

**THE GENERAL ELECTIONS  
IN THE BRITISH VIRGIN ISLANDS  
7 NOVEMBER 2011**

**REPORT  
OF  
THE CARICOM ELECTORAL  
OBSERVER MISSION**

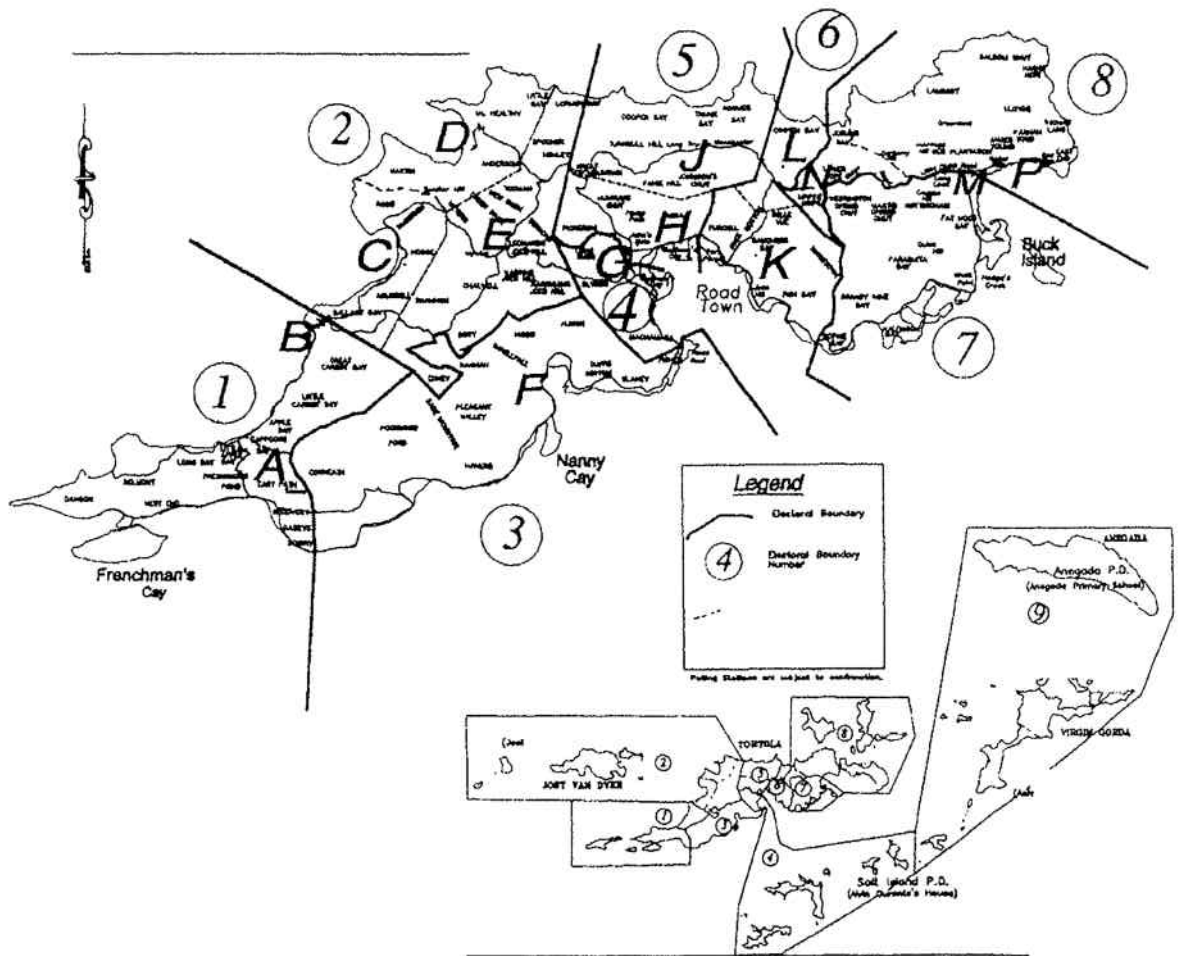
**CARICOM SECRETARIAT  
Georgetown, GUYANA**

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Produced by BVI Survey Department

### MAP OF THE NINE ELECTORAL DISTRICTS (Above)

### **ACKNOWLEDGEMENTS**

The CARICOM Electoral Observer Team wishes to express, on its own behalf and on behalf of the Commonwealth Parliamentary Association's Team, sincere thanks and appreciation for the tremendous support and cooperation received from His Excellency Governor Boyd McCleary and his Staff, the Deputy Governor Madame Inez Archibald and Ms Juliette Penn, Supervisor of Elections, and her Staff.

