

 ZEROFOX[®] Intelligence

| Assessment |

2023 Polish Elections

Introduction

Since Poland voted overwhelmingly to join the European Union (EU) in late 2003, it has been a model for successful post-Communist economic development. Policies such as free market reforms, infrastructure improvements, and rapid digitization lifted pay and dramatically increased quality of life across the country. In addition, Poland's EU membership has allowed it to unlock its potential as a low-wage industrial powerhouse and effectively compete with its Western peers, who often appear dated and inefficient by comparison. Poland is undoubtedly one of eastern Europe's premier economies and recently achieved the sixth-largest gross domestic product (GDP) within the EU.

However, something that has gotten lost in Poland's economic success story is the significant democratic backsliding that has taken place since the governing Law Justice Party (PiS) won a parliamentary majority in 2015. After gaining power, this far-right nationalist party deliberately undermined numerous previously-independent institutions and passed a series of illiberal laws. These troubling developments prompted strong criticism from the EU, leading to deep tensions between the Warsaw government and the bloc's supranational institutions. PiS faces its toughest political trial yet during parliamentary elections on October 15, 2023. Its key rival is the Eurocentric Civic Platform (PO), which has pledged to restore democratic checks and balances and repair strained relations with the EU. However, rather than pressuring PiS to adopt more pro-Western policies, this electoral challenge has spurred the party to push even further rightward on issues like abortion, LGBTQ rights, immigration, and support for Ukraine.

Poland's democratic backsliding has harmed the country's economy. The European Commission is currently withholding billions in development aid as punishment for domestic laws and policies that allegedly breach European common values and rule of law. In the short term, these geopolitical tensions within the EU provide the opportunity for anti-Western threat actors to target the upcoming elections with disinformation campaigns aimed at limiting Poland's relationship with its Western allies in favor of closer ties with Russia. In the long term, Poland's anti-democratic tendencies have the potential to endanger its overall EU membership, as support for the ongoing European integration will likely continue to diminish if PiS maintains its grip on power—especially once the country transforms from a beneficiary of the EU budget into a net contributor.

Key Threats



A likely governing coalition involves a party whose signature issue is anti-Semitism.



Russian disinformation designed to weaken support for Ukraine has been a key electoral issue.



Democratic checks and balances have been eroded under the ruling government.



Migration is at the center of political debates and scandals.



Continued electoral victories for PiS risks Poland's EU membership.



EU sanctions have the potential to undermine economic growth.

Key Findings

- As Poland's economy grows and contributions it receives from the EU diminish, support for the union will likely decrease.
- Polish support for Ukraine is weakening.
- A referendum on migration is taking place during the parliamentary elections to rally support for the ruling party.
- At the same time, the PiS leaders' strong anti-migrant stances have been undermined by a recent visa scandal.
- Erosion of democratic institutions and independent organizations by the governing party has alarmed Western allies.
- Sanctions by the European Commission and Court of Justice targeting Poland for democratic backsliding could threaten the country's long-running economic success.
- An unprecedented third term for the ruling party runs the risk of jeopardizing the country's continued membership in the EU.



Parliamentary Elections

Most recent polls indicate that PiS will underperform as compared to the 2019 election. The party and its allies are currently polling at 36 percent. Their main opponents, Donald Tusk's Eurocentric Civic Platform (PO), have estimated support of 30 percent support. The third-largest political force in the upcoming election is the Confederation alliance, a coalition of smaller, far-right parties with a history of ultranationalist, anti-Semitic rhetoric and radical policy proposals. Over the summer, Confederation was polling as high as 14 percent, but its support has recently slid to around 9 percent.[1] Nevertheless, either of the two frontrunners will likely need Confederation alliance backing in order to form a government, allowing it to potentially play a "kingmaker" role and extract significant concessions in return.[2]

Ideologically, an alliance between PiS and Confederation makes the most sense as both are anti-immigrant and socially conservative. However, the far-right alliance also has a libertarian streak and is strongly opposed to state intervention—especially with regards to taxes and subsidies. This clashes with the long-standing PiS practice of providing generous handouts to farmers and pensioners. The biggest obstacle to campaigning together is Confederation's rabid anti-Semitism (which is arguably its main campaign position), making it unlikely the two sides will discuss a possible coalition until the election is over.[3]

