

Human Rights Council

Complaint Procedure Form

I. Information concerning the author (s) of the communication or the alleged victim (s) if other than the author

Individual Group of individuals NGO Other

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Submitting the complaint:

On the author's own behalf:

On behalf of other persons: (Please specify:)

II. Information on the State concerned

This complaint concerns the Federal Republic of Brazil, including the Executive, Legislative and Judiciary branches of government. The complaint specifically documents the persistent and growing human rights violations, crimes against humanity and kleptocratic dictatorship by the illegitimate government installed in Brazil in January 2023.

Specifically, this complaint addresses the actions of the following state actors: Alexandre de Moraes, Luiz Inácio Lula da Silva, Luiz Edson Fachin, José Dirceu de Oliveira e Silva, Luis Roberto Barroso, Gilmar Ferreira Mendes, Rodrigo Otavio Soares Pacheco and Flávio Dino de Castro e Costa.

III. Facts of the complaint and nature of the alleged violation(s)

I. Introduction

On October 30, 2022, Luiz Inácio Lula da Silva (Lula), was elected President of Brazil in a fraudulent election that has resulted in a variety of human rights violations to the Brazilian people, including censorship, arrest and torture. First, per Brazilian Law, Lula should not have been a presidential nominee due to his past convictions; however, collusion between Lula, Supreme Court Minister Luiz Edson Fachin (Fachin), Supreme Court Minister Alexandre de Moraes (Moraes) and other state actors overturned Lula's conviction to allow him to run. Second, systematic electoral fraud by all-electronic voting machines turned the election in Lula's favor. Third, when the Brazilian people protested the election results, the police arrested and tortured protestors. Finally, Moraes, along with other state actors, have given themselves

the power to censor and arrest citizens of Brazil for anything they define as «undemocratic acts.»

The ongoing humanitarian disaster and unlawful abuses in Brazil has prospered, almost unchallenged, and cannot be stopped locally due to officials' collusion with large economic interests, powerful political interferences, corruption, facilitation payments and willful blindness. As these largely unchallenged actions violate human rights, The United Nations Human Rights Counsel (HRC) must act swiftly to restore democracy to the Brazilian people.

II. Complaint

A. Per Brazilian law, Lula should have been barred from the 2022 presidential election due to his past convictions; however, collusion between his party, Edson Fachin, Alexandre de Moraes and other state actors enabled him to run.

The Brazilian legal system provides that any citizen with a final conviction is barred from participation in any election; however, Lula was permitted to run for President in 2022 despite being the most senior politician to have been convicted as part of the Operation Car Wash corruption scandal.^[i]

In July 2017, Lula was found guilty of receiving a renovated beachfront apartment worth 3.7m reais (\$1.1m; £790,000) as a bribe.^[iii] He was originally sentenced by former Judge Sergio Moro to nine years in prison.^[iv] In January 2018, this sentence was increased to 12 years by the Federal Regional Court. Due to this conviction, the Superior Electoral Court (TSE) rejected Lula's candidacy for the 2018 October Presidential Election.

However, in 2021, Supreme Court Justice Minister Luiz Edson Fachin (Fachin) monocratically ruled that the court that had convicted Lula had lacked the necessary jurisdiction and vacated his conviction.^[v] The Brazilian Supreme Court (STF), which includes Moraes, confirmed this decision. This allowed the ex-convicted Lula da Silva to run for president in 2022.

As pointed out by Brazilian journalist José Roberto Guzzo, "The TSE has improperly used its functions in the public system to subject 215 million Brazilians to a blatant regime of exception."^[vi]

Moraes, a former public prosecutor, private lawyer and constitutional law professor was appointed to the STF in 2017 and has taken up the mantle of Brazil's lead defender of democracy.^[vii] As head of the TSE and an STF justice, by using a broad interpretation of the court's powers, he has investigated and prosecuted and silenced anyone on social media that he deems a threat to Brazil's institutions.^[viii]

According to Journalist J. R. Guzzo:

In anticipation of the 2022 electoral process and beyond it, there is "a perpetual, unlimited and illegal enquiry that (Supreme Court) Minister Alexandre de Moraes has been conducting for more than three years to punish what he, the left and the media call "antidemocratic acts" and "disinformation", crimes that do not exist in Brazilian legislation - certainly not in the way they are presented, and not for the purpose of political persecution. This enquiry, in violation of all Brazilian legislation, has no date to be closed. It is conducted in secret. It is not freely open to the lawyers of the accused. It makes decisions without the due

process required by law. It accuses, investigates, convicts and applies punishments - all at the same time, and according to the will of a single person, Minister Moraes. He is not subject to any appeal, or to any kind of higher appreciation. He takes no notice of the existence of the Public Ministry, the only organ of the Brazilian State authorised by law to accuse anyone in this country.

