



Partial Report on the National Election Observation Mission 2022
Electoral Transparency Brazil
Second Round

1) Introduction: Political context of the 2022 general elections between the first and second rounds

The atmosphere of tranquility that characterized the announcement of the first-round results opened the way for tensions between presidential candidates and institutions, with a focus on organs of the Judiciary.

According to this National Election Observation Mission and data from its voting day announcements and partial report, which was released 48 hours after Election Sunday on October 2nd, the first round of voting was characterized as normal.¹

Some elements, however, should be pointed out in this introductory part, such as: (a) debates involving public transportation in cities to enable the right to vote, which counted with a decision by the Supreme Federal Court (in Portuguese: *Supremo Tribunal Federal – STF*),² a decision by the Superior Electoral Court (in Portuguese: *Tribunal Superior Eleitoral – TSE*), involving the prohibition of Federal Highway Police (in Portuguese: *Polícia Rodoviária Federal – PRF*) operations in free or non-free public transportation of passengers; (b) the presence of religious discussions and proselytism of religious services and temples of various currents and doctrines;³ (c) the questioning of electoral surveys after the release of first-round voting results; (d) the impact of measures to improve the transparency of the electronic voting system, such as the pilot project of

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¹ <https://transparenciaeleitoral.com.br/2022/10/04/te-brasil-parcial-comunicado-eleicoes-2022-2/>

² <https://portal.stf.jus.br/noticias/verNoticiaDetalhe.asp?idConteudo=496254&ori=1>

³ <https://www.cnnbrasil.com.br/politica/religiao-ganha-destaque-nas-campanhas-de-lula-e-bolsonaro-para-o-2o-turno/>





the integrity test with biometrics⁴ and, finally, the checking of Ballot box bulletins (in Portuguese: *BU*), which were issued in the first round by inspection agencies⁵.

Furthermore, the second round of the 2022 elections was marked by an intensification of confrontation between the candidates for the presidency, starting with episodes of violence involving supporters of one of the candidates with a large public⁶, as well as a strong presence of misinformation movements that ended up requiring a greater role of the electoral authority, the *TSE*, especially concerning the electoral propaganda.⁷ Social media engagement in favor of both candidates was remarkable, bringing digital platforms to the center of electoral debate.⁸

Discourses involving distrust in the electronic ballot, although still in circulation, apparently lost strength after the results of the integrity tests that were conducted throughout the country, the performance of several inspection entities, and national and international election observation missions.⁹

Under this context, Brazil held the second round of the 2022 elections, in which the presidency of the Republic and state governors were elected in 12 states¹⁰. Simultaneously, by-elections were held in eight municipalities across the country¹¹. It happened because the mayors elected in the 2020 elections had their mandates revoked by the Brazilian Electoral Justice (in Portuguese: *Justiça Eleitoral do Brasil*), with a

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⁴ <https://noticias.uol.com.br/eleicoes/2022/10/06/teste-de-integridade-das-urnas-com-biometria-nao-encontrou-falhas-diz-tse.htm>

⁵ <https://portal.tcu.gov.br/imprensa/noticias/tcu-finaliza-analise-de-boletins-de-urna-do-1-turno-das-eleicoes.htm>

⁶ Mention should be made of the cases involving former deputy Roberto Jefferson and re-elected deputy Carla Zambelli. Cf. <https://www1.folha.uol.com.br/poder/2022/10/roberto-jefferson-se-entrega-a-policia-federal.shtml> and <https://oglobo.globo.com/politica/eleicoes-2022/noticia/2022/10/carla-zambelli-pf-vai-apurar-acao-armada-de-deputada-e-suposta-agressao-de-apoiadores-do-pt.ghtml>

⁷ <https://www.tse.jus.br/comunicacao/noticias/2022/Outubro/combate-a-desinformacao-tse-derruba-mais-de-uma-centena-de-postagens-com-narrativas-enganosas>

⁸ <https://www.tse.jus.br/comunicacao/noticias/2022/Outubro/tse-e-plataformas-digitais-discutem-reforco-contrad-desinformacao-no-2o-turno-1>

⁹ <https://veja.abril.com.br/politica/discurso-sobre-fraude-nas-urnas-perde-forca-mas-ha-brecha-para-confusao/>

¹⁰ Alagoas; Amazonas; Bahia; Espírito Santo; Mato Grosso do Sul; Paraíba; Pernambuco; Rio Grande do Sul; Rondônia; Santa Catarina; São Paulo; Sergipe.

¹¹ Cachoeirinha (RS); Canoinhas (SC); Cerro Grande (RS); Entre Rios do Sul (RS); Joaquim Nabuco (PE); Pesqueira (PE); Pinhalzinho (SP); Vilhena (RO).





decision by the Regional Electoral Court (in Portuguese: *Tribunal Regional Eleitoral – TRE*); even though an appeal is pending or final and unappealable judgment, a new election was required according to the electoral legislation in force.

The National Election Observation Mission 2022 of Electoral Transparency Brazil (in Portuguese: *Transparência Eleitoral Brasil – TE Brasil*) followed the development of the second-round campaign in great detail. As an organization whose fundamental principle is the development of democracy in institutions and civil society, with the mission of mobilizing stakeholders towards the promotion and consolidation of democratic practices, *TE Brasil* was accredited as an Observer Entity for the 2022 elections (*TSE Ordinance N°. 651/2022*).

In the second round, *TE Brasil* had 87 observers who visited 54 cities in 15 states¹², and in consulates and embassies of four different countries¹³. They were present in urban and rural areas, as well as in indigenous villages, islands, prisons, and socio-educational institutions. From this sample of cities, 653 polling stations were observed throughout the day, as well as another 76 at the close of voting, 57 data transmission sites, and tallying and voting to count at the *TSE*.

