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## **PUBLIC POLICY ON ELECTORAL INTEGRITY AND ARTIFICIAL INTELLIGENCE: THE BRAZILIAN SUPERIOR ELECTORAL COURT'S NORMATIVE REGULATION**

Electoral integrity has become an informational governance problem in platform-mediated or platformised communication environments, where campaign messages no longer circulate only through traditional propaganda channels, but through opaque recommendation systems, automated amplification, and fast-moving attention economies. Generative artificial intelligence heightens that risk by making synthetic political content cheaper, more scalable, and more realistic. The legal difficulty is therefore broader than the correction of isolated falsehoods: it concerns the institutional capacity to protect the public conditions under which electoral choice is formed, without allowing anti-disinformation measures themselves to become a source of arbitrariness [1; 9; 10; 14].

Brazil offers a particularly revealing case. In the 2024 electoral cycle, the Superior Electoral Court (Tribunal Superior Eleitoral – TSE) amended the propaganda regime, reorganised the treatment of electoral violations, and accelerated procedural avenues for representations and right-of-reply proceedings through Resolutions Nos. 23.732, 23.733, and 23.735 [5]. Those measures did not arise in a normative vacuum; they interact with the general propaganda framework of Resolution No. 23.610/2019 and with the anti-disinformation turn made explicit in Resolution No. 23.714/2022 [12; 13]. Read together with the Electoral Code, the Election Act, and Law No. 14.211/2021, the central question is whether these measures remained within the domain of statutory implementation or crossed into primary normative innovation in a field reserved to formal legislation [2; 3; 4].

The report addresses that question through a qualitative, legal-institutional, and documentary inquiry grounded in the law-and-public-policy approach. The premise is that law is not merely an external limit imposed on policy after the fact. It is part of policy design itself, since it allocates competences, shapes procedures, defines instruments, and structures control mechanisms [7; 8]. In a problem-oriented sense, the relevant issue is not only what the State chose to regulate, but how it selected instruments capable of responding to a rapidly changing risk environment [11]. To make the analysis operational, the study proposes a Formality and Materiality Test. The test examines six filters: legal competence, the prohibition of primary normative innovation, the electoral annuality principle, proportionality, a clear prior legal basis for sanctions, and procedural legitimacy [1; 2; 3; 4].

The main finding is that the backbone of the 2024 package can be read as subordinate implementing rulemaking rather than autonomous legislation. In its core structure, the TSE did not create a self-standing sanctioning regime detached from statute. Instead, it sought to operationalise pre-existing legal commands concerning propaganda, electoral fairness, abuse prevention, and procedural enforcement [2; 3; 5; 12]. Yet this conclusion is not absolute. The constitutional appraisal is non-binary: some parts of the package sit more comfortably within the statutory corridor, while others approach the threshold at which administrative elaboration begins to resemble innovation. The point is not whether the Court acted or refrained from acting, but whether it acted under legally disciplined self-restraint.

Two hard cases are especially important. The first is mandatory labelling of synthetic content generated or materially altered by artificial intelligence. Labelling is less restrictive than outright removal because it preserves circulation while adding transparency, but it still imposes an affirmative duty and may burden lawful political speech if drafted too broadly. The second hard case is procedural urgency. Digital harms are often temporally irreversible, which helps explain the turn to expedited intervention; still, speed cannot function as a blank cheque for weak reasoning or suppressed adversarial process. The constitutional debate reflected in ADI 7261 confirms that urgency in misinformation cases must remain tied to due-process safeguards and reason-giving duties [5; 6; 9].

A further implication concerns institutional design. The 2024 package should be read as one layer within a broader policy mix that includes binding resolutions, adjudicatory practice, platform interaction, and public guidance. That observation matters because legality cannot be assessed solely by reading one provision in isolation. Informal coordination may help the system respond to fast-moving harms, but it cannot silently replace statutory authorisation or blur responsibility for rights-restrictive intervention. The most defensible architecture is therefore layered: Parliament defines the essential duties, limits, and guarantees; the TSE specifies technical implementation within a narrow statutory corridor; and judicial review remains available wherever accelerated enforcement risks overreach or unequal impact on political competition [1; 7; 8].

The broader conclusion is that the TSE's 2024 response was institutionally functional as an emergency architecture for electoral integrity under conditions of synthetic manipulation and platformised communication. Even so, emergency architecture should not become the permanent normal form of democratic governance. A more stable framework requires denser statutory bases for synthetic content, deepfakes, transparency duties, and urgent procedural intervention, together with ex ante accountability, ex post evaluation, and safeguards strong enough to prevent anti-disinformation regulation from itself becoming opaque. In matters that shape the democratic rules of the game, regulatory efficacy must remain bounded by legality, proportionality, and the rule of law [1; 6; 7; 8; 14].

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## ENVIRONMENTAL CONSEQUENCES OF WAR AS A THREAT TO HUMAN RIGHTS: LEGAL DIMENSION

Armed conflicts of the 21st century extend far beyond traditional military confrontations, encompassing complex humanitarian and environmental dimensions that significantly affect the realization of fundamental human rights. In contemporary conditions, environmental degradation caused by warfare has become one of the most serious and long-term threats, as it not