Migration has emerged as one of the key issues in the runup to the election. Throughout the campaign season, right-wing parties such as PiS and Confederation have engaged in fiery anti-immigrant rhetoric, especially concerning potential refugees and asylum seekers from Africa and the Middle East. They have also strongly criticized a proposed EU deal, which stipulates that each member-state is responsible for either taking in a set number of displaced people per year or paying EUR 20,000 per person for another country to host them instead.[4] PiS leader Jarosław Kaczyński called for a national referendum on this issue. It is set to take place on October 15, 2023 (the same day as the general election), which led to accusations that the party is exploiting this controversial topic to rally support.[5] In addition, the staunch anti-migrant stance of the governing party has been undermined by a recent visa scandal. On September 15, 2023, Polish media reported that Polish consulates in Asia and Africa issued thousands of work visas in exchange for bribes. These serious corruption allegations drew substantial criticism on the part of the opposition and have prompted a formal inquiry by the EU.[6]

Overall, a great deal of uncertainty remains in the final days before voters head to the polls. According to Polish electoral rules, individual parties are required to win at least 5 percent of the national vote to earn a seat in parliament, and coalitions must win at least 8 percent. Therefore, either PiS or PO could potentially benefit if smaller parties on the left or right fail to meet that threshold.

War in Ukraine

Following Russia's invasion of Ukraine in February 2022, Poland became one of the strongest supporters of the Kiev government within the broader European community. Polish officials consistently pushed for harsh sanctions packages targeting the Russian Federation and approved a substantial amount of military aid for the Ukrainian army. As of September 2023, the Poland's direct support to the war effort totals EUR 3 billion. This includes tanks, artillery systems, armored vehicles, and munitions.[7] Poland was also the first country to pledge fighter jets to Ukraine, which arguably inspired other members of NATO to take this important step.[8]

In addition, Poland has taken in an estimated 1.5 million Ukrainian refugees, more than any other country.[9] People fleeing the war have received residence permits, accommodations assistance, medical care, school placement for children, work opportunities, and other forms of aid.[10]

In recent weeks, however, the strong alliance between the two countries has become frayed due to a dispute over grain shipments. Following the start of the war, the EU temporarily banned imports of Ukrainian grain into five countries (Bulgaria, Hungary, Poland, Romania, and Slovakia) in order to protect local farmers from lower prices. Although this ban expired on September 15, 2023, the Polish government decided to extend it. This controversial action ran counter to EU statutes regarding a unified trade policy and led Ukraine to file a lawsuit with the World Trade Organization (WTO) challenging the decision.[11] In response, Prime Minister Mateusz Morawiecki announced that Poland would end all military assistance to Kiev and instead focus on its own rearmament. Although this threat was later walked back, relations remain tense. In addition, the Polish government announced on September 19, 2023, that it will discontinue financial assistance to Ukrainian refugees residing in the country at the start of 2024.[12] In general, public support in Poland for helping people displaced by the war has decreased notably in recent months, making this issue another topic of active debate during the electoral campaign. While most major parties are in favor of continuing to provide some level of help for Ukrainian refugees, the Confederation alliance has come out strongly against giving government aid to migrants of any kind.[13]

Assessment:

- There is significant uncertainty regarding the outcome of the upcoming vote due to the deeply polarized political environment and the highly-contested electoral campaign.
- The frontrunner will likely to need to engage in protracted post-election negotiations to form a governing coalition, possibly in conjunction with the far-right Confederation alliance.
- There is a decline in both governmental and public support for continuing military aid to Ukraine.
- Tensions and disagreements regarding the long-term presence of a substantial number of Ukrainian refugees in the country continue.