TE Brasil team continues in the field with the National Election Observation Mission 2022 until the inauguration of the elected officials¹⁴, and it will also issue its final

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¹² Minas Gerais: Bambuí; Uberaba; Belo Horizonte; São Roque de Minas; Piumhi. Rio de Janeiro: Rio de Janeiro; Niterói; Distrito Federal / Brasília: Octogonal; Candangolândia; Núcleo Bandeirante; Riacho Fundo; Recanto das Emas; Varjão; Itapoã; Lago Norte; São Sebastião; Santa Maria; Jardim Botânico; Gama. Bahia: Salvador. Ceará: Fortaleza; Juazeiro do Norte; Barbalha; Crato. Mato Grosso do Sul: Dourados; Campo Grande; Terenos. Rondônia: Porto Velho; Candeias do Jamari. Paraíba: João Pessoa; Conde; Santa Rita; Lucena; Patos; Campina Grande; Alagoa Nova; Matinhas; Lagoa Seca. Paraná: União da Vitória; Curitiba; São José dos Pinhais; Almirante Tamandaré; Colombo. Santa Catarina: Porto União; Canoinhas. Rio Grande do Sul: Passo Fundo. Espírito Santo: Vitória. Pará: Belém; Ananindeua. São Paulo: São Paulo; Santos; Franca. Amazonas: Manaus; Iranduba.

¹³ United States (Washington D.C. and New York); Spain (Madrid and Barcelona); Germany (Munich) and Italy (Rome).

¹⁴ According to official information from the *TSE*, elected officials will be certified by the electoral courts by December 19. For the positions of president and vice-president of the Republic, as well as governor, the inauguration occurs on January 1, 2023. Legislators take office on February 1st of the next year. (<https://www.tse.jus.br/comunicacao/noticias/2022/Janeiro/confira-as-principais-datas-do-calendario-eleitoral-de-2022>).



report with the complete data analysis in 2023, as well as the complaints it received, referring to episodes that may involve electoral malpractice, through the *Voto Transparente* platform.

2) Campaign between rounds

Since the announcement of the first-round results, all candidates had been allowed to continue practicing campaign acts. It was soon seen the day after the Sunday of October 2nd. Some aspects of this period deserve to be mentioned in this report and are subject to observation. See below.

a. National and international Election Observation Missions.

As one of the novelties of 2022, national and international election observation missions have worked actively to exercise their role in monitoring the elections. Many of them have already issued their respective reports after the first round¹⁵, such as Electoral Transparency Brazil (*TE Brasil*).

On the day of the elections, some members of the Mission reported impediments to observation, which were resolved through the intervention of polling station officials, Electoral Justice officials, or even through dialogue and explanation about the function of electoral observation, allowing the continuation of the work. In almost all cases, the obstructions were in part carried out by party inspectors, which suggests their lack of knowledge about what electoral observation is and its importance to elections. In this sense, TE Brasil informs that an information strategy will be undertaken with political parties to clarify doubts on the subject, as well as making itself available to political forces to resolve any doubts or insecurities regarding the work of observers.

¹⁵ <https://www.tse.jus.br/comunicacao/noticias/2022/Outubro/publicacao-do-tse-compila-relatorios-de-missoes-de-observacao-eleitoral-no-brasil-e-no-mundo>



Regarding the Brazilian Electoral Justice (employees and poll workers), again *TE Brasil* thanks the great reception it has had in all 27 states of the country in the respective *TRE*, as well as in consulates abroad with diplomats, who were even more helpful to the Mission in this second round.

b. Poll workers - voting day, attendance, and performance in the first and second rounds.

The number of people summoned to serve as poll workers for the second round totaled 1,888,609, of which 47% were volunteers and 53% were called upon.¹⁶ In the observed polling stations, gender balance in the performance of the function was not yet present as in the first round. Given this, the recommendations made in the first partial report of *TE Brasil* were renewed, so that the Brazilian Electoral Justice promotes voluntary campaigns for the function of polling stations, aiming at diversity and gender balance. It is understood that such an effort must go on to improve gender parity in the composition of polling stations, as already stated by the 2020 *TE Brasil* Election Observation Mission and in the partial report of the first round of the 2022 elections.

The attendance percentage of poll workers was 97.64%, according to information from the Brazilian Electoral Justice.¹⁷ Also, as observed by the Mission, the poll workers who were interviewed during the voting day felt safe to perform their activities, as well as affirmed that they had no doubts about procedures. In addition, they were aware that they could count on Brazilian Electoral Justice employees in case of uncertainty about something. However, in some states, some procedures for closing the voting day in the first round were not properly followed by polling stations, such as re-sealing ballot boxes after extracting the resulting memory, or also confusion with available seals to be resealed. Still, it should be clarified that these cases were very few numerically.

¹⁶ <https://sig.tse.jus.br/ords/dwapr/seai/r/sig-eleicao-mesarios/home?session=4497627846458>

¹⁷ <https://sig.tse.jus.br/ords/dwapr/seai/r/sig-eleicao-mesarios/home?session=15802885200680>



Even so, these findings can be considered an exception and were not widely verified wherever the National Election Observation Mission went before the first round. Thus, although polling station training covers these closing procedures on election day to prevent problems and unforeseen situations, no cases have so far been identified that could indicate any type of vulnerability to the integrity of the 2022 electoral process.

In this sense, poll station staff should be more trained in these closing procedures, emphasizing the importance of attention and care when performing them. Poll workers are known to be more prone to errors at the end of the day, considering the fatigue and anxiety inherent to the final moments of an election. However, improving training on this specific point can bring very positive results, especially for people who have worked in elections before, thus improving their level of knowledge.

c. Voting centers

In addition to what was already mentioned in the *TE Brasil's* Partial Report for the first round, the Mission did not observe any problems on the part of the population in locating their polling station. In the polling stations and polling centers observed, in 79% of the cases, people had information about their polling stations, and the remainder obtained them from the servers of the Brazilian Electoral Justice. There were no reports of difficulties preventing people from voting.

d. General Data Protection Law and voter information

An important fact verified by the observation teams was the non-posting of voter lists in the voting centers under the argument that this would violate the General Law of Data Protection (LGPD, in Portuguese).

