stanowienia-prawa-konferencja-w-sejmie,532668.html>, more: <https://eli.gov.pl/api/acts/MP/2024/751/text/O/M20240751.pdf>

<sup>102</sup>. <https://www.prawo.pl/kadry/jakie-sa-efekty-zmiany-regulaminu-sejmu-dla-stanowienia-prawa-konferencja-w-sejmie,532668.html>

<sup>103</sup>. Rules of Procedure of the Council of Ministers, see: <https://eli.gov.pl/eli/MP/2025/408/ogl>

<sup>104</sup>. More: <https://isap.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WMP20250000608>

<sup>105</sup>. The weakness lies also in the fact that these are internal procedures (by-laws) and not binding laws.

<sup>106</sup>. Protest related to the UDER32 project – see: <https://frankbold.pl/stanowisko-organizacji-spolecznychw-sprawie-prac-nad-projektem-uder32/>

<sup>107</sup>. <https://publicystyka.ngo.pl/kto-i-dlaczego-nie-pracuje-w-radzie-piate-posiedzenie-rdpp-vii-kadencji>

<sup>108</sup>. See: <https://ofop.eu/viii-kadencja-rdpp-czego-oczekujemy-od-rady/>

<sup>109</sup>. Quote from interviews collected by OFOP.

<sup>110</sup>. For more, see: <https://publicystyka.ngo.pl/na-przygotowanej-przez-rzadz-strategii-migracyjnej-nie-pozostawiono-suchej-nitki-relacja-tau>

<sup>111</sup>. See more: <https://www.senat.gov.pl/aktualnoscilista/art,16693,wysluchanie-publiczne-trzech-kandydatow-na-szefa-krajowego-biura-wyborczego.html>

<sup>112</sup>. The hearing was broadcast live by the Sejm: [https://www.youtube.com/watch?v=IPRkX3Zyc\\_U](https://www.youtube.com/watch?v=IPRkX3Zyc_U) The organisations gathered in the chamber had the opportunity to ask questions about all aspects of the work of the NIK.

<sup>113</sup>. <https://siecobywatelska.pl/prezes-uke/>, <https://panoptykon.org/wybor-prezesa-uke-wysluchanie>

<sup>114</sup>. <https://www.gov.pl/web/premier/wysluchanie-obywatelskie-w-sprawie-wdrozenia-unijnego-aktu-o-uslugach-cyfrowych-dsa>

## Safe space

In 2025, a commission was established to investigate the mechanisms of repression against civil society organisations and activists in the years 2015-2023, which operates on the basis of an order as an auxiliary body of the prime minister.<sup>115</sup> Its aim is to investigate and describe all mechanisms of repression, including abuses by the police, the prosecution, the courts, the secret services and the public media against “organisations and individuals who actively defended the rule of law and human rights in the period 2015-2023.”<sup>116</sup> The first meeting of the Commission for the Investigation of Mechanisms of Repression against Civil Society Organisations and Activists in 2015-2023 took place in May 2025.<sup>117</sup> Reports from non-governmental organisations and media reports show that in recent years, attacks on human rights defenders in Poland, as well as on climate activists, have taken on various forms. These included SLAPPs, but also other forms of harassment aimed at intimidating or having a chilling effect. The commission itself points out in the introduction to the report that “the years 2015-2023 have seen an unprecedented assault on civil liberties, affecting almost all areas of public life and democratic institutions in Poland.”<sup>118</sup>

Interviews conducted by OFOP to examine the situation in 2025 show that in some areas there has been no improvement (e.g. humanitarian activities on the Polish-Belarusian border), while other organisations are still waiting for systemic solutions to issues of hate speech against organisations, surveillance, among others, that will allow them to protect people involved in social, human rights, or environmental activities in the future. Due to the suspension of the right to asylum, the difficulties experienced by organisations providing humanitarian aid on the Polish-Belarusian border are even greater.<sup>119</sup>

