

Electoral Transparency Commission (CTE) has enhanced the dialogue between the Superior Electoral Court and society

The setting up of the Commission in 2021 has widened the Electoral Court's direct contact with institutions.



Since its implementation in September 2021, the Electoral Transparency Commission (CTE) has already held six technical meetings – including those with military cybersecurity officials – with the aim of deepening transparency and security in all stages of both the planning and the holding of elections in the country.

The CTE was created by TSE Ordinance No. 578/2021 under the Presidency of Justice Luís Roberto Barroso – who preceded Justice Edson Fachin – as a multiple collegiate with the objective of intensifying the dialogue with several public institutions and social groups for the improvement of the electoral process. Also, on the same month of 2021, the Electoral Transparency Observatory (OTE) was instituted by the TSE.

The CTE is made up by representatives of institutions and public agencies, information technology experts and members of both civil society and the Armed Forces. Since its creation, the Commission has actively participated in the TSE Action Plan for the 2022 Elections by providing opinions and recommending additional actions to ensure the utmost transparency of the electoral process.

Meetings and additional actions

The CTE's first meetings were convened during the administration of Justice Luís Roberto Barroso, and went on during the administration of Justice Edson Fachin. Check out the dates and topics discussed at the meetings and at other events related to the Commission's activities:

September 13, 2021 – The TSE held the first commission meeting. On that occasion, president Luís Roberto Barroso thanked the members for their presence, while highlighting the importance and goals of the group. He also pinpointed the inspection and auditing stages, encouraging members to participate in the respective acts.

October 4, 2021 – The second meeting of the forum was held shortly after the inauguration of the “Cycle of Democratic Transparency – 2022 Elections”. At the time, general explanations were made along with a request to attend both the opening of the source code at the TSE premises and the Public Security Testing of the E-Voting System (TPS 2021), which was expected to take place in November.

November 22, 2021 – The third CTE meeting took place with the beginning of the discussion of the group’s action plan, consisting of ten actions to be developed and carried out throughout each stage of the electoral process.

December 2, 2021 – Members of the Information Technology Secretariat of the Court (STI) hosted a delegation of military officials from the cybersecurity area of the Armed Forces, as requested by CTE member general Heber Portella, in order to provide clarification on the working of ballot boxes and the computerized electoral process.

February 14, 2022 – The fourth meeting of the CTE members was held. At that time, suggestions were delivered by the Commission members. The participants also highlighted the importance of the participation of political parties in the sealing of the systems.

April 25, 2022 – During the first meeting coordinated by the president of TSE, Justice Edson Fachin, the Action Plan to Increase the Transparency of the Electoral Process and the Structural Grounds for the Electoral Process were presented. It should be underlined that, besides the collective meetings stressed above, TSE keeps a bilateral cooperative relationship with the Ministry of Defense, thus aiming at establishing dialogue and technical collaboration.

May 2, 2022 – The Electoral transparency Observatory (OTE) met again to discuss expanding disclosure of all stages of the electoral process. The meeting was coordinated by TSE’s president, Justice Edson Fachin.

June 20, 2022 – There was a joint meeting between all the members of both the Electoral transparency Commission (CTE) and the Electoral transparency Observatory (OTE).

March 16, 2022 – A meeting was held with the then minister of Defense, general Braga Netto, at the office of the president of TSE.

April 6, 2022 – The TSE’s president and vice-president, Justices Edson Fachin and Alexandre de Moraes, hosted the current Minister of Defense, General Paulo Nogueira de Oliveira.

April 20, 2022 – A new meeting was held with the Minister of Defense, when he, along with a technical team, brought forward suggestions made by the Armed Forces for improving the electoral process.

CTE Members

On the part of public institutions and government entities, the CTE consists of senators Eliziane Gama and Katia Abreu; deputy Margarete Coelho; minister at the Federal Court of Accounts (TCU), Benjamin Zymler; cyber defense commander at the Armed Forces, general Heber Garcia Portella; the Brazilian Bar Association (OAB) counselor, Luciana Diniz Nepomuceno; Paulo César Hermann Wanner, criminal expert at the Federal Police Computer Forensics Service; and Paulo Gustavo Gonet Branco, deputy attorney-general at the Electoral Prosecution Office (MPE).

The Information Technology specialists and civil society representatives who also belong to the CTE are: André Luís de Medeiros Santos, professor at the Federal University of Pernambuco (UFPE); Bruno de Carvalho Albertini, professor at the University of São Paulo (USP); Roberto Alves Gallo Filho, PhD from the State University of Campinas (Unicamp); Ana Carolina da Hora, researcher at the Center for Technology and Society at the Getúlio Vargas Foundation's Law School in Rio de Janeiro (FGV-DireitoRio); Ana Claudia Santano, general coordinator at *Transparência Eleitoral Brasil*; Fernanda Campagnucci, executive director at Open Knowledge Brazil; Luciana Veiga, president of the Brazilian Association of Political Science (ABCP); Raquel Meneguello, coordinator to the Brazilian Electoral Study (ESEB) at Unicamp; and Gabriela Tarouco, from the Electoral Integrity Project.