The Mission would also like to record its gratitude for the courtesies extended by Mr. Ralph T. O'Neal, Premier and Chairman of the Virgin Islands Party (VIP) and Dr D. Orlando Smith, Leader of the Opposition and President of the National Democratic Party (NDP). Both of these distinguished gentlemen were exceedingly gracious in allocating some of their valuable time to meetings with the Mission.

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The Mission's gratitude, too, goes out to the people of the BVI for the warmth and kindness showered on the Members of the teams of Observers.

Finally, special thanks are extended to the Caribbean Community (CARICOM) and the Commonwealth Parliamentary Association (CPA), British Islands & Mediterranean Region, for according Members of the Mission the honour and privilege to observe the BVI General Elections.

## **1.0 BACKGROUND ON THE BVI: POLITICAL AND ECONOMIC DEVELOPMENT**

### ***Geography and History***

The British Virgin Islands (BVI) is a British Overseas Territory, located some 60 miles east of Puerto Rico, between the Caribbean Sea and the North Atlantic Ocean. The main islands are Tortola, Virgin Gorda, Anegada and Jost Van Dyke. The BVI archipelago consists of some 50 islands, of which 15 are inhabited. (See Map of the BVI at front of this Report). The capital, Road Town, is situated on Tortola, the largest island, which is approximately 12 miles long and 5 miles wide. The population of the BVI is about 22,000, with some 18,000 living on Tortola. Based on the 2004 Population Census, the majority of the population is of African descent (83.4 percent), with Europeans and Others making up the remaining 15.6 percent. The main religion is Christianity, representing some 96 percent of the population.

With a tropical climate, moderately by trade winds, the temperature of the BVI varies very little throughout the year. The maximum daily temperature in the summer is 24<sup>0</sup> C (89.6<sup>0</sup> F) and 29<sup>0</sup> C (84.2<sup>0</sup> F) in the winter. The average rainfall is about 45.3 inches per year. The wettest months are September to November and the driest, February and March.

This tropical climate was no doubt enjoyed by the Arawaks and Caribs who inhabited the Islands when they were first sighted by Christopher Columbus in 1493 on his second voyage to the Americas. The Spanish Empire claimed the Islands by discovery in the early 16<sup>th</sup> Century but never settled them. Subsequent years saw the English, Dutch, French, Spanish and Danish all jostling for control of the region, which became a well-known nest for pirates.

The BVI were settled by the Dutch in 1648, and then annexed by the English in 1672. The Islands were held principally as strategic possessions. However, the BVI became part of the British colony of the Leeward Islands from 1872 to 1960, and were granted

autonomy in 1967. Subsequent legislative amendments over the next few decades gradually extended the Islands' autonomy. In 2002 the British Overseas Act granted British citizenship to the islanders, who can hold British passports and may work in the United Kingdom (U.K.) and the European Union (EU).

### ***Political Development***

A new Constitution was adopted in 2007 (the Virgin Islands Constitution Order, 2007), which gave the BVI a greater degree of self-government. Under the new Constitution, the Head of Government is the Premier (previously called Chief Minister). The Premier, other members of the ruling party and Opposition are elected every four (4) years in a general election. A Cabinet is nominated by the Premier and appointed by the Governor. The Legislature consists of the Governor (representing the Queen) and a unicameral House of Assembly made up of 13 elected Members, the Speaker and Attorney-General.

The Governor (William Boyd McCleary, since 2010) is appointed by the Queen on the advice of the British Government and exercises Executive Authority in a number of areas, including Defence, Foreign Affairs and Elections (the prior two of which remain the responsibility of Britain).

Prior to 2011, General Elections were last held in 2007 and were contested by the two main political parties, the Virgin Islands Party (VIP) and the National Democratic Party (NDP). The Virgin Islands Party, led by Ralph O'Neal, won 10 of the 13 seats, defeating the National Democratic Party (led by Dr Orlando Smith) which had been in power since 2003.

### ***Economic Development***

Economic issues have always dominated General Elections in the BVI. The BVI economy is one of the most prosperous in the Caribbean region, with per capita income

of some US\$41,000. The twin pillars of the economy are tourism and financial services. (Agriculture and manufacturing account for only a small portion of the BVI's GDP). Tourism employs a large number of persons and is responsible for 45 percent of National Income. Some 900,000 tourists visit the BVI each year, about half of which are cruise ship passengers. Financial services account for about 52 percent of Government's revenue, largely generated from the registration of off-shore companies.

However, the BVI economy, though one of the most stable in the Caribbean, has been hard hit by the global economic downturn. Since 2008 the economy has contracted and unemployment has increased, resulting in part from the decline in tourism (by 4 percent in 2010) and financial services.

### ***Current Issues***

The declining economic situation has provided much fodder for political platforms. Current political and economic issues include: the need to resuscitate the tourism industry; building and repairing road infrastructure; fixing the sewerage system; tackling the increased crime problem; improving education; and more effective management of public finances.

