



International Foundation
for Electoral Systems

Election FAQs: Brazil

General Elections

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Americas

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Election Snapshot

- Election Day: Oct. 2, 2022
- Registered voters: 156,454,011
- Polling stations: 94,028
- Seats: president of the republic, 27 governors, 27 senators, 513 federal deputies, 1,035 state deputies and 24 federal district deputies
- Candidates: 28,274

When is Election Day?

On Sunday, Oct. 2, 2022, Brazil will hold general elections. In accordance with Article 77 of Brazil's 1988 Constitution, voters shall elect the president and the vice president on a single ticket on the first Sunday of October. Brazilians will also elect governors; some senators; and all federal deputies, state deputies and federal district deputies. Should no presidential ticket win an absolute majority of votes, there will be a run-off between the two receiving the most votes in the first round. The run-off election, if needed, will take place Sunday, Oct. 30, 2022.¹

Why are these elections important?

In 2022, Brazilians will elect their next president and the majority of their elected representatives at the state and federal levels. Given the scale of the elections, the results will heavily influence the direction of the world's fifth-largest nation for the next four years and beyond. The 2022 elections include two major additions:²

- These elections will use the largest number of electronic voting machines in Brazilian history, as the Superior Electoral Tribunal (*Tribunal Superior Eleitoral*, TSE) acquired 224,900 new machines, bringing the total to more than 577,000 machines to be used on Election Day. Each new machine includes a processor that is 18 times faster than the previous model's, with an improved keyboard and longer battery life. The registration terminals that poll workers will use to check in voters have been modernized with touch screens and will enable poll workers to check in an arriving voter while another votes, increasing the speed of the voting process.³
- For the first time, political parties in 2022 may form federations — party coalitions that must remain intact for the entire electoral cycle. Brazil prohibited traditional party coalitions starting in 2020 in elections using the proportional representation system. Those coalitions were often temporary agreements to gain advantage during elections but that changed or disintegrated between elections. This year, three federations are registered in the elections and will stay the same through 2026.

¹ http://www.planalto.gov.br/ccivil_03/constituicao/constituicao.htm#art77

² <https://www12.senado.leg.br/noticias/materias/2022/08/16/eleicao-este-ano-tera-mais-de-28-mil-candidatos-veja-os-numeros>

³ <https://www.tse.jus.br/comunicacao/noticias/2022/Setembro/faltam-26-dias-confira-as-principais-novidades-das-eleicoes-2022-210415>

Who are citizens voting for on Election Day?

Brazilian voters will elect most federal government and state government representatives in these elections. A total of 28,274 candidates representing 32 parties are contesting all open positions. The candidates and positions up for election are:⁴

- 12 candidate tickets for president and vice president
- 223 candidates for 27 state and federal district governor seats
- 234 candidates for 27 senate seats
- 10,271 candidates for 513 chamber of deputies seats
- 16,233 candidates for 1,035 state deputy seats
- 591 candidates for 24 federal district deputy seats

What is the electoral system?

Brazil is a presidential republic. The president and state governors are elected by an absolute majority with a run-off election, if necessary. The president and state governors may serve for two consecutive four-year terms and, as the Constitution does not prohibit a third non-consecutive term, they may run again after a subsequent four-year term.⁵ Three senators are elected per state and the federal district by a simple majority, serving alternating eight-year terms. Federal and state deputies are elected by proportional representation, with a minimum of eight and a maximum of 70 members per state.⁶

What is the legal framework for conducting the elections?

Brazil's 1988 Constitution and 1965 Electoral Code provide the basis for elections; both documents have been amended multiple times since their adoption.^{7,8} The Constitution defines three electoral systems for different positions, which are detailed in the Electoral Code:

- A simple majority system is used to elect senators;
- An absolute majority system is used to elect the president and governors; and
- A proportional representation system is used to elect federal, federal district and state deputies.