OTE Members

The Observatory brings together, among others, Paulo Jerônimo de Sousa, from the Brazilian Press Association; Patrícia Campos Mello, from the Brazilian Association of Investigative Journalism; Vinicius Diniz Monteiro de Barros, from the National Association of Federal Public Defenders; Harmut Richard Glaser, from the Brazilian Internet Steering Committee; Maria Paula Almada e Silva, from the National Institute of Science and Technology in Digital Democracy; Melillo Dinis do Nascimento, from the Movement Against Electoral Corruption; Ana Claudia Santano, from *Transparência Eleitoral Brasil*; and also some representatives of several political parties.

SUMMARY TABLE OF SUGGESTIONS COLLECTED BY THE ELECTION TRANSPARENCY COMMISSION (CTE)

The Electoral transparency Commission (CTE) was established through Ordinance No. 578, of September 8, 2021, and, considering its normative design, has the specified objectives of increasing the transparency and safety of all stages of the planning and holding of elections, increasing the participation of experts and civil society's entities and public institutions in the overseeing of the electoral process, and finally, aiding in safeguarding the integrity of the electoral process.

The Superior Electoral Court has followed guidelines of highest transparency and evaluated, in detail, the contributions obtained by its Members. A transparent electoral process is open to supervision and – from the standpoint of both the electorate and political actors – is comprehensible and mediated by a responsive institution.

So far, since the Commission was established, the TSE has gathered 44 suggestions and proposals (not taking into account any repetitions and reiterations). They are categorized as follows:

- **32 proposals were fully or partially accepted, representing 72,7% of the total amount;**
- **11 proposals will be studied within the new election cycle (2023-2024),**

representing 25% of the total amount;

- 1 proposal was rejected, representing 2,2 % of the total amount.

The table below specifies the high rate of acceptance of proposals and the use of transparency by the Superior Electoral Court:

TABLE OF SUGGESTIONS PRESENTED BY THE CTE MEMBERS			
Proposal 01	Author	Overview of TSE's appraisal	Status
Inclusion of the Freedom of Information Act (Law No. 12,527/2011) and the Digital Government Law (Law No. 14,129/2021) in the CTE Action Plan.	Fernanda Campagnucci (Open Knowledge Brazil)	The suggestion is pertinent and upholds the rationale for the planned actions. The legal provisions were included in the CTE Action Plan.	ACCEPTED
Proposal 02	Author	Overview of TSE's appraisal	Status
Extension of the deadline for submitting proposals to the Action Plan, to a date past its due date, namely December 17, 2021.	Heber Garcia Portella (Division General, Armed Forces)	Even past deadline, TSE has been collecting suggestions and replying there to.	ACCEPTED
Proposal 03	Author	Overview of TSE's appraisal	Status
Intensification of communication among its members; granting of access to individual reports and to inquiries made; and request of a coordinated plan of action for the next milestones (e.g. one of the member's signature could be included on the occasion of the supervised sealing).	Professor Bruno de Carvalho Albertini (USP)	An email distribution list was created as a way of simplifying the contact between all those involved. With reference to the proposal that CTE members should take part in the stages of the electoral process, we inform that most institutions/entities that make up this commission already appear as supervisory entities, pursuant to the TSE Ordinance No. 23,673/2021, which provides for procedures of inspection and auditing of the electronic voting system (e.g. articles 5 th , 6 th and following). Nonetheless, it is essential that entities who are CTE members take part in every step of the electoral process, which is the reason why TSE shall inform in advance the main milestones of the election calendar so as to allow the monitoring by the commission members.	ACCEPTED
Proposal 04	Author	Overview of TSE's appraisal	Status
CTE and OTE should be ongoing measures in order of contributing to CTE in every election	Paulo César Herrmann Wanner (criminal expert at the Federal Police – PF)	CTE and OTE both have peculiarities that justify their continuity, besides the effective possibility of contributing to the goals of the CTE itself. The suggestion will be assessed by the TSE, since it is not binding for future court administrations.	TO BE ANALYZED IN THE NEXT ELECTION CYCLE

Proposal 05	Author	Overview of TSE's appraisal	Status
In the Action Plan, TSE should highlight the possibility that the source code inspected in 2021 may undergo some change until the sealing ceremony.	Heber Garcia Portella (Division General, Armed Forces)	The observation was included in the CTE Action Plan.	ACCEPTED
Proposal 06	Author	Overview of TSE's appraisal	Status
Employment of automated tools for inspection of the source code and registration of subsequent changes made by the TSE.	Paulo César Herrmann Wanner (criminal expert at the Federal Police – PF)	<p>Inspection of the source code currently allows the employment of automated tools. In consonance with TSE Resolution No. 23,673/2021:</p> <p>Article 12. The supervising entities may use, solely in Electoral Justice equipments, specific programmes for the static analysis of software, as long as they are public knowledge, ordinarily marketed or available in the market, and properly licensed for carrying out inspections.</p>	ACCEPTED
Proposal 07	Autor	Overview of TSE's appraisal	Status
Inspection of source code in the regional electoral courts and expansion of disclosure.	Professor André Luís de Medeiros Santos (UFPE)	It does not seem feasible right now that inspection of the source code should happen within the regional electoral courts. This stems from the fact that although decentralization of this evaluation to the regional courts may attract more participants and provide greater accessibility, it may generate an unbearable demand for TSE. Concerning the expansion of disclosure to the academic departments of information technology, we inform that the proposal will be dealt with by this court.	TO BE ANALYZED IN THE NEXT ELECTION CYCLE