Attention should be drawn to the importance of the impacts of this interpretation on the right to vote itself, which in the Brazilian system is also an obligation. The voter list has an information function related to where the people should cast their vote, and



even though there are digital tools, such as *E-Título*, many voters have no smartphones or struggle with technology, such as the elderly. Eliminating the physical list of voters also hinders access to this information, which can prevent the exercise of the vote.

This point will be better addressed in the final report of Mission 2022 after analysis of data collected by observer teams, as well as after consulting the electoral authority on the subject.

3) Candidacies

a. Candidacies by race/color/ethnicity and gender

In the second round of the 2022 elections, according to the official data from the TSE,¹⁸ 24 candidates ran for the office of the state representative (governor), 22 of whom were men and only 2 were women. For the office of President of the Republic, there were two men, with male vice presidents as well.

In terms of race/color, of the 50 people running for election offices (disregarding the by-elections held), 36 were white; 11 were brown (in Portuguese: *pardo*); 2 were indigenous and 1 was black.¹⁹

Although women represent 53% of voters in the country, candidates for the majority of seats still follow a predominantly white and male pattern, reflecting inequality in the representation of women at all levels of the federation. This situation reflects what was exposed in the Partial Report of TE Brasil for the first round, wherein there is sort of an impediment to the election of women, despite advances. As an example, one can cite the state of Pernambuco, where two women ran for governor. However, such cases are still very rare and require continuous efforts to change such a perspective.

¹⁸https://sig.tse.jus.br/ords/dwapr/seai/r/sig-candidaturas/g%C3%AAnero?p11_menu=COR_RACA&clear=RP&session=5228163849337

¹⁹<https://sig.tse.jus.br/ords/dwapr/seai/r/sig-candidaturas/painel-perfil-candidato?session=15802885200680>





Therefore, the institutions are recommended to continue investing in gender-inclusive policies. Moreover, this effort should be intensified by the National Congress of Brazil through the adoption of more effective legislation, complementing and improving quota policy for candidacies, focusing also on majority offices and not only on proportional elections.

4) Political violence

As reported at the beginning of this report, political violence was very present during the rounds of the 2022 elections. If at first there was a feeling that the first round had been calm and normal, disclosure of results showed that it may have just been "appearances".

Cases involving offenses between candidates, voters, supporters of the campaigns, and even between authorities were widely verified. Such offenses were often related to the practice of crimes with strong power of public commotion, such as pedophilia and participation in organized crime.²⁰

The National Election Observation Mission of *TE Brasil* has followed the growth of moral harassment with great concern. It is present both in religious establishments (involving candidates with a strong religious appeal, religious leaders, and believers)²¹ and in companies, affecting workers across the country and coming from their employers to determine a political option to be voted on.²²

A report released by *Global Justice* brought data that corroborates the increase in violence in the Brazilian electoral process in 2022. The study pointed out that almost the same number of episodes of political and electoral violence was recorded two months before the first round as in the first seven months of 2022. The study identified 523 cases

²⁰ <https://g1.globo.com/politica/eleicoes/2022/noticia/2022/10/29/guerra-suja-nas-redes-aposta-em-fake-news-batalha-religiosa-apoios-ineditos-como-foi-a-campanha-do-2o-turno-da-eleicao.ghtml>

²¹ <https://noticias.uol.com.br/eleicoes/2022/10/11/cnbb-religiao-nas-eleicoes.htm>

²² <https://valor.globo.com/politica/eleicoes-2022/noticia/2022/10/26/mpt-contabiliza-1284-empresas-acusadas-de-assedio-eleitoral.ghtml>



of political violence involving 482 victims among elected officials, candidates or pre-candidates, and political agents in Brazil. The number of cases in 2022 exceeded the total for 2020 when there were municipal elections, and it is more than 400% higher than the number of cases recorded in 2018 when there were also presidential elections.²³

Furthermore, throughout the Mission, the press reported an increase in cases involving people and more heated arguments, which even ended in physical violence (assaults and murders), as well as threats and damage to property for political reasons.²⁴ Campaign acts have also been hampered by events involving firearms.²⁵

The cited data also brings to light that some social groups are more exposed and vulnerable to political violence. Among them are women and supporters and activists more attuned to the left-wing political spectrum. It may suggest a violation of the political freedoms of these individuals, such as freedom of expression, an association for political purposes, and expression. Such limitation and violation of freedoms through violence is inconceivable in any democracy and should be the subject of public condemnation by all authorities and bodies in the country, as well as by society itself.

Although the scenario described caused apprehension, the Mission witnessed a quiet voting day in the second round of elections, with few incidents involving violence, whether against candidates, voters, polling stations, and/or civil servants of the Brazilian Electoral Justice. Still, some isolated cases occurred against members of the observer teams, which have already been reported in this report. But overall, according to the data collected from the sample of voting centers visited, the voting environment was predominantly peaceful.

Such events cannot be admitted in a democracy. All violent acts in the political sphere must be directly combated so that political rights are not impaired. Full freedom to vote must be guaranteed for all voters and people involved in the electoral process, and

²³ <http://www.global.org.br/blog/numero-de-casos-de-violencia-politica-e-eleitoral-em-2022-e-400-maior-do-que-o-registrado-em-2018/>

²⁴ <https://www.correiobraziliense.com.br/brasil/2022/10/5042370-levantamento-mapeia-111-casos-de-violencia-politica- apenas-em-setembro.html>

²⁵ <https://www1.folha.uol.com.br/poder/2022/10/homem-fica-feriado-apos-atentado- contra-ato-do-pt-norio-grande-do-norte.shtml>



it must be ensured that all candidacies can conduct their campaigns in full, reaching the population, who have the right to know who is running for office.