FOOTNOTES

[1] <https://www.theguardian.com/world/2023/oct/06/poland-elections-explainer-law-and-justice-party-civic-platform>
[2] <https://www.economist.com/europe/2023/08/15/polands-far-right-could-be-the-next-governments-kingmaker>
[3] <https://www.reuters.com/world/europe/eu-ministers-seek-long-stalled-migration-deal-2023-06-08/>
[4] <https://www.dw.com/en/poland-unveils-referendum-on-eu-migrant-policy/a-66520489>
[5] <https://www.dw.com/en/polands-visa-scandal-eu-wants-answers-from-pis-on-bribes/a-66907749>
[6] <https://www.euronews.com/2023/09/15/poland-is-one-month-away-from-an-election-that-could-shake-up-its-national-politics>
[7] https://www.lemonde.fr/en/international/article/2023/09/24/can-ukraine-do-without-poland-s-military-aid_6188943_1.html
[8] <https://www.cnn.com/2023/03/16/europe/poland-fighter-jets-ukraine-int/index.html>

[9] <https://www.euronews.com/2023/09/20/war-in-ukraine-which-european-countries-host-the-most-refugees>
[10] <https://www.lacj.gov/item/global-legal-monitor/2022-04-27/poland-parliament-adopts-new-law-to-regulate-influx-of-ukrainian-refugees-and-provide-them-with-protection-and-assistance/>
[11] <https://www.bbc.com/news/world-europe-6687485>
[12] <https://www.bloomberg.com/news/articles/2023-09-19/poland-signals-it-will-stop-aid-for-ukrainian-refugees-next-year>
[13] <https://www.reuters.com/world/europe/polands-pis-faces-far-right-challenge-over-ukraine-support-2023-09-19/>



Democratic Backsliding

Since 2015, when the right-wing populist Law and Justice Party (PiS in Polish) won an outright majority in parliament, Poland has witnessed a gradual process of “democratic backsliding.” During its nearly eight years in power, PiS has worked to undermine key checks and balances, particularly with regards to the judiciary and independent press.

In 2017, the party passed a highly-controversial judicial reform that allows the government to dismiss Supreme Court judges. In addition to compromising the independence of the judiciary, this legislation could have a serious impact on the upcoming election. Supreme Court rulings on the validity of electoral results may now be subject to political pressure and possibly overturned.[14] This illiberal reform led the EU to trigger Article 7 of the Lisbon Treaty, accusing the Polish government of breaching European common values and rule of law.[15]

PiS has also substantially reduced freedom of the press in Poland. In early 2016, the party used its parliamentary majority to push through a law that allows the government to appoint the heads of public TV and radio. Shortly thereafter, it purged the management of TVP, the main state-run broadcaster, and replaced it with party loyalists.[16] In addition, the Polish government attempted to crack down on independent news sources. In August 2021, the parliament (Sejm) passed a bill limiting foreign ownership of domestic media companies. While this legislation was ostensibly aimed at combating possible Russian influence over Polish radio and television, many observers suspected that, in reality, it was an attempt to silence TVP, which is part-owned by Discovery, an American mass media conglomerate. This channel consistently criticized the government and has one of the most popular evening news programs in the country.[17]

The media law was ultimately vetoed by President Andrzej Duda following considerable pressure from the United States.[18] Overall, according to Reporters without Borders, Poland has slipped from 18th place in the World Press Freedom Index to 64th since PiS took power in 2015.[19]

In general, PiS has used its years in power to enact greater control over state institutions and will likely use these in the remaining days of the campaign to gain an electoral advantage. For example, the head of the Polish Central Bank, a position which is supposed to be fiercely non-partisan, drastically lowered interest rates a month ahead of the election.[20] The timing of the move was designed to give Poland’s poorest voters, traditionally a PiS voting bloc, greater access to capital but went against all economic orthodoxy at a time Poland is battling record inflation.