Proposal 08	Author	Overview of TSE's appraisal	Status
Transparency is suggested regarding which entities will be granted access to the inspection of the source at the main building of TSE.	Professor Bruno de Carvalho Albertini (USP)	<p>It should be made clear that the access to the source code by citizens in general is possible through the Public Safety Tests (TPS). According to the TSE Resolution No. 23,444/2015, any Brazilian citizen over the age of 18 may take part in a TPS, and their accommodation and travel expenses will be provided for by TSE. As to definition of which supervising entities may carry out inspection of source codes within the TSE premises, it is to be noted that the legal provision considers only the participation of technicians appointed by the political parties, the Brazilian Bar Association and the Public Prosecution Office (article 66, § 1º, of Law No. 9,504/1997).</p> <p>However, TSE has continuously broadened the list of entities that are entitled to participate in the monitoring process of elections, with aim to ensure greater transparency. The current list is described on article 6th of TSE Resolution No. 23,673 and covers:</p> <ul style="list-style-type: none"> I – political parties, federations and coalitions; II – Brazilian Bar Association (OAB); III – Public Prosecution Office (MP); IV – National Congress; V – Federal Supreme Court (STF); VI – Brazilian Office of Comptroller General (CGU); VII – Federal Police (PF); VIII – Brazilian Computer Society; IX – Federal Council of Engineering and Agronomy (Confea); X – National Justice Council (CNJ); XI – National Council of Public Prosecution (CNMP) XII - Federal Court of Accounts (TCU); XIII – Armed Forces; XIV – National Confederation of Industry (CNI), other members of the industry system and corporate entities belonging to the S System; XV – Brazilian private non-profit entities, with well-known inspection performance and transparency in public management, which are accredited by TSE; and XVI – information technology departments of universities accredited by the TSE. 	ACCEPTED
Proposal 09	Author	Overview of TSE's appraisal	Status
In order to boost the effectiveness of the Public Safety Test on future events, it is suggested to reduce restrictions placed on inspectors and broaden the scope of the said test.	Heber Garcia Portella (Division General, Armed Forces)	As is generally known, the Public Safety Test for the 2021/2022 election cycle took place in November of last year, and a confirmation test was carried out in May of this year. Therefore, the suggestion will be dealt with by TSE's technical team and will be put up for discussion again during the next election cycle.	TO BE ANALYZED IN THE NEXT ELECTION CYCLE

Proposal 10	Author	Overview of TSE's appraisal	Status
Improvement of the TPS (a Linux system better suited for performing intrusion tests, such as, for example, the Kali Linux system, and that a repository of the chosen system be set up in the TPS network, so as to simplify and speed up the installation of softwares, tools, and their dependencies on Linux environment).	Paulo César Herrmann Wanner (criminal expert at the Federal Police – PF)	As already mentioned, the Public Safety Test for the 2021/2022 election cycle took place in November of last year, and a confirmation test was carried out in May of this year. Therefore, the suggestion will be dealt with by TSE's technical team and will be put up for discussion again during the next election cycle.	TO BE ANALYZED IN THE NEXT ELECTION CYCLE
Proposal 11	Author	Overview of TSE's appraisal	Status
<p>Improvement of TPS'S technical issues:</p> <ul style="list-style-type: none"> - By allowing open tests for individuals and entities with certified technical expertise. After getting a license, the analyst could take part in the TPS without clear planning. - By allowing the ballot box's hardware and software to be checked beforehand at any time by the proposers. Those selected (and licensed) could pay a visit to TSE and be granted access to the ballot boxes' hardware and codes to study possible attack surfaces. - By way of unrestricted opening of plans and reports of previous TPS's, along with comments made by TSE technicians on containment measures. This allows for the elimination of possible attacks already exploited or of the planning of other attacks on the same surface. - By increasing the testing time for hardware proposals. Hardware testings are more time-consuming than software ones and may demand greater planning. However, one should consider the feasibility of the attack (e.g. need for physical tampering, high-cost alteration, etc). 	Professor Bruno de Carvalho Albertini (USP)	As already mentioned, the Public Safety Test for the 2021/2022 election cycle took place in November of last year, and a confirmation test was carried out in May of this year. Therefore, all suggestions will be dealt with by TSE's technical team and will be put up for discussion again during the next election cycle.	TO BE ANALYZED IN THE NEXT ELECTION CYCLE
Proposal 12	Author	Overview of TSE's appraisal	Status
Detailing TPS results to the public in general, in a better and didactic manner.	Ana Carolina da Hora (FGV-Rio)	With the end of the 2021 TPS, after the onfirmation test and delivery of the final report by the Evaluation Committee (on May 30, 2022), TSE teams have been researching ways of explaining the results of the said test in a didatic way to the public in general. The observations shall be addressed by this Court.	ACCEPTED