As pointed out by the Panoptykon Foundation in July 2025, reform is necessary with regard to telecommunications data retention, and more broadly, regulations governing the surveillance activities of the agencies using the data, which, given the practices of recent years, is also important from the point of view of civil liberties. As Panoptykon points out: “The regulations in force in Poland, requiring telecommunications operators to store the data of all users for 12 months and make it available to the services, are incompatible with the EU Directive on privacy and electronic communications (e-Privacy) and the Charter of Fundamental Rights of the European Union (as confirmed by rulings of the Court of Justice of the European Union). They also violate the Convention for the Protection of Human Rights and Fundamental Freedoms as confirmed by a ruling of the European Court of Human Rights in a complaint against surveillance.”<sup>120</sup>

According to data presented in the Senate in July 2025 by the Ministry of Justice, law enforcement accessed telecommunications data more than two million times in the previous year.<sup>121</sup> Although a draft regulation governing data retention rules was submitted for consultation in August 2025, no changes were proposed to the underlying higher-level regulations, which, as Panoptykon points out, “only exacerbates the problem.”<sup>122</sup> Furthermore, despite many months of work by the Sejm’s investigative committee,<sup>123</sup> the public is still in the dark when it comes to the findings that would allow a full assessment of the scale of surveillance with the Pegasus spyware system. The complete data should be revealed as it is vital information for public opinion. In particular, it must be known if the system was used against the opposition, people involved in protests and social activism, and the journalism community. Such knowledge is fundamental from the point of

<sup>115</sup>. Order No. 15 of the Prime Minister of 10 April 2025, pursuant to Article 12(1) and (2) of the Act of 8 August 1996 on the Council of Ministers (Journal of Laws of 2024, items 1050 and 1473). It should be noted, however, that the commission does not have investigative powers.

<sup>116</sup>. Report of the Commission for the Investigation of Mechanisms of Repression against Civil Society Organisations and Social Activists in 2015-2023, *Partial Report No. 1. Activities of public media*. Link: <https://www.gov.pl/web/sprawiedliwosc/prezentacja-pierwszego-raportu-komisji-ds-represji-wobec-spoleczenstwa-obywatelskiego-w-mediach-publicznych-2015-2023>

<sup>117</sup>. <https://www.gov.pl/web/sprawiedliwosc/pierwsze-posiedzenie-komisji-badajacej-naduzycia-poprzedniej-wladzy-wobec-aktywistow>, <https://www.tvp.info/89057273/komisja-ds-wyjasnienia-mechanizmow-represji-wobec-spoleczenstwa-obywatelskiego-sa-wyniki-raportu>

<sup>118</sup>. *Ibid.*, p. 6.

<sup>119</sup>. Content of the Act amending the Act on granting protection to foreigners within the territory of the Republic of Poland: 924.pdf. Analysis by the Association for Legal Intervention <https://interwencjaprawna.pl/prawa-do-azylu-nie-da-sie-zawiesic-analiza-prawna/>, <https://pl.euronews.com/europa/2025/03/28/organizacja-pozarządowe-krytykuja-zawieszenie-prawa-do-azylu-i-twierdza-ze-prawa-czlowieka>. Other: <https://oko.press/zawieszenie-azylu-w-sejmie-rpo-instrumentalizacja-migracji-to-nie-powod>, position of the Ombudsman and the Ombudsman for Children: <https://bip.brpo.gov.pl/pl/content/rpo-rpd-granica-ochrona-miedzynarodowa-ograniczenie-premier-mswia-odpowiedz>

<sup>120</sup>. This is an excerpt from the article: <https://panoptykon.org/teczka-na-kazdego-wniosek-retencja>, see also for context: Pietrzak and Bychawska-Siniarska and Others v. Poland - 72038/17 and 25237/18, Judgment 28.5.2024

<sup>121</sup>. See: <https://panoptykon.org/2024-nowe-statystyki-dotyczace-inwigilacji-w-polsce>

<sup>122</sup>. Draft regulation of the Minister of Digital Affairs on a detailed list of data subject to retention and storage obligations and the types of telecommunications operators not subject to these obligations, full text: <https://legislacja.rcl.gov.pl/projekt/12399801>, Panoptykon opinion: file:///C:/Users/OFOP/Downloads/download%20(11).pdf