In fact, during the 2022 election campaign, Moraes forbade any mention of Lula's manifold connections to the socialist starvation dictatorships in Cuba, Venezuela and Nicaragua.^[ix] He also forbade any mention of Lula's criminal past, censored numerous journalists and illegally arrested many journalists and opposition politicians.^[xxi]

The constant interference of these powers with the other powers and the unlawful, evasive, unconstitutional and anti-democratic acts of disregard for the rights of the people have motivated the peaceful and decisive reaction of the Brazilian people:

We are witnessing an irreversible breach of the Constitution. The STF has already exceeded the limits that constitute a true semi-public activity. To the extent that the STF acts contrary to the system, it violates the Constitution itself. The STF has already carried out a genuine coup d'état, in which all powers have been criminally usurped by the court: It judges, it investigates, it legislates, it orders the refueling of ships, it acts as the executive and prevents the dissolution of councils, it prevents the executive from cranking up the machinery - in short, these are acts of pure totalitarianism conducted latently. In this way, the coup d'état has already been carried out before our eyes, and no one has even done anything to restore order. Everything that follows from this is a mere consequence of a coup, it will never be a response in an isolated act or a separate coup or counter-coup. We are already on the march of history to restore the system that has already been broken by the clear and unreasonable initiative of the STF, or simply to accept it. The decision is now up to the Brazilian people.
^[xii]

B. The 2022 All-Electronic Voting Process Resulted in Systematic Election Fraud.

In 1996, Brazil installed an all-electronic voting process, which was the precondition to the escalation of attacks on democracy and violation of human rights in Brazil. Different expert reports have shown that the Brazilian all-electronic voting system presents serious security issues that make electoral fraud possible ^[xiii,xiv,xv].

Although serious flaws of all-electronic voting systems have been long known among experts ^[xvi], it was only during the 2022 Brazilian general election that a systemic electoral fraud was revealed to the public, this being possible because, for the first time, the TSE published the logs of the electronic ballots ^[xvii,xviii,xix]. The fraud especially affects the general elections to the Presidency of the Republic, a post that, in Brazil, accumulates the prerogatives of Head of Government and Head of State.

The disclosure of a systemic electoral fraud in the 2022 elections suggests that previous general elections were also affected by fraud. Even Lula declared that he could never have been elected President of Brazil without the help of the all-electronic ballots ^[xx,xxi]. In line with the anonymous popular quote that "those who cast the votes decide nothing; those who count the votes decide everything," are some public assertions of known Lula supporters like Labor Party

strategist and former Lula aide José Dirceu [xxii], and Supreme Court and Electoral Court Minister Barroso [xxiii].

In fact, out of 150 million Brazilians entitled to vote, at least 90 million (60% of voters) did not choose Lula da Silva as President of the Republic in the all-electronic election of 2022.[xxiv] Since October 2022, when the electoral fraud in the Brazilian general elections began to be exposed, the world witnessed massive demonstrations of millions of Brazilians across the country and abroad. The Brazilian people ascertained that the entire electoral process for the 2022 presidential election was flawed, starting from the moment when Lula was legally convicted of grand corruption and bribery crimes that are widely known and well documented. [xxv]

The STF and TSE political authorities – especially Fachin and Moraes, but also Gilmar Mendes and Luís Roberto Barroso, among others – have been committing a series of abuses of power in a strange effort to protect the unconstitutional all-electronic voting system [xxvi].

The system is unconstitutional because, according to Brazilian law, elections that are not secret and at the same time open to public scrutiny are not allowed, so their results are invalid and the elections are contestable, *incerta pro nullis habentur*. The system is shielded from scrutiny because the machines used in the electronic voting system are "black boxes" controlled by a handful of people in the TSE.