Proposal 13	Author	Overview of TSE's appraisal	Status
Expression of interest by the Federal Police to take part in the pilot project to make the source code available.	Paulo César Herrmann Wanner (criminal expert at the Federal Police – PF)	The federal police has been invited to participate in the pilot project.	ACCEPTED
Proposal 14	Author	Overview of TSE's appraisal	Status
Expanding source code access to outside of the TSE premisses.	Professor André Luís de Medeiros Santos (UFPE)	Let it be known that the entities who will participate in the pilot project on source code availability, have been defined by this court (Unicamp, UFPE and the Federal Police). Because it is a pilot project and he reduced quantity of partners is justified at this point. As for the remaining observations, it should be noted that they will be addressed by the TSE technical team, who takes the opportunity to explain that the pilot project will serve as validation of the source code review pattern by external bodies and shall enable the necessary improvements for the next steps of the intended expansion, with the inclusion of some points above mentioned.	ACCEPTED
Proposal 15	Author	Overview of TSE's appraisal	Status
Expanding source code access to outside of the TSE premisses	Professor Bruno de Carvalho Albertini (USP)	Let it be known that the entities who will participate in the pilot project on source code availability, have been defined by this court (Unicamp, UFPE and the Federal Police). Because it is a pilot project and he reduced quantity of partners is justified at this point. As for the remaining observations, it should be noted that they will be addressed by the TSE technical team, who takes the opportunity to explain that the pilot project will serve as validation of the source code review pattern by external bodies and shall enable the necessary improvements for the next steps of the intended expansion, with the inclusion of some points above mentioned.	ACCEPTED
Proposal 16	Author	Overview of TSE's appraisal	Status
Expanding source code access to outside of the TSE premisses	Dr. Roberto Alves Gallo Filho (Unicamp)	Let it be known that the entities who will participate in the pilot project on source code availability, have been defined by this court (Unicamp, UFPE and the Federal Police). Because it is a pilot project and the reduced quantity of partners is justified at this point. As for the remaining observations, it should be noted that they will be addressed by the TSE technical team, who takes the opportunity to explain that the pilot project will serve as validation of the source code review pattern by external bodies and shall enable the necessary improvements for the next steps of the intended expansion, with the inclusion of some points above mentioned.	ACCEPTED

Proposal 17	Author	Overview of TSE's appraisal	Status
Expanding source code access to outside of the TSE premisses.	Fernanda Campagnucci (Open Knowledge Brasil)	Let it be known that the entities who will participate in the pilot project on source code availability, have been defined by this court (Unicamp, UFPE and the Federal Police). Because it is a pilot project and the reduced quantity of partners is justified at this point. As for the remaining observations, it should be noted that they will be addressed by the TSE technical team, who takes the opportunity to explain that the pilot project will serve as validation of the source code review pattern by external bodies and shall enable the necessary improvements for the next steps of the intended expansion, with the inclusion of some points above mentioned.	ACCEPTED
Proposal 18	Author	Overview of TSE's appraisal	Status
Employment of an alternative tool for verifying softwares loaded on the ballot box; and opening of the source code.	Paulo César Herrmann Wanner (criminal expert at the Federal Police – PF)	Initially, it is worth remarking that the inspection entities may proceed with digital signature ICP-Brasil certificates for every software sealed. The most recent statute on inspection and auditing procedures of the voting system allows inspection entities to develop their own software for the verification of the electoral systems. Nowadays, inspection of these signatures is carried out by a software that runs on the equipment itself. However, this protocol may be adjusted, since the Ecosystem software suite of the ballot box is on unencrypted media. As to the deterministic compilation procedure, it is under review by the technical team.	TO BE ANALYZED IN THE NEXT ELECTION CYCLE
Proposal 19	Author	Overview of TSE's appraisal	Status
It is suggested that entities with technical inspection expertise be invited to the preparation ceremony and to sign the source code with TSE.	Professor Bruno de Carvalho Albertini (USP)	As is generally known, this action plan aims at setting out measures to qualify the 2022 electoral process, and the regulations governing it were approved in December of 2021. Furthermore, such actions are usually being already undertaken by the Electoral Court, which invites over party representatives and institutions of relevance in the electoral process to participate in the referred to above ceremonies.	ACCEPTED
Proposal 20	Author	Overview of TSE's appraisal	Status
Sending out beforehand some documents explaining TPS's test results (in a somewhat more didactic language, I believe) to the inspection entities, if possible.	Ana Carolina da Hora (FGV-Rio)	Notwithstanding other means of disclosure and access to TPS's results and documents, an official letter will be issued to all inspection entities along with the final report made by the TPS Evaluation Committee and the technical report of TPS general evaluation to let them know. Similarly, documents regarding the 2021 TPS confirmation tests will be submitted.	ACCEPTED