<sup>123</sup>. Information on the website of the National Prosecutor’s Office: <https://www.gov.pl/web/prokuratura-krajowa/pegasus>

view of civil liberties in Poland.<sup>124</sup> Therefore, in June 2025, the organisation Sieć Obywatelska Watchdog Polska (Citizens' Network Watchdog Poland) submitted additional inquiries regarding the disclosure of the remaining information, including, among other things, who was targeted by the Pegasus surveillance system and the number of times the system was used against individual persons. These requests were addressed to the National Prosecutor's Office, the Ministry of Justice, and the Central Anti-Corruption Bureau (CBA).<sup>125</sup> According to the National Prosecutor's Office, data concerning the investigation into the Pegasus system is not public information and is covered by the secrecy of criminal proceedings. The CBA invoked the protection of classified information and other secrets protected by law. The Ministry of Justice referred the organisation to previously disclosed (yet incomplete) information. As a result, the organisation appealed these decisions to the Provincial Administrative Court.<sup>126</sup>

It seems that establishing and disclosing the full list of people targeted by the previous government and explaining the circumstances should be a priority for the current government, and at the very least, the victims of these practices should be given this information. Last year, however, it was revealed that not all individuals who had been subject to Pegasus surveillance had been informed of this fact. This was the case for the leader of the Polish Women's Strike who learned about it from TVN24 journalists.<sup>127</sup> Most of the important information still comes from journalistic investigations, and there is a general belief that the full list of people under surveillance may never be revealed. In November 2025 a draft bill introducing a possibility for the court to verify if surveillance is not in breach of law was submitted for inter-governmental consultation by the minister overseeing special services. It was immediately pointed out that the mechanism

proposed may be difficult to implement and remain theoretical.<sup>128</sup> Still, it demonstrates a change in the governments approach, which is generally needed.

Attempts to criminalise humanitarian aid remain a serious challenge for CSOs. Since the beginning of the humanitarian crisis on the Polish-Belarusian border in 2021, Polish non-governmental organisations and informal civic groups have been providing humanitarian aid to people on the move who have become victims of Alexander Lukashenko's regime and whose lives and health are at risk as a result of practices at the border employed since 2021, including so-called push-backs.<sup>129</sup> The organisations also monitor and document the situation of people "trapped" at the border, in forests, and in life-threatening conditions. Data collected so far shows that since the beginning of the crisis, 103 people have died on the Polish-Belarusian border.<sup>130</sup> The threat to the life and health of people seeking refuge in Poland is therefore well documented by organisations such as Médecins Sans Frontières,<sup>131</sup> We Are Monitoring Association, Ocalenie Foundation, and organisations such as Egala and Oxfam.<sup>132</sup> At the same time, a report by the Helsinki Foundation for Human Rights on the criminalisation of humanitarian aid indicates that: "Analysis of geolocation data, pushback testimonies, and video footage documenting violations makes it possible to trace the trajectory of people's movements and points of contact with officials, creating material evidence of systemic violence at the border."<sup>133</sup> Violence in various forms affects also people (volunteers and employees of humanitarian organisations) helping at the border, who are often harassed, intimidated, and subjected to aggressive behaviour by hostile citizens or the authorities.<sup>134</sup> An example of this is the case of brutal detention of photojournalists documenting the situation during the humanitarian crisis on 16 November 2021 which

<sup>124</sup>. In 2024, it came to light that the Internal Security Agency (ABW) had requested operational surveillance of the leader of the Women's Strike. This information was disclosed by the TVN24 television station, not by the relevant institutions. The Regional Court in Warsaw granted the request to surveil Klementyna Suchanow. See: <https://wiadomosci.onet.pl/kraj/liderka-strajku-kobiet-inwigilowana-za-pomoca-pegasusa-to-mnie-zupelnie-nie-dziwi/80r1te5>. It is not known how many such cases there are.