Therefore, the National Electoral Observation Mission 2022 repudiates all acts of violence that it witnessed during the electoral period. In addition, it urges everyone involved in speeches that may provoke violent reactions not to act in this way, adhering to the values of the Inter-American Democratic Charter and the Constitution of the Republic of 1988 on democracy and political rights.

The Mission also highlights the need to improve the judicial system so that such cases are properly prosecuted within the realm of legality. These instances may even be classified as a crime of political violence. Therefore, situations typified as “insignificant reason”, as allowed by Brazilian legislation, may not be the most appropriate alternative.

The Mission’s final report will analyze all data collected by a specific team of observers to examine gender-based political violence.

5) Misinformation

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Between electoral rounds, the flow of misinformation noticeably increased, causing the electoral authorities to take unprecedented measures, trying to at least control the situation.

Before the first round, the *TSE* signed collaboration agreements with all digital platforms,²⁶ which were tasked with moderating content that turn out to be false. Yet, the strategy proved not to be fully efficient, requiring other complementary measures to increase control of false information and the use of social networks for the specific purpose of dissociating narratives from facts. One of the measures was the approval of a resolution that granted the *TSE* greater prerogatives in the exercise of police power on the subject (Resolution 23.714/2022). However, judicial decisions involving the Brazilian

²⁶ Agreements were made with Facebook; Kwai; Google; TikTok; Twitter; WhatsApp. Cf. <https://www.tse.jus.br/comunicacao/noticias/arquivos/assinatura-de-acordos-plataformas-digitais>



Electoral Justice and reports of fake news had great repercussions, affecting legal security, which should be the rule in elections.

Some cases resulting from these decisions had a strong impact, as is the case of the *Jovem Pan* (a communication channel broadcasted through the Internet), which ended up boosting a misinformation campaign in the networks, accusing the *TSE* of censorship. It characterized an attack against the electoral authority, politicizing its participation in the electoral process²⁷. Several controversies were verified in the period before the second round, precisely due to the intensification of *TSE* intervention in the regulation of the electoral campaign for the presidency. This action made the Electoral Court's prerogatives to comply with the law part of the campaign itself. Still, the level of damage caused to the image and legitimacy of the electoral authority remains to be seen.

Monitoring by the project “*Democracia em Xequê*” shows that disinformation reached all networks and focused on issues related to religious harassment, armed forces, accusations of fraud in the electronic voting system, and violence against *TSE* members. In this context, engagement in interactions based on more radicalized discourses enhanced, which may have intended to provoke conflicts in society, stirring up tempers and, finally, culminating in violence. *TE Brasil* accompanied this network monitoring throughout the electoral process and will bring more objective conclusions in his final report.

Misinformation is an evil that acts destabilizing democracies worldwide and, unfortunately, has directly affected several countries (widely documented and studied data). *TE Brasil* recognizes the virtues of the *TSE*'s Program to Combat Misinformation, which has already been cited by other technical electoral observation missions, such as the Carter Center²⁸.

Efforts to combat misinformation should go beyond the electoral authority. The National Congress of Brazil must, following its attributions, pass laws that strengthen false information control, such as the Fake News Law. Through this, it can encourage a

²⁷ <https://www.aosfatos.org/noticias/tse-jovem-pan-desinformacao/>

²⁸ <https://www.cartercenter.org/news/pr/2022/brazil-100522-portuguese.pdf>



conscious and attentive social engagement in checking information and cutting down the transmission chain of fake news.

Although controversial for involving concepts of freedom of expression, *TE Brasil* states that strategies that confuse society under the pretext of exercising freedom of expression cannot be used. Freedom of speech should belong to all and cannot be used as a tool to oppress the most vulnerable sectors of society. The boundaries between what can and cannot be moderated on social networks are well known, but the role of platforms is crucial for all laws regarding this issue to be truly effective. Therefore, *TE Brasil* draws attention to the great responsibility of platforms as agents to combat misinformation. It believes that only through them will it be possible to at least control situations such as those already verified in the 2018 elections, which will be repeated in 2022, but, in some cases, with greater degrees.

Some experts heard by the 2022 National Electoral Observation Mission evidenced a lack of transparency in the performance of web platforms, both in terms of compliance with the terms of cooperation and in content moderation²⁹. This failure may eventually have economic impacts in terms of paid traffic (boosting campaigns). *TE Brasil* will also contribute to formulating solutions for this problem in partnership with other civil society organizations, which have been included in its schedule of activities.

Another important point is developing campaigns to prevent misinformation through voter education. Even if not just because of fake news, *TE Brasil* recommends resuming the information and education agenda to educate society to identify, by itself, circulating false information. In addition to a workshop focused on digital literacy, which is vital in all current societies, people must be trained in handling the technology that makes up Brazilian elections, providing them with the ability to identify false news involving elections.

6) The voting day

²⁹ <https://internetlab.org.br/pt/noticias/achearegra-internetlab-lanca-observatorio-de-termos-de-uso-das-plataformas-digitais/>



Voting day was predominantly calm, without any occurrences that could compromise the regularity of the voting process in the country and abroad. In this topic, we will present data collected by a team of observers throughout election day.

a. Voter participation

Although long lines were seen at most polling stations in Brazil and abroad in the first round of voting, the situation was different in the second round. According to official *TSE* data, voter participation remained average, with a 20.91% abstention rate (32,716,740 voters).³⁰ Only at the beginning of election day were lines seen, but these flowed quickly. As the day progressed, the polling centers became emptier.