The Electoral Code also defines the civil penalties that eligible voters face for failing to vote. In addition to paying a fine of 3.51 Brazilian reals (BRL) or \$0.68, eligible Brazilians who fail to vote are barred from receiving a new or replacement passport or public sector salaries, competing

⁴ <https://www12.senado.leg.br/noticias/materias/2022/08/16/eleicao-este-ano-tera-mais-de-28-mil-candidatos-veja-os-numeros>

⁵ https://br.noticias.yahoo.com/evg-pol-quanto-tempo-um-governador-fica-no-cargo-no-brasil-142804089.html?guce_referrer=aHR0cHM6Ly93d3cuZ29vZ2xILmNvbS8&guce_referrer_sig=AQAAAC9qctuQB482K3k8cP3vyVF3QrHP_aS3Bi9aOyds5ejRq-GbX0C8H6zMM99sC-ZcjZp03WU9-kxhaSjKD73BS6u55HPaW9L0rYo_z0AkKmXHpgOrpuRnnUzcSPNnQbG6Fu-OqyiUwdu7MLdhz0v4KAfSxwE6lL6cWwSFBrX0BVb&guccounter=2

⁶ https://www.stf.jus.br/arquivo/cms/legislacaoConstituicao/anexo/brazil_federal_constitution.pdf

⁷ http://www.planalto.gov.br/ccivil_03/constituicao/constituicao.htm

⁸ <https://www.tse.jus.br/legislacao/codigo-eleitoral/codigo-eleitoral-1/codigo-eleitoral-lei-nb0-4.737-de-15-de-julho-de-1965>

for public sector jobs, registering at public universities or running for public office, among other penalties, until paying the fine.⁹

Who is eligible to run as a candidate?

Eligible candidates must be Brazilian citizens, reside in their election district for at least a year before the election, be affiliated with a political party at least six months before the election and be in full possession of their political rights (not having had them stripped for civil or criminal offenses). Candidates for the offices of president, vice president and senator must be at least 35 years old by the time of taking office; candidates for governor and vice governor must be at least 30; and candidates for federal, federal district and state deputy must be at least 21. Since 2010, eligible candidates may not have been convicted by a collegiate body, been impeached from an elected position or resigned to avoid impeachment within the previous eight years.¹⁰

Are there reserved seats for women? What is the gender balance within the candidate list?

A 1997 law established a gender-based quota system requiring political parties to submit candidate lists with a minimum of 30 percent women. In 2009, an electoral reform reiterated the gender quota and added that at least 5 percent of a party's public resources should be allocated to activities to incentivize the participation of women in politics. The Superior Electoral Tribunal later determined that at least 30 percent of airtime allocated to political parties must be used by women candidates.

In 2022, 33 percent of the 28,274 candidates are women.¹¹ However, women make up only 14.8 percent of the Chamber of Deputies and 17.3 percent of the Senate, placing Brazil 146th of 190 countries in the Interparliamentary Union's ranking of women's participation in parliaments.¹²

What are the campaign expenditure and donation limits?

In 2015, Brazil's supreme court (*Supremo Tribunal Federal*) ruled corporate campaign contributions unconstitutional. Since then, candidates have had to draw their financing entirely from individual donors or personal or party funds. An individual donor may donate up to 10 percent of his or her annual salary. All donations equal to or greater than BRL 1,064.10 (\$202.49) must be made electronically or by check, and the recipient political party or candidate must publish the name of the donor and the amount of the donation online. Candidates spending their personal funds may only contribute up to 10 percent of the total spending limit that the Superior Electoral Tribunal defines for each elected position.¹³

⁹ <https://www.tse.jus.br/eleitor/justificativa-eleitoral/consequencias-para-quem-nao-justificar>

¹⁰ <https://agenciabrasil.ebc.com.br/politica/noticia/2022-05/agencia-brasil-explica-quem-pode-ser-candidato-no-brasil>

¹¹ <https://www12.senado.leg.br/noticias/materias/2022/08/16/eleicao-este-ano-tera-mais-de-28-mil-candidatos-veja-os-numeros>

¹² <https://data.ipu.org/women-ranking?month=8&year=2022>

¹³ <https://www.tse.jus.br/comunicacao/noticias/2020/Fevereiro/eleicoes-2020-conheca-as-regras-e-os-limites-para-doacoes-eleitorais>

What is the election management body? What are its powers?

The body responsible for organizing and overseeing elections at the federal level is the Superior Electoral Tribunal or *Tribunal Superior Eleitoral* (TSE). The TSE is composed of seven justices selected for two-year mandates and prohibited from serving more than two consecutive terms. The TSE works in collaboration with the 27 regional electoral tribunals (*Tribunais Regionais Eleitorais*, TRE), which manage the electoral process in states and municipalities.