<sup>125</sup>. See: <https://siecobywatelska.pl/pegasus/>

<sup>126</sup>. See: <https://siecobywatelska.pl/pegasus/>; Information on the website of the National Prosecutor's Office: <https://www.gov.pl/web/prokuratura-krajowa/pegasus>

<sup>127</sup>. Situation in 2024, see: <https://wyborcza.pl/7,75398,31373321,pegasusem-w-strajk-kobiet-abw-inwigilowala-jedna-z-liderek.html>, <https://wiadomosci.onet.pl/kraj/suchanow-i-lempart-wezwane-na-przesluchanie-beda-zeznawac-w-sprawie-pegasusa/y49j3qc>

Comment by the Minister of Justice: <https://tvn24.pl/polska/waldemar-zurek-o-zadziwiajacych-nazwiskach-na-liscie-pegasusa-st8722656>, <https://wyborcza.pl/7,75398,32336996,coraz-krotsza-lista-pegasusa-sluzby-blokuj-a-poslowie-sie.html>

<sup>128</sup>. Act on the Internal Security Agency and the Intelligence Agency and certain other acts, see: <https://panoptikon.org/sluzby-zmiany-przepisow-komentarz>

<sup>129</sup>. Full analysis of cases from 2024 prepared by We Are Monitoring: WAM-12-months-of-the-new-government.pdf

<sup>130</sup>. Updated data is published on the We Are Monitoring association's homepage (as of 18 September 2025). <https://wearmonitoring.org/pl/en/home/><https://wearmonitoring.org/pl/en/home/>. Full list of deceased persons: <https://wearmonitoring.org/pl/en/list-of-the-deceased/>

<sup>131</sup>. A detailed description of the threats to health and life at the border is provided in the Médecins Sans Frontières report: [raport\\_lekarze-bez-granic-uwiezieni-pomiedzy-granicami.pdf](https://www.msf.org/pl/raport-lekarze-bez-granic-uwiezieni-pomiedzy-granicami.pdf)

<sup>132</sup>. Reports: <https://oko.press/przemoc-i-militaryzacja-raport-lekarzy-bez-granic-o-granicy-polsko-bialoruskiej>, number of deaths monitored and updated since 2021 at <https://wearmonitoring.org/pl/en/home/>. Report by the Ocalenie Foundation entitled "There is no safe passage. Migrant deaths at the European Union-Belarus border": [https://ocalenie.org/pl/wp-content/uploads/2024/07/pl\\_no-safe-passage-migrants-deaths-at-the-european-union-belarusian-border.pdf](https://ocalenie.org/pl/wp-content/uploads/2024/07/pl_no-safe-passage-migrants-deaths-at-the-european-union-belarusian-border.pdf), EGALA and Oxfam report: <https://www.oxfam.org/en/research/brutal-barriers-pushbacks-violence-and-violation-human-rights-poland-belarus-border>.

<sup>133</sup>. <https://hfhf.pl/publikacje/kryminalizacja-solidarnosci-raport-z-dzialan-antyrepresyjnych>

<sup>134</sup>. Threats directed at people acting at the border by other private individuals (trolling) or by organised groups operating in the border area (such as "patrols"). This is described by a number of organisations; cases of this type have intensified since 2024, see: <https://interwencjaprawna.pl/sprzeciw-konsorcjum-migracyjnego-wobec-akatkow-na-obroncow-i-obronczynie-praw-czlowieka/>

ended with a final judgement in April 2025.<sup>135</sup> The Court of Appeal in Białystok ruled that the detention of the photojournalists (and methods used) by Polish soldiers was unjustified and both received compensation. Thus, not only aid organisations are harassed, but also media representatives.

Attempts to criminalise humanitarian aid specifically are notable, as they can systematically affect the ability of organisations to provide assistance to those in need. In September 2025, an acquittal was handed down in the case of the so-called Hajnówka Five. These individuals were accused of helping a family from Iraq and an Egyptian citizen in March 2022.<sup>136</sup> The prosecution accused them of facilitating the stay of foreigners in exchange for alleged benefits, citing Article 264a of the Criminal Code. The court ruled that there was no evidence that the activists had gained any financial benefits, as the support they provided to those in need could not be considered as “gain”. However, the state plans to appeal the verdict. Attempts to criminalise humanitarian aid have been made in the past, for example, in the case of an activist from the Catholic Intelligentsia Club which was dismissed.<sup>137</sup> A report by the Helsinki Foundation for Human Rights indicates that “the criminalisation of humanitarian aid not only violates the rights of migrants, but also undermines the foundations of civil society and the rule of law. This phenomenon is systemic in nature and should be treated as a threat to human rights in Poland and throughout the European Union. The border crisis is a phenomenon that requires a balance between the principles of humanitarianism and securitisation.”<sup>138</sup> In addition, an important context for the conditions in which those providing assistance at the border work is the significantly more relaxed regulations on the use of weapons.<sup>139</sup> This means that the humanitarian activities of organisations at the Polish-Belarusian border take place in extremely dangerous conditions, which create numerous and significant risks for those involved. Providing assistance at the border, therefore, requires those involved to be adequately prepared (physically, mentally, and through training in providing assistance). Organisations have to use significant resources to provide effective assistance to people