Proposal 21	Author	Overview of TSE's appraisal	Status
Communication, by means of an official letter, to the CTE members about the polls preparation ceremony.	Ana Claudia Santano (Transparência Brasil)	Considering the relevance of the suggestion, the TSE Presidency shall issue a recommendation to the regional electoral courts reiterating the content laid down in article 84, § 1º, of the TSE Resolution No. 23,669/2021, so that, besides an official call notice, the inspection entities be notified by email.	ACCEPTED IN PART
Proposals 22 and 23	Authors	Overview of TSE's appraisal	Status
Conducting ballot boxes integrity tests with the checking of voters' identification through biometrics.	Heber Garcia Portella (Division General, Armed Forces) - Paulo César Herrmann Wanner (criminal expert at the Federal Police – PF)	On the topic regarding the use of biometrics, it is important to highlight at first that no election takes place with 100% of biometric identification of the voters who attended the polls. Firstly, because some people do not have upper limbs, a fact which prevents their fingerprints from being collected. Secondly, another part of the population did not seek electoral services for biometric collection, which constitutes no obstacle to the exercising of their right to vote. Thirdly, there are municipalities which are still undergoing the biometric collection stage. Finally, it should be stressed that the source code connected to biometric identification is a well-structured and documented code module, which may be put up for review by the inspection entities, considering that several audit opportunities (in this case, the source code inspection and the integrity test) are complementary, as a premise to the electoral process.	TO BE ANALYZED IN THE NEXT ELECTION CYCLE
Proposal 24	Author	Overview of TSE's appraisal	Status
Permission for the ballot box to be tested at the polling station (e.g. by moving the original location to a spare room at the polling station and then performing the integrity test at the actual polling station); Hiring or financially assisting someone to register votes with a frequency and dispersion similar to that of a real poll; Inclusion of ballot boxes to be inspected (possibly after elections) aiming to checking the hardware (with no external connection, no audit-context sensitive etc) and software (signatures and hashes belonging to the inspection entities, to the sealing ceremony and to independent parties).	Professor Bruno de Carvalho Albertini (USP)	These suggestions will be addressed by the TSE technical team.	TO BE ANALYZED IN THE NEXT ELECTION CYCLE

Proposal 25	Author	Overview of TSE's appraisal	Status
Ballot boxes integrity testing; quantity of ballot boxes; definition of root causes; efficacy values, statistic confidence intervals; and procedures in the event of equipment failure.	Dr. Roberto Alves Gallo Filho (Unicamp)	The suggestions are already being implemented by TSE, considering that currently the test reliability is above 95%.	ACCEPTED
Proposal 26	Author	Overview of TSE's appraisal	Status
Access granted by TSE to programs and/or tools to carry out such inspections and to make source code available along with the digital records of votes (RDVs) and LOGs.	Paulo César Herrmann Wanner (criminal expert at the Federal Police – PF)	These suggestions will be integrated into the Action Plan. When disclosing the RDVs and Logs, after the 2022 elections, TSE will release all the necessary documentation so that the pertinent checking and evaluation may be carried out.	ACCEPTED
Proposal 27	Author	Overview of TSE's appraisal	Status
Alterations to the form and structure of the ballot boxes RDVs and logs for disclosure; and correction of typos.	Professor André Luís de Medeiros Santos (UFPE)	The appropriate corrections were made to the Action Plan.	ACCEPTED
Proposal 28	Author	Overview of TSE's appraisal	Status
Openly disclosing libraries and documents (already existent ones) which may simplify the independent reading of files; and organizing the download of files via interesting keys, e.g. a user may want to check the RDVs of just a state, municipality or polling station.	Professor Bruno de Carvalho Albertini (USP)	We appreciate this contribution and inform you that the suggestions will be accepted by TSE.	ACCEPTED
Proposal 29	Author	Overview of TSE's appraisal	Status
Specifying in the Action Plan a way of defining the RDVs in accessible formats.	Ana Carolina da Hora (FGV-Rio)	The said adjustments were made to the Action Plan.	ACCEPTED
Proposal 30	Author	Overview of TSE's appraisal	Status
Inclusion of new milestones into the Action Plan for Electoral Transparency and expansion of data opening a TSE (Open Data Plan).	Fernanda Campagnucci (Open Knowledge Brasil)	The suggestions for new milestones in the Action Plan are being addressed by the TSE. With regard to the opening of databases, we offer the following explanation. As of the publicizing date of TSE Ordinance n. 93/2021 onwards, the TSE Open Data Policy was implemented. With an aim of implementing these guidelines, TSE created the Open Data Portal (https://dadosabertos.tse.jus.br/), there upon updating and improving the previously existing pages with data regarding the Brazilian elections. As a result, the evolution of the TSE data governance as well as of its transparency policy will be ongoing.	ACCEPTED

