

## **Terms of Reference - Consultant for the assessment of the functioning of Poland's election management bodies (EMBs)**

**Who are we:** The Political Accountability Foundation (PAF) is a Polish non-partisan non-governmental organisation working to improve transparency, safeguard electoral integrity, as well as to foster meaningful civic engagement in public life. Our main strands of work focus around domestic and international election observation and improving the public's knowledge and understanding of elections. We address our activities to all those interested in the electoral process: election administration, local authorities, academia, CSOs and voters.

Since non-partisanship is one of our core values, we aspire to facilitate important conversations, by bringing together experts and community leaders representing different backgrounds, as well as political views. We actively monitor the process of changes to the electoral legal framework and provide opinions and recommendations to legal acts being discussed in the Polish parliament.

**Purpose of the Consultancy:** In light of the current challenges to election integrity in Poland, PAF is looking to explore the topic of a new model of the election administration, with a particular focus on the highest electoral body - the National Election Commission (NEC). The previous model, shaped in the early 1990s and based on staffing the permanent electoral bodies (NEC and election commissioners) with judges, was changed in 2018. As a result of this reform, the political factor - the Sejm (lower chamber of Parliament) and the Minister of Internal Affairs - gained greater influence on the composition of permanent electoral bodies. Since then, the assessment of the activity of the National Election Commission and the degree of trust in it has worsened. It became quite common to raise the question of the NEC's politicisation. Such a situation is by all means undesirable.

The reform of the Electoral Code, planned by the ruling majority for 2025-26, is also expected to cover the issues of election administration, including the composition of the NEC. Currently, in addition to the idea of returning to the pre-2018 solutions (fully judicial composition), general proposals are being formulated to develop a hybrid model. However, there is no information pertaining to how it would be structured - some stakeholders mention the need to maintain the participation of the political factor, while including a possibility of civil society involvement. In order to best prepare for future advocacy efforts in this area, the Foundation envisages the search for an optimal EMB model to proceed as follows:

- a) examining how the two EMB models applied in Poland since 2011 comply with international standards on election administration - as these models may serve as a basis for the development of a future model;
- b) analysing other existing models of election administration around the world.

### **Scope of the research:**

1. Undertaking an in-depth analysis of regulations concerning the work and the composition of the NEC and (if necessary) its auxiliary apparatus (the National Electoral Office - NEO) as adopted in the Electoral Code in the period since it has been in force (2011). The analysis should address the issue from the perspective of realisation of the key principles of electoral

administration (independence, impartiality, integrity, transparency, efficiency, professionalism, service-mindedness). International standards and guidelines developed at the global and regional levels (i.e. by the United Nations, the Council of Europe (including the Venice Commission), the Organisation for Security and Cooperation in Europe, as well as by international expert organisations such as International IDEA, the International Foundation for Electoral Systems (IFES) and research projects - Electoral Integrity Project) should be an important reference framework.

2. Analysing good practices regarding the composition of the electoral administration (especially its central level), based on practical solutions applied in other countries (including those that share Poland's history and challenges). Proposing a set of changes that should be implemented, along with the optimum sequence of their introduction [critical, necessary, recommended] and/or description of the target EMB model.

#### **Tasks:**

1. Presentation of the work plan/research methodology to the Foundation including a preliminary list of reference publications and possible stakeholder interviews;
2. Consultations with the Foundation after the completion of the preliminary evaluation of current and past EMB models against international standards and before the development of the direction of desired changes.
3. Preparation, by mid-June 2025, of a written analysis (in Polish or English) of approximately 15 to 30 pages of standardised text, meeting the aforementioned requirements.
4. Willingness to participate and present the key conclusions of the analysis at a conference entitled "The new model of election administration - a solution tailored to Polish needs" organised by the Foundation and planned for early autumn.

#### **What do we offer?**

- a salary of 6,500 - 8,000 PLN (gross) depending on experience,
- support in accessing relevant information as well as working translations of Polish-language literature on the subject,
- assistance in arranging meetings with selected stakeholders, if the consultant considers them relevant for the analysis,

#### **Your qualifications:**

- a university degree (in law, administration, political science, management) is welcomed;
- a minimum of three years of professional experience in election management or election observation;
- previous experience in the analysis of electoral processes (especially their administration), as well as documented experience in drafting opinions or expert reports including aspects of comparative legal analysis, is desirable.

*Please send us your CV by the 23rd of April 2025 to [fundacja@odpowiedzialnapolityka.pl](mailto:fundacja@odpowiedzialnapolityka.pl) including "EMB Consultant" in the subject line. We would welcome it if you could share with us (in the form of a link or document) examples of analyses/opinions/reports you have produced - as a way of documenting your experience.*