whose lives and health are at risk. There are also other types of pressure exerted on organisations, such as issuing high fines, which are later overturned by the courts.<sup>140</sup> It is obvious that such actions are intended to have a chilling effect and discourage organisations and civic groups from providing aid.

Other issues affecting the sense of security across the sector, as identified by organisations in interviews conducted by OFOP in September 2025, include persistent attempts to contact staff, including on private accounts (which may be attempts of intimidation), harassment at the office (migration organisation), and acts of vandalism of varying degrees, e.g. writing hostile slogans and symbols on office walls. Media reports have also described acid being thrown repeatedly at the premises of an organisation working for women’s reproductive rights, the Abortion Dream Team.<sup>141</sup> The perpetrators were apprehended in November 2025 and criminal charges were pressed.<sup>142</sup> Speaking to *Gazeta Wyborcza* the activists said: “We do not want to ban their protests. They have the right to pray and express their opinions. We do not mind that (...) As long as they do not threaten our safety and that of the residents of the building (...). And that is exactly what is happening”<sup>143</sup> There is also a general problem of online violence toward women, in particular, activists. A study by European Fem Institute shows that 3 out of 10 socially active women decide to withdraw from public engagement after experiencing online hate or other forms of cyberviolence.<sup>144</sup>

There were also cases of attempts to impersonate organisations (e.g. using forged signatures). In some cases, such actions resulted in misinformation about the organisation’s activities.<sup>145</sup> Regardless of the motives, such actions can have a negative impact on the image and trust in the organisations, and they pose a significant risk.

At the systemic level, the issue of burnout and caring for the psychological well-being of those involved in the work of organisations (as volunteers or as staff) remains problematic for the sector. Such interventions are funded by relatively few donors, which is

<sup>135</sup>. <https://kobieta.onet.pl/wiadomosci/brutalnie-zatrzymano-ich-przy-granicy-z-bialorusia-jest-prawomocny-wyrok-sadu/dnj7gf2>

<sup>136</sup>. Press release: <https://oko.press/wyrok-w-sprawie-piatki-z-hajnowki-niewinni>

<sup>137</sup>. Press release: <https://oko.press/aktywisci-kik-oczyszczeni-z-zarzutow-a-sluzby-wciaz-nie-rozumieja-ze-pomaganie-na-granicy-jest-legalne>. At the same time, it was made public in January 2026, that in December 2025 another person was charged with assisting to cross the border. See: <https://hfhr.pl/aktualnosci/oswiadczenie-w-sprawie-zarzutow-dla-osoby-zaangazowanej-w-pomoc-humanitarna.l:146346447>

<sup>138</sup>. For the full report, see: <https://hfhr.pl/publikacje/kryminalizacja-solidarnosci-raport-z-dzialan-antyrepresyjnych>

<sup>139</sup>. <https://oko.press/ustawa-o-uzyciu-broni-co-wprowadzono> <https://bialystok.wyborcza.pl/bialystok/7,35241,30386559,eskalacja-agresji-na-polsko-bialoruskiej-granicy-padly-strzaly.html>, <https://bialystok.wyborcza.pl/bialystok/7,35241,30373032,kryzys-na-granicy-polsko-bialoruskiej-zolnierz-strzelil-w.html>

<sup>140</sup>. Information obtained in an OFOP interview.