Benefits of Joining the EU

For the last several years, Poland has been the largest recipient of EU funds totalling approximately EUR 12 billion annually in both 2021 and 2022, which constitutes twice the government’s annual budget.[21] This financial support has been crucial for Poland rapidly transforming from one of the EU’s poorest member-states to one the bloc’s most dynamic economies. Poland’s GDP per capita growth has increased 80 percent since joining the EU, and its economy has become the sixth largest in the EU.[22]

Since Poland joined the EU in 2004 it has been one of the world’s fastest growing economies, averaging about 5.3 percent economic growth between 2004 and 2019 (the last year before the pandemic distorted data).[23] Polish growth since the pandemic has also been well above the EU average, registering 4.6 percent annual growth compared to the EU average of 2.8 percent in 2023.[24]

EU largesse has also allowed Poland to better navigate periods of financial turmoil. During the 2008 financial crisis, Poland was the only EU country not to fall into recession, and Poland’s economy only contracted 2.5 percent during the pandemic era recession compared to an average of nearly 6 percent for the wider EU.[25]

During this period of growth, Poland successfully developed several important sectors, including automobile production—a key industry that is leaving neighboring Germany for cheaper eastern European markets. Technology and cybersecurity are two other areas that experienced rapid development. Many businesses found that Polish knowhow is comparable to that of western and northern Europe, while labor costs are significantly lower.[26] Like most developing economies, Poland’s infrastructure sector is also experiencing a sustained period of expansion and improvement.[27] Lastly, Poland’s defense sector is expected to grow, with Poland aiming to become the largest military in the region by 2030.[28]

In late July 2023, ZeroFox highlighted that much of this Polish success has occurred at the same time that Europe’s largest economy, Germany, is struggling. Poland has been able to take advantage of a German economy that has not diversified away from automobile production and chemicals manufacturing, as well as generous EU development aid.

However, as Poland’s economy has grown, the difference between what it contributes to the EU budget and what it receives has been shrinking. In 2014, Poland’s contributions to the EU budget were less than 25 percent of what it received back from the bloc. By 2019, this figure had increased to 33 percent, and in 2022 it was around 40 percent.[29] ZeroFox anticipates that the shrinking EU financial support necessitated by Polish economic success will erode popular support for the EU. As Poland’s economy continues to grow, it is projected to become a net contributor to the EU budget rather than a recipient. If the PiS government or a like-minded party remains in power at this point, it will likely coincide with a strong movement for Poland to leave the EU—especially if the EU continues to press Poland on issues like rule of law and encourages them to accept migrants. Anti-EU sentiment presents a key danger to corporations that are based in Poland or have significant operations in the country.

FOOTNOTES

- [14] <https://www.economist.com/the-economist-explains/2017/07/24/how-polands-government-is-weakening-democracy>
[15] <https://www.dw.com/en/european-commission-triggers-article-7-against-poland/a-41873962>
[16] <https://www.bbc.com/news/world-europe-3525705>
[17] <https://www.economist.com/europe/2021/08/14/polands-proposed-media-rules-threaten-press-freedom>
[18] <https://www.reuters.com/business/media-telecom/polish-president-says-he-vetoed-media-law-2021-12-27/>
[19] <https://www.rsf.org/en/rsf-declares-press-freedom-state-emergency-poland>
[20] <https://www.ft.com/content/1ac922a-2bb9-448b-9380-9e7d9e8e6d0>

- [21] <https://www.statista.com/statistics/1135294/poland-s-contributions-to-and-receipts-from-the-eu-budget/>
[22] <https://pie1.net/pl/en/15-years-in-the-eu-poland-received-a-total-of-eur-164-in-support/>
[23] <https://www.political.eu/article/poland-economic-dependence-cuba-rise-foreign-investments-eu/>
[24] https://www.pah.gov.pl/Economic_stability_and_a_strong_economy
[25] *Ibid.*
[26] <https://www.trade.gov/pl/en/knowledge/poland-in-the-eu/>
[27] <https://www.econstor.eu/bitstream/10419/140703/1/386852200.pdf>
[28] <https://www.euronews.com/2023/09/06/poland-said-its-army-will-soon-be-the-strongest-in-europe-but-is-that-possible>
[29] <https://www.statista.com/statistics/1135294/poland-s-contributions-to-and-receipts-from-the-eu-budget/>

Disinformation and Cybersecurity

The changes to the Polish media and political landscape since PiS came to power in 2015 have allowed the party to use disinformation for political gain. During the 2020 presidential campaign, state broadcaster TVP was sued by the leading opposition candidate, Rafał Trzaskowski, for false attacks accusing him of being an agent of George Soros pushing “to fulfill Jewish demands” and unpopular “LGBTQ ideology.”[30]