Voters who requested an absentee voting service, that is, for those temporarily outside their electoral district, stood out. In the 2022 elections and the second round, 314,803 voters voted in this situation.³¹ It is worth noting that in the next election these people will return to vote at their respective polling stations.

The polling stations observed started voting on schedule, between 8:00 am and 8:30 am. Procedures to start voting could be observed, with the printing of the zero ballot boxes (in Portuguese: *zerézima*). Only a few very specific incidents required the intervention of Brazilian Electoral Justice officials. In all cases, voting proceeded normally.

b. Voting centers and accessibility

The Mission members visited polling centers in different regions of the cities, diversifying the set of polling stations under observation. Accessibility issues persisted,

³⁰ <https://sig.tse.jus.br/ords/dwpr/seai/r/sig-eleicao-comp-abst/home?session=10765808194497>

³¹ <https://www.tse.jus.br/comunicacao/noticias/2022/Outubro/mais-de-300-mil-eleitores-votacao-em-transito-no-2o-turno-das-eleicoes>





as reported in the Partial Report of the first round. However, very interesting initiatives were also noted, which increased the inclusion of voters with disabilities. An example is the existence of a call center for people with hearing disabilities, which was present in the states of Rio Grande do Sul, Sergipe, Alagoas, São Paulo, Maranhão, Pernambuco, and the Federal District.

This issue is crucial for access to voting. All efforts of the Brazilian Electoral Justice Department to ensure access to voting centers, regardless of their location, are acknowledged. However, the solution must also be dialogued with the municipal, district, state, and federal administrations; therefore, effective public policies can be developed to not only target voting day but also provide a normal life, with autonomy and independence, for people with disabilities.

The Mission also highlights the participation of attendants and poll workers with disabilities. The teams met wheelchair users and visually impaired people who volunteered to work as poll workers. This fact highlights the importance of inclusion in the voting process, whether it be calling for polling stations or the electorate.

On the other hand, the Mission also witnessed voting in a nursing home. The team from Curitiba (PR) went to the nursing home “*Socorro aos necessitados*” and to the *Erasto Gaertner* Hospital, which are sections that were set up by a project called “*Projeto Cidadania Plena*” of *TRE-PR*.³² According to observer reports, doctors and family members of patients sought out the sector for voting non-attendance statements at the hospital, and the elderly were very happy to be able to participate in the vote.

Another topic to be mentioned is again the number of elderly voting around the country and the difficulties regarding election technology. Despite all the benefits brought by technological means to the electoral process, the difficulty of the elderly may be hindering their access to voting. Elements such as QR codes, for elderly people who have no smartphones for example, or those who have little familiarity with the new electronic ballot box model, must be observed by the Brazilian Electoral Justice. In this way,

³² <https://www.tre-pr.jus.br/comunicacao/noticias/2022/Abril/tre-pr-realiza-acao-do-projeto-cidadania-plena-no-hospital-erasto-gaertner>



educational campaigns for voting can be developed, bearing in mind that there are already some actions for the participation of this social group in voting. In the second round, again, many cases were witnessed by the Mission, which may have caused embarrassment to the elderly due to their lack of familiarity with the ballot box or other points of the elections, showing the importance of working on this point.

Still, many of the elderly have difficulties reaching polling stations. This fact, combined with the lack of accessibility, led to situations where the elderly needed to be transported in a wheelchair to the polling station, or cases where family members helped the elderly to move, even if with great difficulty.

Issues involving the elderly and their inclusion in elections should be celebrated, even if as an effect of a measure taken in 2022, in which voting is considered a life certificate for the Brazilian Social Security Administration (in Portuguese: *Instituto Nacional do Seguro Social - INSS*)³³, as part of a public policy that could also improve social services for retirees and pensioners. Regardless of the reason, the Brazilian Electoral Justice Department should develop an inclusion plan for the elderly, giving them a positive experience when casting their vote, and avoiding embarrassing situations for them and their families.

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c. Overseas voting

During the pre-voting phase, Brazilian representations abroad were able to review used voting schemes, considering the first-round experience and some new TSE guidelines. As a result, in several overseas locations, polling stations have been reorganized and lines arranged in a way that long lines, although still present in some cities, could be reduced in most locations. Some polling stations also increased the number of volunteers to organize voting lines.

³³ <https://www.tse.jus.br/comunicacao/noticias/2022/Fevereiro/votacao-nas-eleicoes-passa-a-valer-como-prova-de-vida-para-o-inss>



The opening of voting stations was well-organized and without any major problems. In the first round, some ballot boxes had problems when opening the voting, which did not occur in the second round.

In some cities abroad, especially in those with long lines in the first round, turnout was higher in the morning, with small lines forming even before the polls opened. The higher turnout in the morning generated expectations of a higher turnout in the second round, which was not confirmed at the end of voting.

Supporters of presidential candidates gathered in front of polling places in several cities abroad. In Munich, Germany, people agglomerated in the morning but dispersed in the afternoon. In Washington D.C., United States of America, crowds began in front of the Capital Hilton hotel building, where the polling took place, with the positioning of two groups of supporters considered potentially problematic for traffic and voting conduct, with accusations of campaigning. Tension was promptly dissolved by the electoral judge, Ambassador João Luiz Pereira Pinto, through dialogue with both groups.

As in the first round, overseas sessions observed showed a low level of turnout in comparison to the national territory. Voter participation did not reach 50% in the vast majority of observed polling stations.

In cities where some sort of tension between supporters of the presidential candidates was observed, security arrangements were reformulated, avoiding concentrations of people around the polling stations. Another important factor in reducing tensions was shortening lines and overall waiting time for voting. Thus, stress caused by long waiting lines and logistical difficulties during the first round gave way to a more organized voting day.