Proposal 31	Author	Overview of TSE's appraisal	Status
<p>Update of the “Boletim na Mão” application for the inclusion of functionalities which will allow, among other aspects, the storage of several ballot box bulletins (BU) and real time tallying, based on the QR-CODE sum of the mentioned bulletins.</p> <p>It should be contemplated the possibility of data being sent to a specific server, so as to enable the audit of the tallying process in more than one electoral zone, legitimated by TSE.</p>	<p>Heber Garcia Portella (Division General, Armed Forces)</p>	<p>Currently, the application “Boletim na Mão” already allows the storage of several ballot box bulletins (BUs). However, the tool's ongoing evolution is a necessary step that has been discussed by the TSE technical team. As laid down in TSE Resolution No. 23,669/2021, other applications may be developed for the reading of the two-dimensional bar code (QR code), which ought to be encouraged among inspection entities and the press. These applications could also be employed on parallel tallying by political parties or other interested parties. Additionally, the bulletins shall be posted on a public repository once they are obtained, which will enable parallel tallying by any interested institutions</p>	<p>ACCEPTED</p>
Proposal 32	Author	Overview of TSE's appraisal	Status
<p>Among the softwares that could have their source code open at the TSE discretion and deliberation, these are the ones suggested: “Boletim na Mão”, “AVPART”, and a future program for the verification and accounting of the RDVs and logs of e-voting machines.</p>	<p>Paulo César Herrmann Wanner (criminal expert at the Federal Police – PF)</p>	<p>This suggestion shall be considered by TSE technical team.</p>	<p>TO BE ANALYZED IN THE NEXT ELECTION CYCLE</p>
Proposal 33	Author	Overview of TSE's appraisal	Status
<p>The independent ballot box bulletin (BU) check could solve the issue of reliability of the transmission and counting of votes. However, if performed by the TSE application “Boletim na Mão”, it is faced with the same reliability problem as the TSE. My suggestion is to encourage third parties (e.g NGOs, universities etc.) to develop their own BU checkers and/or to openly release the TSE verifier code. Another slightly more aggressive suggestion is to include this checking on the list of mandatory activities to be performed by poll workers.</p>	<p>Professor Bruno de Carvalho Albertini (USP)</p>	<p>Inclusion of the QR Code on the ballot box bulletins (BU) was prompted by the possibility of an easy auditing on the part of any citizen, who could readily obtain all the data recorded therein, without having to photograph any of the BU sections. Also, the documentation for creating BU QRCode readers was promptly made available to the community and inspection entities, allowing organized society entities to develop their own systems. Those citizens who cannot create their own BU QR Code readers were given access by the TSE to the application “Boletim na Mão”. This offer seeks to fill the gap left by parallel systems that could have been created by the inspecting entities, which would draw public attention to the results with more capilarity. Finally, pursuant article 106 of the TSE Resolution:</p> <p>Article 106. It is up to the president of each polling and justification stations, when appropriate (Electoral Code, article 127):</p> <p>XVII – to keep one of the copies of the ballot box bulletin under their care for subsequent verification of results related to their respective station to be posted on the TSE website, whenever available.</p>	<p>ACCEPTED</p>

Proposal 34	Author	Overview of TSE's appraisal	Status
Printing additional copies of the BU; support to that action; expansion of the target audience; and development of a more intuitive tool.	Ana Claudia Santano (Transparência Brasil)	<p>The suggestions are important and will be addressed by the TSE. With reference to the number of ballot box bulletins (BUs) copies, the release of more BUs would imply the need to purchase a greater quantity of paper rolls used by e-ballot boxes, thereupon raising election cost. As set forth in the TSE Resolution No. 23,669/2021:</p> <p style="padding-left: 40px;">Art. 138. Ballot box bulletins will be printed in 5 (five) mandatory copies and up to 5 (five) additional copies.</p> <p>Additionally, the BU displayed on the polling station door can be photographed or read through the printed QR code, which makes it possible to check it against the BU posted on the TSE website. As for the support to verification by and expansion of the target audience, the proposal will be submitted to the TSE's Multimedia and Communication Secretariat (Secom), so that there may be the development of a campaign encouraging voters to check out the BUs posted in the polling sections.</p>	TO BE ANALYZED IN THE NEXT ELECTION CYCLE
Proposal 35	Author	Overview of TSE's appraisal	Status
The opening of source codes encourages society's involvement. Furthermore, it is important not for this information to be available to the public, but also for campaigns to be made in order of disseminate it.	Paulo César Herrmann Wanner (criminal expert at the Federal Police – PF)	Such observations are on this court's agenda for elections management and will be addressed. Regarding the opening of source code as intended, this topic has been studied by the Information Technology Secretariat, and once planning is complete, the Secom/TSE will broadly disseminate it, in addition to the implementation of campaigns, as suggested.	ACCEPTED
Proposal 36	Author	Overview of TSE's appraisal	Status
Implementation of a device so that people or institutions responsible for technological platforms may contact, establish partnerships, and collaborate with TSE on this matter, by means of previously established channels.	Professor André Luís de Medeiros Santos (UFPE)	<p>Partnerships are established through Cooperation Agreements detailing the specific actions that will be carried out by the partners. Currently, the Countering Disinformation Unit active within the TSE, has been holding meetings with companies, researchers, platforms, civil society representatives, among others, committed to fighting disinformation and aligned with the Program's objectives and goals.</p> <p>Such contact is established by the Committee both proactively and as a way of meeting the demands of whoever seeks the group through the TSE communication channels.</p>	ACCEPTED