The TSE oversees the administration of the elections, announces and validates results, and hears and decides on all challenges to results. Challengers may appeal to the country's supreme court (*Supremo Tribunal Federal*) only on limited grounds of constitutionality, *habeas corpus* (if a candidate is arrested) or petitions of writ of *mandamus* (if a government employee fails to perform their legally required function in detriment to a candidate).¹⁴ The TSE also approves candidacy registrations and enforces campaign laws, assesses fines, suspends candidacy and imposes other penalties for campaign infractions.

How is the election management body protecting the elections and voters from COVID-19?

The Superior Electoral Tribunal (TSE) made several changes for the 2022 elections to reduce the risk of disease transmission among voters and poll workers during the COVID-19 pandemic.

While all eligible Brazilians 18 years of age or older are required by law to vote, the TSE indefinitely extended the suspension of fines and punishments for eligible voters who failed to vote in the 2020 municipal elections given the risk of voting in person during the pandemic. Those punishments usually include, among others, ineligibility to vote in future elections until the associated fine is paid. However, all otherwise eligible Brazilian voters who failed to vote in 2020 will be eligible to vote in this year's elections.

To minimize health risks for voters and poll workers and to alleviate worries about voting in person, the TSE has adopted other health and safety measures for Election Day. Most notably, the TSE suspended the usual requirement to use biometric fingerprint systems to identify voters.¹⁵ When checking in at the polls this year, voters can simply present their online voter registration certificate (*e-Título*), national identification document, military reserve certificate, work record card (*carteira de trabalho*) or national driver's license.¹⁶

¹⁴ <https://www.tse.jus.br/legislacao/codigo-eleitoral/codigo-eleitoral-1/codigo-eleitoral-lei-nb0-4.737-de-15-de-julho-de-1965>

¹⁵ <https://www.tse.jus.br/comunicacao/noticias/2022/Setembro/faltam-26-dias-confira-as-principais-novidades-das-eleicoes-2022-210415>

¹⁶ <https://www.tre-sc.jus.br/eleicoes/tire-suas-duvidas/voto-documentos-para-votar>

What is the election management body doing to strengthen its technology and procedures to resist vulnerabilities and counter foreign interference?

The Superior Electoral Tribunal (TSE) incorporates numerous security measures into its use of electronic voting machines (EVMs). Some of the most notable protections include:¹⁷

- The TSE develops all software used in the EVMs and supporting devices in-house;
- All of the more than 577,000 EVMs use the same program, which is locked before and cannot be changed during the elections;
- The EVMs are not connected to the internet, preventing third parties from interfering in the voting process;
- Votes are stored on both an internal and an external storage device, ensuring that the votes will be retained if there is a problem with one storage device;
- The machine-generated election results (*boletins de urna*) are immediately published online once the TSE receives them; and
- The EVMs are regularly tested and charged between and before elections to ensure optimal performance, and the company in charge of their maintenance is technologically blocked from installing any unknown software on them.

Who can vote in these elections?

All registered Brazilian citizens, by birth or naturalization, who are 16 years of age or older on Election Day, are eligible to vote. Voting in Brazil is compulsory between the ages of 18 and 69. If citizens do not vote or justify their absence to their respective regional electoral tribunals, they may be subject to a minor fine of BRL 3.51 (\$0.68) per round of voting missed, as well as cancellation of voting registration. Other civil penalties include being forbidden from working in the government, obtaining a passport, enrolling in a public university or obtaining loans from state banks.¹⁸

How many registered voters are there?

There are 156,454,011 registered Brazilian voters. Of those, 697,078 live out of the country — an increase of nearly 40 percent from 500,727 in 2018. Of the 156,454,011 registered voters, 53 percent are women (82,373,164) and 47 percent men (74,044,065). One in three (52,978,747 or 33 percent) of registered voters are under the age of 35, including 6 percent (9,158,959) under the age of 21.¹⁹

¹⁷ <https://www.camara.leg.br/noticias/903788-saiba-como-o-tse-garante-a-seguranca-das-urnas-eletronicas/>

¹⁸ <https://www.tre-rj.jus.br/eleitor/perguntas-frequentes/multa-eleitoral>

¹⁹ <https://sig.tse.jus.br/ords/dwapr/seai/r/sig-eleitor-eleitorado-mensal/home?session=8175054837410>

What provisions are in place that support the equal rights of women, persons with disabilities and other marginalized groups?