<sup>141</sup>. <https://wyborcza.pl/7,75398,31824012,kwasem-i-halaszem-w-przychodnie-abotak-obroncy-zycia-nie-daja.html>

<sup>142</sup>. <https://www.rmf24.pl/fakty/polska/news-atak-kwasem-maslowym-na-klinike-aborcynja-zatrzymano-ojca-i-nld,8043381>

<sup>143</sup>. <https://wyborcza.pl/7,75398,31824012,kwasem-i-halaszem-w-przychodnie-abotak-obroncy-zycia-nie-daja.html>

<sup>144</sup>. See: <https://sylwiaspurek.pl/wp-content/uploads/2024/06/raport-cyberprzemoc-10-online.pdf>, p. 82.

<sup>145</sup>. Based on in-depth interviews.

challenging.<sup>146</sup> Finally, the problem of verbal attacks and hate speech (mainly on the internet), which has already been discussed, remains significant and topical.

In accordance with Directive 2019/1937, Poland enacted the Whistleblower Protection Act of 14 June 2024.<sup>147</sup> In August 2025, the *Wirtualna Polska* portal published an article on the disclosure of information concerning a report of irregularities submitted by an employee of the German branch of the Polish Pilecki Institute. The report, addressed to Minister of Culture and National Heritage Marta Cienkowska, was forwarded to the

person allegedly involved, and the whistleblower lost her job.<sup>148</sup> The ministry responded to the situation by stating that the person in question was not entitled to whistleblower protection. The president of the Personal Data Protection Office, Mirosław Wróblewski, announced the initiation of *ex officio* proceedings (the possible violation of the protection of the whistleblower's data).<sup>149</sup> The case was widely discussed in the press and may have a chilling effect, discouraging citizens from reporting irregularities for fear of retaliation, especially in smaller municipalities, where there is a risk of losing employment.

<sup>146</sup>. <https://publicystyka.ngo.pl/zmeczzone-serca-trzeciego-sektora-czas-na-wellbeing-w-budzenie-komentarz>

<sup>147</sup>. Key procedures related to the protection of whistleblowers: <https://www.gov.pl/web/rodzina/ochrona-sygnalistow>

<sup>148</sup>. <https://wiadomosci.wp.pl/ujawniamy-rzadowy-wyciek-i-odwet-na-sygnalistce-afere-w-instytucje-pileckiego-7189460703455840a>

<sup>149</sup>. <https://wiadomosci.wp.pl/jest-reakcja-prezesa-uodo-na-skandal-opisany-przez-wp-7193133287955040a>

# Recommendations

## **TARGETED RECOMMENDATION:**

- **Take urgent steps to improve the framework in which civil society operates, including by addressing funding gaps in a depoliticised and sustainable manner for CSOs, especially those working on democracy, human rights, anti-discrimination, and the rule of law. This should be achieved by introducing a systematic reform of funding mechanisms at the local and national levels and include incentives to support individual and corporate philanthropy.**
- Refrain from weaponising the law against CSOs and activists, particularly those working in the field of humanitarian assistance and migration.
- Reform the public funding system for CSOs by introducing sustainable financing schemes that prioritise the long-term institutional development of CSOs.
- Ensure funding mechanisms for watchdog organisations, human rights defenders, and advocacy-related activities at national and local level.
- Introduce effective legal mechanisms to protect against hate speech, taking into account ECtHR judgements.
- Ensure full transparency on the use of Pegasus spyware.
- Refrain from criminalising humanitarian assistance at the Polish–Belarusian border.

# CIVIC SPACE REPORT 2025



## **About European Civic Forum**

The European Civic Forum (ECF) is a pan-European network of more than 100 associations and NGOs across 30 European countries. Founded in 2005 by our member organisations, we have spent nearly two decades working to protect civic space, enable civic participation and build civil dialogue for more equality, solidarity, and democracy in Europe.

**[civic-forum.eu](https://civic-forum.eu)**



## **About Civic Space Watch**

CivicSpace Watch is an online platform that gathers data and reports on developments in civic space at the national and EU levels, and analyses trends. Powered by the European Civic Forum, it collects findings through regular contact and interviews with a strong network of members and partners on the ground and alerts European and international institutions when rights are at risk.

**[civicspacewatch.eu](https://civicspacewatch.eu)**



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