Voting closed on schedule. The full functioning of electronic ballot boxes and improvement in polling station logistics allowed closure without lines of voters. Transmission of election results was also accelerated due to fully functioning electronic ballot boxes. The generation of digital media and transmission of results occurred faster than in the first round and without problems.



Generally speaking, organizational differences between the two rounds point to the need to build an institutional memory in terms of polling station organization abroad. The Mission was informed that in the first-round polling stations were organized without prior knowledge of the behavior of each station. Some variables, such as age composition, proximity to the residence of registered voters, and the number of voters at polling stations, affect their logistical organization. In this sense, *TE Brasil* recommends building institutional records to avoid neglecting such crucial aspects and provide a more positive voting experience for Brazilians residing in other countries.

Efforts to improve voting logistics were observed in all the centers observed. Innovative solutions were identified in Washington D.C., USA, where a color system with stripes glued to the floor was used, guiding voters from the polling place entrance to their polling room. In Barcelona, volunteer line organizers used short-range radios for communication, controlling the flow of voters at each stage of line organization.

The deployment of party agents was also a constant in the locations observed. In some locations, such as Barcelona, there were candidacy inspectors for Jair Bolsonaro for the first time, whereas in others, such as Washington D.C., the number of candidate inspectors for Luiz Inácio Lula da Silva increased from 1 to 4 between the first and second rounds.

Polling places are not standardized abroad, giving rise to different contexts. Observed locations ranged from hotels to Brazilian cultural centers. In some polling places, such as Madrid (Spain), voting took place at the *Casa do Brasil*, a cultural space linked to the Brazilian embassy, with spaces organized to allow street vending.

It is also worth mentioning that the migration status of Brazilian voters abroad affects the exercise of their political rights. In Spain, for example, voters withdrew from the polling place upon the arrival of Spanish security forces, allegedly out of fear due to their irregular status in the country. In New York, the Brazilian Consulate tipped off the police headquarters to avoid a new gathering of opponents, as seen in the first round. In response, the New York police officers secured the voting site throughout the day by blocking the access road to the building where the voting took place. Although crowding



was avoided in the second round, the effect of this action on the participation of Brazilian citizens, whose political rights are not conditioned by their migration status, could not be measured.

In Spain, difficulties in dialogue and obtaining information by observation missions were repeated in the second round. However, they still could obtain all the necessary information. Even so, *TE Brasil* values the work of Brazilian missions abroad in terms of voting organization, making itself available to cooperate to improve the voting experience outside the national territory.

Finally, the second round also included greater support from the *TSE* for missions abroad. Cities like Washington D.C., which had a problem with an electronic ballot box in the first round, received an extra number of electronic ballot boxes, which remained unused, but could have been useful in case of technical failure. However, extra mission staff sent by the *TSE* abroad to support representation missions were not present during the attendance of Mission members. It should be noted that observation abroad is not intended to be statistically significant; it has been included in this report for informational purposes only and is not an absolute statement.

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d. Voting in prisons and socio-educational institutions

The *TE Brasil* Mission also accompanied the voting of persons deprived of liberty in a women's house of detention, called *Penitenciária Feminina de Santana*, in São Paulo city – São Paulo State, as well as in juvenile correctional institutions, one called *Fundação Centro de Atendimento Socioeducativo ao Adolescente - Fundação CASA*, also in São Paulo city, and the other called *Centro Educacional Cardeal Aloísio Lorscheider*, in Fortaleza city – Ceará State. Access to these sites was made upon instructions from the respective *TRE*, and observers followed all the rules requested by the institutes.

In the women's penitentiary, voting was calm. Prisoners eligible to vote were only those in pre-trial detention, awaiting trial. It is noteworthy that convicted prisoners cannot vote by constitutional provision. The organization was good and the planning was



well done. At 10 am, all detainees had already voted and/or made a non-attendance voting statement. There was a party inspector and a representative of the *TRE-SP* in the location.

There were two poll workers, and another was absent due to health problems. Prison staff reported dissatisfaction with not being able to vote, as their shifts are flexible and change frequently. Some were only informed of shift changes in the previous week, which made it impossible for them to participate in elections. Because of this, they questioned whether there could be greater agility in requests for absentee voting and the possibility of online voting, and complained about proximity to the second round.

In total, 54 workers made a non-attendance voting statement in the prison unit, because they were far from their polling places, which were located in other cities. There were 61 eligible voters, among which 53 showed up to vote. Some detainees had to make a non-attendance voting statement, as they had recently been transferred from other prison units.

In turn, the monitoring of youngsters and adolescents voting in socio-educational institutions also went smoothly. They were excited about the opportunity to vote and very curious about the electronic ballot boxes. Officials from the Brazilian Electoral Court explained the ballot box functions and how to cast their vote. Their families were instructed to talk to them about politics, giving them information about the voting decision, which was reflected in a great interest in doing it, mainly for the office of President of the Republic.

In Fortaleza, there were 31 registered voters, 26 of whom voted, whereas in São Paulo they totaled 79 voters. Poll workers reported how young people reacted after voting, feeling more integrated with what happens in society, even those who had previously declared not to be interested in voting. In both cases, the whole operation was well organized and ran smoothly. In São Paulo, poll workers were employees of the *CASA* Foundation, and a party inspector was present as well.

Initiatives like this are crucial not only to generate a democratic culture but also to not exclude these social groups from the decision-making processes. This is even more remarkable in the case of young people, who have a long time to live and should be



motivated to vote, exercising their political rights in their fullness in society after leaving the condition of inmates.

TE Brasil congratulates the inclusion work of the Brazilian Electoral Justice and appreciates the access granted to carry out observations in these institutions. We will continue with the inclusion agenda and wish to collaborate more and more with local electoral authorities so that everyone has full access to vote, whatever their condition. Our special thanks to the *TRE-SP* and the *TRE-CE* for all their help in this matter.