The Superior Electoral Tribunal (TSE) has several initiatives in place to support the rights of women and minority groups to participate in elections. The Inclusion and Diversity Counsel's Office promotes public education campaigns on inclusion topics and cooperation and dialogue with civil society and other institutions. Created in March 2022, the Commission for the Promotion of Racial Equality is responsible for studies on racial disparities in election participation and for promoting the participation of Black Brazilian voters and candidates. The Gender Policy Management Commission plans and monitors actions to promote women's participation in elections and within the TSE. The Commission to Promote Indigenous Participation in the Electoral Process creates studies and projects to measure and increase the participation of Indigenous Brazilian populations throughout the elections.

The TSE holds public meetings with representatives of the LGBTQI+ community to note their concerns and experiences with the electoral process, with the aim of implementing measures to promote the inclusion of LGBTQI+ Brazilians. In 2018, the TSE approved one such measure, allowing transgender Brazilians to have their chosen names printed on their voter cards for the first time. In 2022, 37,646 transgender Brazilian received voter cards with their chosen names.²⁰ Additionally, 34 transgender candidates registered using their chosen names.²¹

The TSE also participates in the Cooperation Network for the Accessibility and Social Inclusion of the Person with a Disability to exchange information, experiences and accessibility-focused technology and logistics for the 1,271,381 Brazilian voters who have reported disabilities. For the 2022 elections, all electronic voting machines will include braille accessibility and headphones with audio indications for voters with visual impairments as well as Brazilian sign language translations and explanatory videos for voters with hearing impairments. Any voter with a disability also has the right to be accompanied in the voting booth by someone he or she trusts. The TSE will also ensure that more than 163,000 voting booths are accessible for people with restricted mobility.²² Of the candidates, 247 have reported a physical disability, 109 with a visual disability, 55 with a hearing disability, 13 with autism and 40 with other disabilities.²³

Is out-of-country voting allowed?

Brazilians between the ages of 18 and 69 who reside abroad are required to vote just like citizens who reside in the country. The polling places will be installed at Brazilian embassies, consular offices or locations where Brazilian government services are provided. Exceptionally, the Superior Electoral Tribunal may authorize the installation of a polling place in a different

²⁰ <https://www12.senado.leg.br/noticias/materias/2022/08/16/eleicao-este-ano-tera-mais-de-28-mil-candidatos-veja-os-numeros>

²¹ <https://www12.senado.leg.br/noticias/materias/2022/08/16/eleicao-este-ano-tera-mais-de-28-mil-candidatos-veja-os-numeros>

²² <https://www.tse.jus.br/comunicacao/noticias/2022/Setembro/faltam-8-dias-163-mil-secoes-com-acessibilidade-estao-prontas-para-receber-1-2-milhao-de-eleitores-com-deficiencia>

²³ <https://www12.senado.leg.br/noticias/materias/2022/08/16/eleicao-este-ano-tera-mais-de-28-mil-candidatos-veja-os-numeros>

location. The largest numbers of out-of-country Brazilian voters are found in Lisbon, Portugal; Miami, Florida, U.S.; Boston, Massachusetts, U.S.; Nagoya, Japan; and London, United Kingdom. This year, more than 697,000 Brazilians living abroad will be able to vote in 181 cities globally.²⁴

For complete out-of-country voting information, contact a Brazilian embassy or consular office.

Who can observe during Election Day? How can they get accreditation?

For the first time, the Superior Electoral Tribunal (TSE) has allowed specialized entities, civil society organizations and universities to apply for accreditation as national election observers. The application deadline for the 2022 elections was July 20. The accredited national observers for the 2022 elections are the Brazilian Association of Jurists for Democracy (*Associação Brasileira de Juristas pela Democracia*), National Association of Public Defenders (*Associação Nacional das Defensoras e Defensores Públicos*), Association of Judges for Democracy (*Associação Juizes para a Democracia*), Movement to Combat Electoral Corruption (*Movimento de Combate à Corrupção Eleitoral*), Vitória Higher Education Society of Vitória Law School (*Sociedade de Ensino Superior de Vitória da Faculdade de Direito de Vitória*), Electoral Transparency Brazil (*Transparência Eleitoral Brasil*), State University of Rio de Janeiro (*Universidade do Estado do Rio de Janeiro*) and University of São Paulo (*Universidade de São Paulo*).