Per Public Prosecutor Felipe Marcelo Gimenez:

The nation under the commandments of the convicted one (Lula) suffers obvious economic and security degradation. The reason for this disgrace is this one: the people have no power over the counting of the vote. Without public counting of the vote there is no democracy, no election, no citizens. There is only slaves. And that's not "just theory". [xxvii]

This shielding and impossibility of control was officially confirmed by the Brazilian Armed Forces report submitted at the request of the TSE on November 9, 2022. The report also confirmed that the compilation of the software used in the electronic ballots takes place in an external environment exposed to the risk of attack by malware. An independent report presented by consultant Fernando Cerimedo a few days earlier in Buenos Aires, showed a series of anomalies in the distribution of public data by the TSE, suggesting a malware-driven, automatic electronic transfer of votes from candidate number 22 (Bolsonaro) to candidate number 13 (Lula), among a series of diverse other anomalies.

Felipe Marcelo Gimenez, a public prosecutor of Mato Grosso do Sul State, recognizes any electronic result as evidence of fraud and clarifies that the problem must be considered and judged from a legal and constitutional point of view, rather than from a technical point of view:

The counting of votes is an administrative act subject to the principle of publicity. The all-electronic voting system escapes visibility and control by the citizens. Lula was not elected by the Brazilian people, Lula was elected by the electoral authority, the ministers of the STF and the TSE.[xxviii]

C. The Brazilian People who have protested against Lula's presidency and the fraudulent election are being censored, arrested and tortured, and some of them even died in prison.

On January 8, 2023, the Brazilian people went to the streets to demonstrate and ask for the following:

- (i) The immediate replacement of the members of the STF and TSE Courts with experienced jurists who have proven their competence based on their resumes and impeccable reputations;
- (ii) The urgent declaration of the nullity of the 2022 presidential elections; and
- (iii) The immediate scheduling of new elections, in a transparent manner, with the reinstatement of the universal suffrage system with auditing and physical supervision of the vote count.^[xxix]

As their representatives and defenders, they asked their Armed Forces to protect national security and the democratic rule of law and wished to reclaim their power back from the usurping, illegitimate, oligarchic kleptocracy.

Unfortunately, Lula's government reacted with terrorism. The following facts have been fully reported by hundreds of citizens as well as the national and international press.^[xxx,xxxii,xxxiii,xxxiv,xxxv,xxxvi,xxxvii] Most of the people who occupied the houses of government during this protest were peaceful, although there were a few dozen extremists involved in the destruction of the houses of government in Brazil. However, even though the great mass of Lula's opponents refrained from any violence, the police used plastic bullets, gas and beating rods against the protesters. At least 1,500 of these peaceful people, including elderly and children, were taken to a makeshift concentration camp within the premises of the Federal Police under the challenge of "terrorism"^[xxxviii]. Moreover, at least four people died within the following few days in this makeshift concentration camp.^[xxxix]

Arrest and torture, without *flagrante delicto* or legal basis, directed by Moraes and Lula, in the concentration camp of the Federal Police, against citizens exercising the right to demonstrate, among them many vulnerable people, justifies the immediate impeachment of both upon the return of the Congressmen. – Public Prosecutor of the Mato Grosso do Sul State, Felipe Marcelo Gimenez, on his Instagram account @felipemgimenez^[xl].

The censorship regime in Brazil is growing rapidly, virtually daily now. We just obtained a censorship order that is genuinely shocking, directing multiple social media platforms to immediately remove numerous prominent politicians and commentators. – Glenn Greenwald, American journalist in Brazil, on his Instagram account @ggreenwald, on January 14th, 2023^[xli]

D. The STF and TSE's persistence on unconstitutionally and illegally electing Lula and reinforcing his illegitimate government, by means of a series of unlawful acts, including censorship and illegal arrest of journalists and opposition politicians, constitute blatant breaches of the democratic rule of law in Brazil.

In the days following the protests, a number of opposition politicians and public officers were arrested on illegal orders issued by Moraes. He also ordered social media to block several accounts of well-known politicians and journalists in Brazil under draconian threat of punishment, including accounts on Facebook, Rumble, Telegram, Tiktok, Twitter and Youtube.