During this election cycle, there is evidence that Russia is attempting to shift public opinion and undermine Polish support for Ukraine. As part of this effort, the slogan #niemojajowna (not my war) has been increasingly shared on Polish social media. It is also becoming more common in public life, with several banners bearing this hashtag appearing at football matches.[31] Similar tactics were used during the late September 2023 elections in Slovakia, which saw the party of pro-Kremlin former Prime Minister Robert Fico gain the most seats. Fico largely campaigned on ending Slovakian support for Ukraine and was in favor of immediate negotiations to bring the conflict to a rapid end. In the days following the election, Slovakia’s Foreign Ministry summoned Russian representatives from the embassy over alleged interference. Russia was specifically accused of launching a campaign that suggested that the EU and the United States would attempt to manipulate Slovakian citizens to vote in favor of pro-Ukraine parties.[32]

However, the covert Russian effort in Poland has been less focused on reducing support for Ukraine, which remains rather strong. Instead, it has endeavored to highlight the supposed adverse economic consequences that Poles are experiencing from accepting so many Ukrainian refugees, as well as other migrants. In this respect, the Russian disinformation campaigns somewhat align with positions pushed by the ruling PiS party, which has claimed that EU immigration rules and policies are harming Polish society and its economy.[33]

Russian threat actors are also the leading source of potential cyberattacks in Poland. In late August 2023, unknown threat actors disrupted the country’s railways by sending fake radio-stop commands. The fabricated signals were interspersed with recordings of Russia’s national anthem and a speech by President Vladimir Putin, leading to suspicion that Russian hackers were likely involved.[34] Polish entities are also routinely victims of Russian-backed threat actors led by Killnet, Anonymous Sudan, and NoName057, all of which are hacktivist groups that specialize in distributed denial-of-service (DDoS) attacks. For example, ZeroFox observed NoName057 targeting several Polish financial institutions along with government websites in Denmark and Norway on August 29, 2023. On August 25, the same group exclusively attacked Polish technology companies, while pro-Russian hacktivist group CyberCat disrupted Polish energy and government websites on August 14.[35]

EU Sanctions

The EU has struggled to formulate a response to the breach of democratic norms and principles in Poland since 2015. Despite triggering Article 7 of the Lisbon Treaty against the Polish government, enforcement of its provisions remains problematic.[36] For instance, one of the most significant punitive measures envisioned by this procedure is for a member-state to lose voting rights. However, the decision to do so must be unanimously supported by all other countries within the bloc. When faced with this risk, the governments of Poland and Hungary pledged to support one another and prevent it from occurring.

However, in recent years, the European Commission has begun to impose significant financial penalties on Poland by withholding its access to various types of EU funds and subsidies. Overall, Poland has missed out on a total of EUR 110 billion in financial assistance from the bloc, which includes cohesion funds and money allocated through the Covid recovery program.[37] The money will remain frozen until the PiS government or a successor rolls back the illiberal laws and reforms enacted since 2015.

In addition, on June 5, 2023, the European Court of Justice ruled that Poland’s judicial reforms are unlawful and need to be repealed. Until this is done, the Polish government faces a penalty of EUR 1 million per day and has already accrued over EUR 400 million in fines for noncompliance.[38]

Overall, the EU is engaged in a complex balancing act. On the one hand, this supranational organization is based on adherence to common values, a democratic form of government, and the rule of law. Allowing individual member-states to flout these founding principles sets a dangerous precedent. On the other hand, the EU does not want to take steps that could alienate a crucial partner like Poland or give Russia the opportunity to further expand its influence in eastern Europe.

The substantial financial penalties on part of the EU have the potential to considerably reduce funding for various government programs and harm Poland’s continued economic growth. If elected, the Civic Platform has pledged to re-establish productive relations with Brussels and roll back the illiberal reforms passed by the Law and Justice party. However, the presence of PiS loyalists in the judiciary, state-run broadcasting, and other government institutions will likely complicate this effort.