The TSE also invited several international observation missions. While in the 2018 and 2020 elections only the Organization of American States (OAS) participated as an observer, this year's elections will include multiple international organizations, including the OAS, Mercosul Parliament and the Electoral Network of the Community of Portuguese Language Countries. Other international missions focused on technical assessments of the elections include the International Foundation for Electoral Systems, Carter Center, Interamerican Union of Electoral Organisms (*Unión Interamericana de Organismos Electorales*) and Global Network on Electoral Justice.²⁵

Who is managing security on Election Day?

Each regional electoral tribunal (TRE) develops Election Day security plans for its respective states and the federal district using military, civil and federal policy support and, in some states, a security presence from the Air Force, Army and Navy.²⁶ The Superior Electoral Tribunal reviews and approves requests from the TREs for support from the armed forces, this year approving their deployment in 11 states to support Election Day security as well as logistics.²⁷

²⁴ <https://www.tse.jus.br/comunicacao/noticias/2022/Setembro/mais-de-697-mil-brasileiras-e-brasileiros-no-exterior-poderao-votar-para-presidente-223003>

²⁵ <https://www.tse.jus.br/comunicacao/noticias/2022/Maio/eleicoes-2022-saiba-a-diferenca-entre-observadores-internacionais-nacionais-e-convidados>

²⁶ <https://www.alepa.pa.gov.br/noticia/8595/>

²⁷ <https://agenciabrasil.ebc.com.br/politica/noticia/2022-09/forcas-armadas-vao-apoiar-tse-na-seguranca-das-eleicoes>

Where are vote counting and tabulation held?

Votes are cast and counted electronically. Once voting is over, the voting data are decrypted and uploaded into a “guiding program.” Then, for presidential elections, the Superior Electoral Tribunal (TSE) tabulates votes; for other elections, the data are read at the local precinct before being sent to regional electoral tribunals and then to the TSE.

When will official results be announced?

The Superior Electoral Tribunal (TSE) will make preliminary results public on its website soon after the closing of the polls at 5 p.m. on Election Day. The TSE receives printed copies of the *boletins de urna* (election result reports), which it passes on to the Federal Court of Accounts (*Tribunal de Contas da União*, TCU). The TCU will audit the results from 4,161 electronic voting machines, comparing the printed results to the information that the TSE publishes online. Other auditors from the TCU and other actors will also perform audits of the election process before and after Election Day. Once the results have been examined, the TSE will publicly deliver results certifications to elected candidates up until Dec. 19, 2022, officially naming the winners of the elections.²⁸

How will election disputes be adjudicated?

The Superior Electoral Tribunal (TSE) is charged with reviewing and deciding election disputes. Candidates have the right to request an audit of election results within 48 hours of the election or at the discretion of the TSE.²⁹ Challengers may appeal to the country’s Supreme Court (*Supremo Tribunal Federal*) only on limited grounds of constitutionality, *habeus corpus* (if a candidate is arrested) or petitions of writ of *mandamus* (if a government employee fails to perform their legally required function in detriment to a candidate). If the TSE rules to annul the results of an election, the 1965 Electoral Code obliges it to rerun the election within 20 to 40 days of the annulment.³⁰

²⁸ <https://www.tse.jus.br/comunicacao/noticias/2022/Setembro/conferir-resultado-da-eleicao-e-rapido-e-simples-e-todo-mundo-pode-basta-olhar-o-boletim-de-urna-bu>

²⁹ http://www.planalto.gov.br/ccivil_03/leis/19504.htm

³⁰ <https://www.tse.jus.br/legislacao/codigo-eleitoral/codigo-eleitoral-1/codigo-eleitoral-lei-nb0-4.737-de-15-de-julho-de-1965>

Resources

- [The TSE's Practical Guide to the 2022 Brazilian Elections \(English\)](#)
- [1988 Constitution \(English\)](#)
- [1965 Electoral Code \(Portuguese\)](#)

Disclosure

These FAQs reflect decisions made by Brazil's Superior Electoral Tribunal as of Sept. 26, 2022, to the best of our knowledge. This document does not represent any International Foundation for Electoral Systems policy or technical recommendations.

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