There is no justification for the Supreme Court order. It is even forbidden to report on the censorship order. Already during the election campaign, the same federal judge issued numerous censorship orders against President Bolsonaro and his supporters. Lula, on the other hand, is free to call his political opponents "genocides", "fascists" or "terrorists".^[xliii]

The storming of the government quarter gave Moraes and colleagues the opportunity to bring out the big guns against the protesters and political adversaries. Moraes removed the elected governor of Brasilia-DF, Ibaneis Rocha, from office. Next, he had Bolsonaro's former justice minister Anderson Torres arrested.

Per Journalist J. R. Guzzo:

The government has given itself permission to arrest citizens based on what it deems to be criminal conduct". (...) "Among the first acts of the above chosen government, (...) 1,500 People were taken as prisoners and federal intervention was decreed in Brasilia. The governor, elected three months ago already in the first round, was deposed from office for three months. Even before the new Congress starts functioning, a CPI is ready to make criminal accusations against opponents of the government. The National Security Force - a group drawn from the military police to act in places where there is no regular police presence - has been called to Brasilia, one of the most policed cities in the country. There is an extradition request, with no legal basis, against former president Jair Bolsonaro, who had to be admitted to hospital in the United States to care for effects of the stabbing that nearly killed him in 2018. War tanks even appeared on the streets of the capital, after the invasion and depredation of Congress, the Supreme Court and the Planalto Palace on Sunday 8 January had ended. ^[xliii]

A joint official report by the Union Public Defender's Office (DPU), the National Movement for Preventing and Combating Torture (MNPCT) and the Public Defender's Office of the Federal District - published on 23 January 2023 in Brasilia-DF, Brazil - notes a series of violations of human rights, as well as of conventional, legal and jurisprudential frameworks in connection with the political imprisonment and torture of over 1200 peaceful demonstrators opposed to the dictatorial regime led by Moraes and Lula. ^[xliv]

The Lula government has charged those more than 1'500 innocent citizens including elderly and children, and their putative supporters with the crime of "terrorism" whose penalty under Brazilian law includes imprisonment from twelve to thirty years, as opposed to the crime of vandalism, whose penalty of up to four years can be paid in open regime. ^[xlv]

As of January 2023, several impeachment processes proposed by different senators of the Brazilian Republic against Moraes had been blocked by the president of the Senate, Rodrigo Pacheco, known for his pro-Lula orientation and for having dozens of processes involving his person in the Brazilian Supreme Federal Court (STF).

On January 13th, 2023, Brazilian Senator Marcos do Val announced that he would require the arrest of Lula's Justice and Public Security, Minister Flavio Dino, for the attacks of extremist protesters to the headquarters of the Three Powers, in Brasilia, on the 8th January. Marcos do Val published a document that, according to him, proves that the said minister, as well as Lula were aware of the demonstrations and "let the tragedy happen" ^[xlvi]. Therefore, he also intends to propose the impeachment of Lula.

As Journalist J. R. Guzzo explains:

The election of Lula, it seems, was not enough; it is now seen that it was a step, among others, towards the formation of a Brazil without real opposition. (...) A project is being executed at the moment that intends to keep the country under the control of a coalition between the STF and the Executive, through the Ministry of Justice and the rest of the State repression apparatus. Since January 1 he has been making it clear that his government programme begins with the elimination of the "enemies", or those who are against; everything will be done, whatever the laws may say, to ensure that the "other side" never again exists politically in national life (...) "there will be no appeasement" with those he accuses of being "coup plotters", or "terrorists" in the official language of the regime in place – a term immediately adopted by the media consortium to refer to the prisoners or, more generally, to the protesters who have been gathering in front of the barracks to contest the result of the presidential election....
"If any Brazilian can be accused of committing "antidemocratic acts", "disinformation" and other crimes not provided for by law, there is no effective political freedom in this country. What the Lula-STF system is saying, in practice, is that a country that does not obey the government will not be tolerated.

III. Conclusion

The fraudulent election of Lula and the abuse of power by Moraes and other state actors in Brazil needs immediate attention. The ongoing humanitarian disaster and unlawful abuses cannot be stopped locally due to officials' collusion and corruption; therefore, the HRC must act swiftly to help restore balance for the Brazilian people.

Specifically, HRC should issue:

1. A motion of no confidence in the electronic electoral process as well as in the Brazilian presidential election of 2022;
2. A motion of repudiation of censorship in any capacity in Brazil;
3. A motion of repudiation to any and all arbitrary imprisonment in Brazil, as well as request for the release of political prisoners; and
4. A motion of repudiation of any kind of corruption.