Proposal 37	Author	Overview of TSE's appraisal	Status
Creation of a diversified digital content focused on informing about the electoral process.	Professor Bruno de Carvalho Albertini (USP)	These proposals will be dealt with by the responsible areas and the topic calls for some notes by this Court. The TSE multimedia and communication department and the communication offices of the Regional Electoral Courts (TREs) have been carrying out several actions to make information about the Brazilian electoral process more accessible. Besides the TSE campaigns, these measures can be found on the following webpages created by the court (www.justicaeleitoral.jus.br/fato-ou-boato ; www.justicaeleitoral.jus.br/seguranca-da-urna ; www.justicaeleitoral.jus.br/25-anos-urna ; www.justicaeleitoral.jus.br/desinformacao) as well as on its social networks.	ACCEPTED
Proposal 38	Author	Overview of TSE's appraisal	Status
<p>To increase the reliability level of the integrity test:</p> <p>"It is advisable to adopt a sample plan with sampling error of 1%; if this is not possible, then the adoption of two sample plans is defended: one for elections on a federal level, with a sampling error between 2 and 5%; one sample plan on a state level, amounting to 204 (two hundred and four) ballot boxes drawn strictly at random; it is advisable to conduct the test within the same station".</p>	Héber Garcia Portella (Division General, Armed Forces)	<p>TSE already takes upon itself to adopt a reliability level for the integrity test of about 99%, after auditing 648 ballot boxes;</p> <ul style="list-style-type: none"> - the suggestions document wrongly assumes a non-compliance probability of 50%, whereas TSE employs the rate of 0,01% for this equation variable; - the quantity of ballot boxes representative of the sample should not be viewed as their total amount, which comprises the technical back-up ones, but calculation should consider the amount of ballot boxes effectively installed at polling stations for the 2022 Elections instead; - simple random samples have been calculated in each Federative Unit (FU) and national random samples have been classified by FU, overlooking the fact that both federal and state elections are carried out through the same ballot boxes and softwares; - the ballot boxes used on the Brazilian e-voting system are unvaried, having undergone previous auditing phases which follow and complement one another, and thus should not be left out of the calculation, ensuring the absence of discrepancies as reinforcement to the integrity test context; - the sampling proposed by TSE Resolution No. 23,693/2022 is already superior to the national random sample suggested by the Armed Forces. 	ACCEPTED IN PART, BY MEANS OF A SIXFOLD INCREASE IN THE AMOUNT OF BALLOT BOXES AT THE AFOREMENTIONED TEST

Proposal 39	Author	Overview of TSE's appraisal	Status
Entirely random drawing to select ballot boxes and polling stations that will make up the integrity test.	Héber Garcia Portella (Division General, Armed Forces)	TSE has decided in favor of the possibility that the selection of the polling stations to be audited on integrity tests be made by the very inspection entities (e.g. political parties), regardless of the subsidiary use of drawing lots (TSE Resolution No. 23,673/2021, article 57). The TSE perspective enhances the inspection level, once the inspection entities may identify the electoral zones and stations, constituency they have selected for additional inspection. In the event of their silence, selection by drawing is adopted.	TO BE ANALYZED IN THE NEXT ELECTION CYCLE
Proposal 40	Author	Overview of TSE's appraisal	Status
<p>Decentralized tallying, with redundancy on the part of the regional electoral courts (TREs):</p> <p>It is recommended that the tallying of votes be carried out in a centralized manner at TSE with the TREs redundancy, so as to reduce society's perception that only the TSE is in charge of controlling the whole electoral process and to increase the cyber resilience of the vote tallying system.</p>	Héber Garcia Portella (Division General, Armed Forces)	<p>Concerning the suggestion of "tallying with redundancy on the part of the TREs" this proposal fails to observe that centralization was only of equipment, with no change being made to the scope of competencies of the several legal instances involved in the process. Actually, it is not accurate to state that the TREs do not take part in vote tallying: on the contrary, they are still in charge of the tallying in their respective federation units (UFs).</p> <p>On the other hand, it is essential to point out that the possibility of parallel tallying is an existing reality, which has long been made easy and encouraged by the electoral Justice.</p> <p>Article 230 of Resolution No 23,669, with the new wording set forth in Resolution No. 23,686/2002, states that:</p> <p style="padding-left: 40px;">Art. 230. The Superior Electoral Court shall enable access to both ballot box bulletins submitted for tallying and the correspondence charts on its webpage, throughout the whole admission period, as a display alternative, and provide for wide dissemination of that content via media channels.</p>	ACCEPTED IN PART, BY VIRTUE OF ACCESSIBILITY TO BULLETINS (BUs) GRANTED TO ANY ENTITIES INTERESTED IN PARALLEL TALLYING.
Proposal 41	Author	Overview of TSE's appraisal	Status
<p>The difference between electoral auditing and the inspection of the electoral process:</p> <p>"It is recommended to keep on fomenting the participation of the inspection entities in the monitoring of the many phases of the electoral process, particularly on the part of the political parties, which are legally competent to hire companies to conduct independent audits;</p> <p>It is also recommended that the Federal Legislative Branch be encouraged to conduct independent auditing activities in the electoral process, considering its constitutional authority for carrying out such activities".</p>	Héber Garcia Portella (Division General, Armed Forces)	<p>Currently, the TSE auditing process is aligned to the best governance practices and reports directly to the Court's presidency, as provided for in the National Justice Council Resolution No. 308, of 2020. As a result, TSE's assessment of its own work is a permanent practice, including the one concerning the electoral process. As an example, the Annual Audit Plan for 2022 includes the assessment of the poll workers' training.</p> <p>Consequently, and considering, above all, the strict auditing in the electoral process conducted by the Federal Court of Accounts (TCU), that suggestion is viewed as already incorporated into the TSE's procedures.</p>	ACCEPTED