7) Follow-up of by-elections in Canoinhas – Santa Catarina State

The Mission also monitored the by-election in the city of Canoinhas, Santa Catarina State, whereby the office of the Mayor was elected. It should be noted that an election can be harnessed for a by-election, in terms of organization and electoral management.

According to observer reports and data, the atmosphere was calm, with more voters in the morning. Electoral authorities and poll workers showed a lot of interest in the presence of observers, which made it possible to clarify any doubts that might arise.

Altogether, we visited three polling centers in the city, of different sizes and realities. They were characterized by the absence of lines, trained poll workers, and little difficulty in voting. No difficulties were identified by the voters since by-elections were held simultaneously with the second round of national elections, despite the dispute for the office of the state governor.

TE Brasil thanks the electoral prosecutor's office, as well as the local electoral judges, for the very positive reception of our observers.

8) The integrity of electronic voting system

In the Partial Report of the first round of voting, several aspects concerning the integrity of the electronic voting system were already highlighted. Many measures aimed



at increasing transparency and reliability in the system had a positive impact, such as the case of integrity tests using biometrics, for example.

In light of this, *TE Brasil* will mention in this report elements observed in the two rounds of the 2022 elections, as well as some findings after analyzing the data obtained. Aspects related to media generation and ballot box sealing, integrity tests, and *BU* checking will also be addressed.

a. Checking Ballot box logs against first-round election results

From open ballot papers data, available on the *TSE*'s Open Data Portal, technology experts of the *TE Brasil* Mission summed the votes cast for the office of President of the Republic, through programming scripts (small programs), according to data from the *BU*. It could be done independently and for the first time by making available digital files from the *BU*, Digital Vote Record (DVR), and logs that occurred in this election.

The availability of open data is included in the Action Plan prepared by the Election Transparency Commission (in Portuguese: *CTE*) of the *TSE*, of which *TE Brasil* is a member. This is stated in measure number 8:

8 - Publication of Digital Vote Record (DVR) and Ballot box logs files.

According to the *CTE*, the measure would facilitate the verification of the counting of votes in each electronic ballot box. It would enable analysis from voting statistics and verification of polling station results using the DVR voting records, thus proving results from ballot boxes. From DVR and ballot log files, one would, without the participation of the Brazilian Electoral Justice, and with autonomy and independence, ascertain the result of each polling station in the country and compare it with the *BU* result published at the polling station and, later, on the Internet. To strengthen this measure, the *TSE* released all documentation required for checking and analyzing files, organizing it



in such a way that the user can check DVRs from just one state, municipality, or electoral zone. One of the main milestones of this measure is the publication of DVR and Ballot box logs files in a repository integrated with the Open Data Program, as well as all documentation for checking and analyzing those documents.³⁴

Besides checking the *BU* and sum of votes, one could use the open data to analyze the number of votes cast every hour and the proportion of them with and without biometrics, for example. *TE Brasil* is working towards a more complete verification, which will be brought in the Final Report of the Mission 2022.

Regarding the sum of votes in the *BU*, no inconsistencies were found. This finding is in line with the report of the Federal Court of Audits (in Portuguese: *Tribunal de Contas da União - TCU*) released on the day of the second round of voting. According to the *TCU*, a sample of 4,161 *BUs* was analyzed for the first round of elections, with about 5.8 million pieces of information compared between physical and digital *BUs*. No divergence was found. The sample was randomly selected and physically delivered to the *TCU* by the *TSE*.³⁵

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This report demonstrates the importance of the Action Plan developed by the *CTE* in the 2022 elections and highlights the need to make the Commission a permanent body of the *TSE*. Impacts of the measures adopted as a result of the Action Plan produced concrete results regarding the integrity of the electronic voting system. The process must be continuous and not limited to a single election only. That is why the *TSE* should make the *CTE* a permanent body, based on a space for interaction and dialogue among the Court, state institutions, civil society, and technology experts.

Due to its relevance, the same has already happened with the Program to Combat Misinformation. Several proposals for improving the system as a whole can be thought of in the medium and long term through collective construction aimed at fostering the

³⁴ <https://www.tse.jus.br/comunicacao/noticias/2022/Abril/plano-de-acao-elaborado-pela-comissao-de-transparencia-deixara-as-eleicoes-ainda-mais-seguras>

³⁵ <https://portal.tcu.gov.br/imprensa/noticias/tcu-finaliza-analise-de-boletins-de-urna-do-1-turno-das-eleicoes.htm>



democratic integrity of Brazil, and results can be even more positive than those observed in the 2022 elections.

Conversely, other striking initiatives coming from the *TRE* were experienced by the Mission, as is the case of *QRTot*, from the *TRE* of Santa Catarina. According to the Court, the application allows anyone to independently verify the Brazilian Electoral Justice at the state level in the 2022 elections to attest to the reliability of the Brazilian electoral process. The application allows reading the QR Code of a *BU* after the end of voting in each polling station. From then on, while reading votes computed on the equipment, the *QRTot* transmits the information to a repository housed in a private cloud, where the sum of votes from polling stations read is made. This process enables us to know, before the official result, the absolute number of votes for each candidacy.³⁶

Members of the Mission could test the application and reported having a positive experience with the result. Our teams identified no inconsistencies and highlighted the ease of use of the application. Thus, we congratulate the *TRE-SC* for bringing even more accessibility and transparency to the electronic voting system.