Assessment:

- There is a heightened risk of Russian-backed cyberattacks and online influence campaigns throughout the electoral process.
- Political changes in Poland present risks to companies with operations in the country due to the uncertain business climate.
- The freezing of EU funds could affect investments or hamper economic growth in certain sectors.

FOOTNOTES

[30] <https://www.fox.com/2020/07/09/opposition-candidate-may-fulfill-jewish-demands-if-he-wins-presidency-warns-polish-state-tv/>
[31] <https://www.adf.com/en/europe/kremlin-disinformation-campaign-targets-polish-pacifist-groups-analysts-say/2840124>
[32] <https://www.rferl.org/a/russia-slovakia-protest-election-interference/3287765.html>
[33] <https://www.sawinstitute.org/disinformation-and-democracy-navigating-the-2023-political-landscape-in-central-and-eastern-europe/>
[34] <https://www.i24news.tv/en/news/international/europe/1693168279-two-suspects-arrested-following-poland-railway-hacking>
[35] ZeroFox Internal Collections

[36] <https://www.dw.com/en/european-commission-triggers-article-7-against-poland/a-41873962>
[37] <https://www.washingtonpost.com/business/how-eu-is-withholding-funding-to-try-to-rein-in-hungary-poland/>
[38] <https://www.politico.eu/article/eu-court-finds-poland-guilty-in-rule-of-law-dispute/>

APPENDIX A:

ZeroFox Intelligence Probability Scale

All ZeroFox Intelligence products leverage probabilistic assessment language in analytic judgments. Qualitative statements used in these judgments refer to associated probability ranges, which state the likelihood of the occurrence of an event or development. Ranges are used to avoid a false impression of accuracy. This scale is a standard that aligns how readers should interpret such terms.

Almost No Chance	Very Unlikely	Unlikely	Roughly Even Chance	Likely	Very Likely	Almost Certain
1-5%	5-20%	20-45%	45-55%	55-80%	80-95%	95-99%

APPENDIX B:

Traffic Light Protocol for Information Dissemination

TLP: RED

HOW IT IS USED

Sources may use TLP: RED when information cannot be effectively acted upon by additional parties and could lead to impacts on a party's privacy, reputation, or operations if misused.

HOW IT IS SHARED

Recipients may NOT share TLP: RED with any parties outside of the specific exchange, meeting, or conversation in which it is originally disclosed.

TLP: GREEN

HOW IT IS USED

Sources may use TLP: GREEN when information is useful for the awareness of all participating organizations, as well as with peers within the broader community or sector.

HOW IT IS SHARED

Recipients may share TLP: GREEN information with peers and partner organizations within their sector or community but not via publicly accessible channels.

TLP: AMBER

HOW IT IS USED

Sources may use TLP: AMBER when information requires support to be effectively acted upon but carries risks to privacy, reputation, or operations if shared outside of the organizations involved.

HOW IT IS SHARED

Recipients may ONLY share TLP: AMBER information with members of their own organization and its clients, but only on a need-to-know basis to protect their organization and its clients and prevent further harm.

Note that

TLP: AMBER+STRICT restricts sharing to the organization only.

TLP: CLEAR

HOW IT IS USED

Sources may use TLP: CLEAR when information carries minimal or no risk of misuse in accordance with applicable rules and procedures for public release.

HOW IT IS SHARED

Recipients may share TLP: CLEAR information without restriction, subject to copyright controls.

About ZeroFox

ZeroFox (Nasdaq: ZFOX), an enterprise software-as-a-service leader in external cybersecurity, has redefined security outside the corporate perimeter on the internet, where businesses operate and threat actors thrive. The ZeroFox platform combines advanced AI analytics, digital risk and privacy protection, full-spectrum threat intelligence, and a robust portfolio of breach, incident, and takedown response capabilities to expose and disrupt phishing and fraud campaigns, botnet exposures, credential theft, impersonations, data breaches, and physical threats that target your brands, domains, people, and assets. Join thousands of customers—including some of the largest public-sector organizations, as well as finance, media, technology, and retail companies—to stay ahead of adversaries and address the entire lifecycle of external cyber risks.

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