Proposal 42	Author	Overview of TSE's appraisal	Status
Inclusion of ballot boxes model UE 2020 into the TPS	Héber Garcia Portella (Division General, Armed Forces)	Considering the tight deadline between conclusion of the integration of the voting system with UE2020 and the Ceremony of Digital Signing and Sealing of Systems, scheduled for the last week of August this year, the security auditing of ballot boxes of the 2020 model will be ensured by means of an adjustment to a work plan originated from the fidelity agreements signed between the TSE and institutions that will obtain their respective source codes, in the terms of the pilot project concerning the opening of such codes for evaluation within the premises of institutions external to the Federal Justice.	ACCEPTED IN PART
Proposal 43	Author	Overview of TSE's appraisal	Status
Establishment of procedure in the case of verification of irregularity on integrity test.	Héber Garcia Portella (Division General, Armed Forces)	It is worth noting that, in light of article 55 of TSE Resolution No. 23,673/2021, which provides for the makeup of the audit commission, in the case of any inconsistency verified during the integrity tests that cannot be solved through the counting of votes or through filming records, it is up to the judge or electoral judge to carry out the necessary actions and scrutiny to clarify the issue.	ACCEPTED.
Proposal 44	Author	Overview of TSE's appraisal	Status
<p>Duplicity between abstention and voting:</p> <p>"It is recommended that the abstentions report be made accessible to society, as a way of increasing the available monitoring surface of the electoral process, in case that measure has a legal backing.</p> <p>In addition, it is recommended that deaths data also be made available more easily to the Inspection Entities".</p>	Héber Garcia Portella (Division General, Armed Forces)	<p>Until the day before election, cancellation and suspension entries are processed by the electoral zone in the <i>ASE off-line</i> system. Such entries will be recorded in the voter's history, but may only change the status to "cancelled or suspended" at the reopening of the voters' registration, after elections. Therefore, any voter's registration with a cancell or suspension entry in the <i>ASE off-line</i> system will remain both in the ballot box and voting sheet. It is to be observed, however, that the electoral notaries should print a report in these <i>ASE off-line's</i> Elo system, which will have been fed untill the day before elections, so as to be displayed on the respective voters' signature sheet that their electoral registration is suspended or cancelled and that such voters are precluded from voting.</p> <p>The dissemination of the lists, as intended, may disrespect the adequacy and necessity principles, set forth in article 6th, items II and III, of Law No. 13,709/2018, known as the General Data Protection Law – LGPD.</p>	REJECTED
Proposal 45 – Official Letter No. 14845 GM-MD	Author	Overview of TSE's appraisal	Status
Conduction of ballot box integrity test under circumstances as close as possible to the reality of the voting moment, including the use of electoral biometrics.	Minister Paulo Sérgio Nogueira de Oliveira	This proposal coincides with Proposals 22 and 23 above.	TO BE ANALYZED IN THE NEXT ELECTION CYCLE

Proposal 46 – Official Letter No. 14845 GM-MD	Author	Overview of TSE’s appraisal	Status
Performance of a specialized auditing company, hired by a political party, as provided for in the electoral law.	Ministro Paulo Sérgio Nogueira de Oliveira	The work of a specialized auditing company hired by a political party regarding the verification and auditing stages, in accordance with the electoral process regulations, is possible, provided that deadlines and limits are observed.	ACCEPTED
Proposal 47 – Official Letter No. 14845 GM-MD	Author	Overview of TSE’s appraisal	Status
It is deemed essential to conduct tests on the ballot boxes UE2020 model, since they have not yet been used in elections.	Minister Paulo Sérgio Nogueira de Oliveira	This proposal coincides with Proposal 42 above.	ACCEPTED IN PART