IV. Exhaustion of domestic remedies

1- If domestic remedies have not been exhausted on grounds that their application would be ineffective or unreasonably prolonged, please explain the reasons in detail:

The ongoing humanitarian disaster and unlawful abuses in Brazil has prospered, almost unchallenged, and cannot be stopped locally due to officials' collusion with large economic interests, powerful political interferences, corruption, facilitation payments and willful blindness. As these actions violate human rights and international treaties, The United Nations Human Rights Counsel (HRC) must act swiftly to restore democracy to the Brazilian people.

V. Submission of communication to other human rights bodies

I have not submitted the same matter to a special procedure, or treaty body or any other United Nations or similar regional complaint procedure in the field of human rights.

VI. Request for confidentiality

In case the communication complies with the admissibility criteria set forth in Council resolution 5/1, kindly note that it will be transmitted to the State concerned so as to obtain the views of the latter on the allegations of violations.

Please state whether you would like your identity or any specific information contained in the complaint to be kept confidential.

Request for confidentiality (*Please tick as appropriate*): Yes No

Please indicate which information you would like to be kept confidential

Date: March 22, 2023

Signature: Dr. Sergio Dani

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VII. Checklist of supporting documents

Please provide copies (not original) of supporting documents (kindly note that these documents will not be returned) in one of the six UN official languages.

- Decisions of domestic courts and authorities on the claim made (a copy of the relevant national legislation is also helpful):

- Complaints sent to any other procedure mentioned in section V (and any decisions taken under that procedure):

- Any other evidence or supporting documents deemed necessary: **Please see the evidence included in the endnotes starting on page nine.**