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b. Media generation and ballot box sealing

The *TE Brasil* National Election Observation Mission teams witnessed again and throughout Brazil several generations of media, which are inserted into electronic ballot boxes (flashcards with the list of candidates and media results), as well as sealing of all ballot boxes with an official stamp, signed by electoral authorities. The teams were in 26 states³⁷ and in several electoral zones to observe the procedure, which also included ballot box self-testing and auditing procedures. However, the presence of teams was diversified

³⁶ <https://www.tre-sc.jus.br/comunicacao/noticias/2022/Setembro/aplicativo-qrtot-ja-esta-disponivel-para-download-na-loja-do-mpsc>

³⁷ Unfortunately, due to airline network problems, it was not possible to attend the *TRE-MT* within the planned schedule for these events. However, we thank the focal point of the Court (the person responsible for contacting the Mission) for the very attentive service to our teams to verify all the possibilities of attendance.



by including electoral zones located in cities in the countryside. One case was the indigenous village of *Funil*, of the *Xerente* people, in the inner state of Tocantins.

Therefore, the teams could verify that media generation and ballot box sealing were duly performed also in areas outside of the capital cities. The procedures complied with the electoral regulations in force so that electronic voting system security and electronic ballot box preparation could be guaranteed.

As reported for the first-round voting, media generation and ballot box sealing are organized in different ways. Most federal entities hold these ceremonies in a decentralized manner, that is, not everything is prepared in the capital. Calendars are organized independently by each regional court (*TRE*), within a period established for these procedures. Therefore, these processes can take place simultaneously all over the country.

Technological initiatives from some *TREs* were presented to the Mission during its visits to accompany ballot box preparations. At the *TRE-PI*, the ballot box warehouse was equipped with an *RFID* system, which allows reading ballot boxes registered at the Court using a bar code reader, thus identifying their location.³⁸ In the *TRE-PE*, bar codes of ballot boxes ready to be boxed and transported to their respective polling stations are read.

Procedures could be followed, and the organization and progress of prepared ballot boxes could be followed in all states. The team gave all information needed to understand what was being done, with observers being able to collect data and take several photos.

The National Election Observation Mission had to overcome some difficulties regarding access to information, mainly due to focal points appointed by the *TRE*. However, some problems that had already been identified in the first round were renewed. For example, there was a divergence of dates reported as planned for ceremonies and

³⁸ <https://www.tre-pi.jus.br/comunicacao/noticias/2020/Marco/tre-pi-inaugura-o-mais-moderno-deposito-de-urnas-do-pais>



those that were included in the call notice, in addition to uncertainty as to dates, even close to the election day.

Given this finding, as suggested in the first-round report, external communication can be improved using some initiatives already adopted by some *TREs*. These strategies could be nationalized or replicated in other courts, such as publishing a complete calendar on the website of the respective *TRE* or even sending notices directly to contacts of supervising and electoral observing bodies. This adoption would allow better systematization and synchronization among these institutions, increasing chances of presence in these important moments for preparing electronic ballot boxes.

The National Election Observation Mission also witnessed several integrity tests, both the day before voting and biometrics, which were part of the pilot project announced by the *TSE*.³⁹ In this sense, as occurred in the first voting round, the Mission found that tests also proceeded normally in the second round, without results-compromising occurrences. The same can be applied to that pilot project that tests integrity with biometrics, which awaits formal reports from inspection bodies such as the *TCU* and Armed Forces. From what was observed, *TE Brasil* could verify that no intercurrentence was identified during this testing.

As a pilot project, integrity tests using biometrics can be certainly improved. Its performance can also be optimized for the next elections, conducting it based on a more effective communication strategy with voters, planned with more time in advance to resolve any doubts volunteers may have about participating.

9) Vote transmission and tallying

a. Ballot box bulletins, data transmission, and partial results dissemination

³⁹ <https://www.tse.jus.br/comunicacao/radio/2022/setembro/tse-simula-projeto-piloto-do-teste-de-integridade-com-biometria>



While monitoring the closing of voting, we verified that polling station agents and Brazilian Electoral Justice employees complied with the procedures. The *BU* was posted on the doors of the polling stations and also distributed to some people and members of the Mission. Our team collected several *BUs* for checking, and the results will be shown in the Final Report.

In most of the polling stations observed, voting closed between 05:00 PM and 05:30 PM, enabling the transmission of results to be announced. The teams that went to the *TRE* and *TSE* were soon able to witness the arrival of the voting data.

Delays or problems during data transmission were not observed. There were a few reports of power outages due to heavy rains (União da Vitória, in Paraná; Porto União, in Santa Catarina), causing delays but without preventing procedures from being carried out.

b. Tallying by the Supreme Federal Court

Vote tallying at the *TSE* went smoothly and within the expected time. Consolidated results could be made available around 8:15 pm, even though not 100% of the ballots had been counted.

The *TE Brasil* team remained at the *TSE* until the results release press conference. No event suggested a break in normality in the final phase of the second round of elections.

10) Final considerations

The National Election Observation Mission 2022 congratulates the Brazilian society for the 2022 elections. The electorate participated, made themselves heard through the ballot box, and declared their will, providing legitimacy to the result.

TE Brasil also congratulates the Brazilian Electoral Justice, from the *TSE* to the *TRE*, as well as the entire body of servers, for the work of organizing the 2022 elections.



Dedication by authorities of all electoral spheres resulted in a planned and righteous process, complying with the procedures provided for in current regulations.

The Mission also celebrates the positive and calm attitude of Brazilians, which prevailed both in the first and second rounds. Democracy is a means of peaceful conflict resolution, and Brazil has demonstrated its desire for such pacification.

Furthermore, the Mission is deeply grateful to the entire team of observers, who spared no effort to collect all data displayed here. All Mission members contributed to the success of the project, and *TE Brasil* recognizes the great importance of this valuable volunteer corps.

Finally, *TE Brasil* urges everyone to respect the result of the polls. This result must be respected by institutions, political actors, and political parties. Any contestation must be based on facts and evidence of deviations, solely through existing institutional channels. In a democracy, acceptance of results is one of the main pillars that support popular sovereignty.

The National Election Observation Mission 2022 will remain active until the graduation of the elected officials.