ENDNOTES/EVIDENCE

- ⁱ [Lula: Brazil's jailed ex-leader barred from presidential race by electoral court - BBC News](#)
- ⁱⁱ [Lula: Brazil ex-president's corruption convictions annulled - BBC News](#)
- ⁱⁱⁱ [Lula: Brazil's jailed ex-leader barred from presidential race by electoral court - BBC News](#)
- ^{iv} <https://agenciabrasil.ebc.com.br/politica/noticia/2017-07/ex-presidente-lula-e-condenado-nove-anos-e-seis-meses-de-prisao>
- ^{vv} [Brazil's Supreme Court confirms decision to annul Lula convictions | Reuters](#)
- ^{vi} <https://www.estadao.com.br/politica/stf-e-tse-violam-a-constituicao-em-nome-da-democracia/>
- ^{vii} [Is Brazil's Alexandre de Moraes Actually Good for Democracy? - The New York Times \(nytimes.com\)](#)
- ^{viii} [Is Brazil's Alexandre de Moraes Actually Good for Democracy? - The New York Times \(nytimes.com\)](#)
- ^{ix} <https://www.gazetadopovo.com.br/vida-e-cidadania/tse-censura-gazeta-do-povo-post-apoio-lula-ditadura-nicaragua/>
- ^x <https://revistaoeste.com/politica/moraes-proibe-postagens-que-vinculam-pt-pcc-e-celso-daniel-nas-redes-sociais/>
- ^{xi} [Brazilian Official Granted Power to Order Removal of Misinformation Online - The New York Times \(nytimes.com\)](#)
- ^{xii} Interview by lawyer Evandro Pontes with columnist Ana Paula Henkel, on August 13, 2019, published in the newspaper "Estado de São Paulo".
- ^{xiii} https://coens.dv.utfpr.edu.br/gprsc/wp-content/uploads/2021/08/ICEGOV_2021.pdf
- ^{xiv} https://www.ndi.org/sites/default/files/4_Brazil.pdf
- ^{xv} <https://www.lasca.ic.unicamp.br/media/publications/chapter-final.pdf>
- ^{xvi} <https://www.pnas.org/doi/10.1073/pnas.1210722109>
- ^{xvii} On December 2022, Argentine consultant Fernando Cerimedo – who previously spoke before the Brazilian Senate – broadcasted a worldwide report on the flaws in the Brazilian general elections about what many consider electoral fraud in Brazil.
- ^{xviii} <https://cdn.oantonista.com/uploads/2022/11/PL-Relatorio-Tecnico-Logs-Invalidos-das-Urnas-Eletronicas-v0.7-15-11-2022.pdf> This link leads to the report on anomalies of the electronic voting system presented by PL-Partido Liberal to the TSE.
- ^{xix} <https://www.campograndenews.com.br/politica/procurador-de-ms-questiona-publicidade-no-resultado-das-eleicoes-no-brasil> In this interview with Campo Grande News (by Jhefferson Gamarra, published on November 10th, 2022), Mato Grosso Sul State prosecutor Felipe Marcelo Gimenez called the Brazilian electoral process into question, suggesting that the vote count should have been done in a public way. He stressed that the exercise of the vote is secret, even guaranteed as a fundamental clause of the Brazilian Constitution, but the next act, which is the counting and disclosure of the result, is an administrative act and should be subject to a requirement of validity with popular participation, meeting the principle of publicity. "The exercise of voting is secret, but the voting and counting are public. The ballot paper issued after voting does not prove anything, because when it is printed, the vote has already been counted in secret, and fraud may have already occurred," suggests the prosecutor. In illustrating the questions against the electoral process, the prosecutor compared the electoral system used in Brazil with a condominium assembly, in which the condominium manager himself counts and announces the result of the deliberation. "Democracy is being broken, because the citizen becomes submissive to the institution," he said. According to the state prosecutor, the electronic ballot boxes are anti-democratic because there is no materiality in the vote and it does not respect the principle of publicity in the counting, when it adds up the choices for a candidate. "We could use third generation ballot boxes that have the material trail of the vote. We could use the ballot that is authorised by the law in force", he points out. The suggestion given by Gimenez would be the adoption of the printed vote, so that after voting time the voter could check if the chosen candidates were really counted. The paper would not leave the voting area with the voter, but would be stored by the Electoral Justice as a way to guarantee the suitability of the election.
- ^{xx} <https://fb.watch/i3kU57HvUu/> Lula's declaration is reproduced on Minutes 21-22 of this video broadcasted by João Paulo Guimarães. Declarations by Brazilian Congressman Luiz Lima, consultant Fernando Cerimedo and electronic engineer Carlos Rocha on the electoral fraud in Brazil are also reproduced here.
- ^{xxi} The Brazilian electoral college comprises 150 million voters. About 90 million voters did not choose Lula da Silva in the 2022 election and the all-electronic election result pointing to about 60 million votes for Lula da Silva (i.e., votes from around 40% of the Brazilian voters) has been questioned for strong evidence of electoral fraud.
- ^{xxii} "We will take power, which is different from winning the election," says José Dirceu (<https://ultimosegundo.ig.com.br/politica/2018-09-28/dirceu-eleicao-pt.html>)
- ^{xxiii} Barroso's statement that 'elections are not won, they are taken' sparks war with Bolsonaro (<https://jovempan.com.br/opiniao-jovem-pan/comentaristas/jorge-serra/declaracao-de-barroso-de-que-eleicao-se-vence-se-toma-acirra-guerra-com-bolsonaro.html>)
- ^{xxiv} <https://www12.senado.leg.br/tv/programas/noticias-1/2022/10/eleicoes-2022-abstencoes-superam-31-milhoes-e-correspondem-a-20-dos-eleitores>

^{xxv} The UN Human Rights Committee report that found that the investigation and prosecution of former President Lula da Silva violated his right to be tried by an impartial tribunal, his right to privacy and his political rights - <https://www.ohchr.org/en/press-releases/2022/04/brazil-criminal-proceedings-against-former-president-lula-da-silva-violated> - has been strongly criticised in Brazil and abroad.

^{xxvi} Among the many shielding measures are judicial inquiries ex-officio into so called "fake news" and "anti-democratic acts", and the decrees that introduce censorship of questions about the reliability of the electoral system, e.g.: <https://www.tse.jus.br/legislacao/compilada/prt/2019/portaria-no-663-de-30-de-agosto-de-2019> and <https://www.tse.jus.br/legislacao/compilada/prt/2021/portaria-no-510-de-04-de-agosto-de-2021>

^{xxvii} Posted on 10th Feb. 2023 by Public Prosecutor of the Mato Grosso do Sul State, Felipe Marcelo Gimenez in his Instagram account @felipemgimenez

^{xxviii} <https://horanoticias.com.br/lula-nao-foi-eleito-pelo-povo-mas-escolhido-pelo-servico-eleitoral-diz-procurador-de-ms-dr-felipe-gimenez/>

^{xxix} <https://www.weeklyblitz.net/politics/millions-of-brazilians-protest-election-fraud/>

^{xxx} <https://www.instagram.com/reel/CnaQUnXBT3e/?igshid=MDJmNzVkMjY=>

^{xxxi} <https://odysee.com/@neuesforum:a/Kongress-Sturm-in-Brasilien:d>

^{xxxii} https://youtu.be/Og_XGxO3ojY

^{xxxiii} https://fb.watch/h_3U77D3ha/

^{xxxiv} <https://www.mediamatters.org/media/3998933/embed/embed>

^{xxxv} <https://weltwoche.ch/daily/das-lula-regime-nutzt-den-sturm-auf-das-regierungsviertel-in-brasilia-fuer-massenverhaftungen-und-eine-hemmungslose-zensur-der-medien-wie-es-sie-seit-der-militaerdiktatur-nicht-mehr-gegeben-hat/>

^{xxxvi} <https://www.facebook.com/watch/?v=570425291272241>

^{xxxvii} https://oantagonista.uol.com.br/brasil/pf-fara-pericia-em-mais-de-mil-celulares/?utm_campaign=DOM_TARDE&utm_content=link-889665&utm_medium=email&utm_source=oa-email

^{xxxviii} Alex Baur, in his Weltwoche Daily article from 15h January 2023 noted: "Many Brazilians doubt that the acts of vandalism are the fault of Bolsonaro supporters. Why would they trash a parliament where the right has a majority? It doesn't make sense. And above all: mass arrests cannot be ordered within hours; planning such an action takes several days." (...) "Lula and Moraes like to stage themselves as saviours of the rule of law and democracy in Brazil. In reality, the duo is their greatest threat since the end of the military dictatorship."

^{xxxix} The name of at least one of the victims of the terrorist action of Alexandre de Moraes and colleagues has been found in a recherche in the social media: Nilma Marson, from Arapongas, PR, Brazil

^{xl} <https://www.instagram.com/p/CnPR-iYuR4r/?igshid=YmMyMTA2M2Y=>

^{xli} <https://twitter.com/ggreenwald/status/1614017500462579712>

^{xlii} <https://weltwoche.ch/daily/das-lula-regime-nutzt-den-sturm-auf-das-regierungsviertel-in-brasilia-fuer-massenverhaftungen-und-eine-hemmungslose-zensur-der-medien-wie-es-sie-seit-der-militaerdiktatur-nicht-mehr-gegeben-hat/>

^{xliii} <https://revistaoeste.com/revista/edicao-147/o-brasil-da-obediencia/>

^{xliv} The violations found include violations to the following conventional, legal and jurisprudential frameworks: Brazilian Federal Constitution of 1988; American Convention on Human Rights (Pact of San José of Costa Rica); International Covenant on Civil and Political Rights; Code of Criminal Procedure; Criminal Enforcement Law (Law 7. 210/84); International standards from Acosta Calderón v. Ecuador; Chaparro Álvarez and Lapo Iñiguez v. Ecuador; Cabrera Garcia and Montiel Flores v. Mexico; López Álvarez v. Honduras; UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; UN Standard Minimum Rules for the Treatment of Prisoners (Mandela Rules); UN Rules for the Treatment of Women Prisoners and Non-Custodial Measures for Women Offenders (Bangkok Rules); Decisions of the Federal Supreme Court rendered in the Argument of Non-compliance with Fundamental Precept (ADPF) no 347 and Direct Action of Unconstitutionality no 5240; Resolution no 213, of 15 December 2015, of the National Council of Justice.

^{xlv} In the Brazilian legal system, the typification of terrorism does not apply to the individual or collective conduct of people in political demonstrations, social, trade union, religious, class or professional category movements, directed by social or claiming purposes, aiming to contest, criticize, protest or support, with the purpose of defending constitutional rights, guarantees and freedoms, without prejudice to the criminal typification contained in law.

^{xlvi} <https://noticias.r7.com/brasil/marcos-do-val-pedira-afastamento-e-prisao-do-ministro-da-justica-flavio-dino-14012023>