## **2.0 THE OBSERVER MISSION**

The Caribbean Community (CARICOM) and the Commonwealth Parliamentary Association (British Islands & Mediterranean Region), on the invitation of His Excellency Boyd McCleary, Governor of the British Virgin Islands (BVI), agreed to mount two teams that constituted an Electoral Observer Mission to the General Elections in the BVI held on 7 November 2011.

Members of the Observer Mission were as follows:

***Caribbean Community***

Amb. Rudolph Collins, Chief of Mission;

Mr. Eugene Petty, Former Supervisor of Elections, St Kitts and Nevis; and

Ms Mignon Bowen, Project Officer, CARICOM Secretariat

***Commonwealth Parliamentary Association***

Mr. Thomas Docherty, Member of Parliament (Labour), UK and Head of Team;

Mr. Leon Gallienne, Deputy (Guernsey);

Mr. Connor Burns, Member of Parliament (Conservative), UK; and

Mr. Alex Downie, OBE, Member of the Legislative Council, Isle of Man.

The main role of the Observer Mission was to observe the General Elections and submit a report on its findings. In performing this role, the two teams agreed to pool their resources, coordinate activities, and work together as one Mission. This agreement was consistent with the spirit of Governor McCleary's letter of invitation, in which the hope was expressed that the teams would work as one and in close collaboration throughout the visit, sharing information, documentation, and expertise and, as appropriate, making joint visits to polling stations on Election Day. The two teams further agreed that Ambassador Rudolph Collins should perform the duties of Chief of Mission.

The Mission, in carrying out its work, met with Government Officials, Leaders of Political Parties, and Electoral Officials.

The Mission paid a courtesy call on His Excellency Governor McCleary. At the meeting with the Governor, Members of the Mission were introduced to Madame V. Inez Archibald, Deputy Governor of the BVI. The meeting discussed the role and functions of the Governor, the electoral system and the electoral process that was set in motion



following the dissolution of the BVI House of Assembly and the setting of the date for General Elections.

Information on the electoral system and preparations for the General Elections were further amplified in the Mission's meeting with Ms. Juliette Penn, Supervisor of Elections. The Mission was advised on the selection and training of poll workers and presiding officers, instructions to agents and public education on the voting process.

The Mission also held separate meetings with the Leaders of the main political parties: Mr. Ralph T. O'Neal, Premier and Chairman of the Virgin Islands Party and Dr. Orlando Smith, Leader of the Opposition and President of the National Democratic Party. Issues discussed in the meeting with Mr. O'Neal included Advance Polling, campaign financing and the status of Poll Clerks as Civil Servants. In the meeting with Dr Smith, discussions were centred on concern over the presence of observers and the important role of observer missions in building confidence in the electoral process, party financing and issues related to the state of the economy.

The meetings with government officials and stakeholders provided the Mission with vital information that helped to improve its understanding and appreciation of the issues surrounding the Elections, preparation for the Elections, and the electoral framework under which the Elections were conducted.

### **3.0 THE ELECTORAL FRAMEWORK**

General Elections in the BVI are governed by The Virgin Islands Constitution Order, 2007 and The Virgin Islands Elections Act 1994 and subsequent Amendments to the Act (1998, 2003, 2007 and 2011).

### ***Responsibility of the Governor***

Under the Constitution and the Elections Act (as amended), the Governor is entrusted with a number of key functions, including:

- Appointment of Polling Day, which must be set no later than two months and no fewer than 21 days after the dissolution of the House of Assembly;
- Appointment of Returning Officers, on the recommendation of the Supervisor of Elections, for each Electoral District; and
- The issuing of Writs of Election to Returning Officers, setting the date of Polling Day and times for opening and closing the Poll, Advance Polling, the day and time for nomination of candidates, and date for return of the Writs and report of the election results to the Governor.

### ***Registration of Voters***

Persons who qualify to vote on Polling Day must meet the criteria set out in Sections 2 (2) and 31 (1) of the Constitution and Section 6 of the Elections Act. In applying to the Supervisor of Elections to be included in the Register of Voters or Voters List, persons must declare that they are British subjects or deemed to belong to the British Virgin Islands, domiciled and resident in the British Virgin Islands, and have attained the age of 18 years. This declaration has to be supported by a birth certificate, passport, and certificate of naturalization or believer card.

The application for registration as a voter has to be witnessed by a competent witness such as a notary public, Justice of the Peace or Legal Practitioner. The Supervisor of Election may refuse any application which is not received by 14 days after the dissolution of the House of Assembly, in the case of a General Elections. Disqualification to register as a voter may be based on insanity, a state of unsound mind

or imprisonment for a term exceeding 12 months. The Voters List must be published 17 days after the dissolution of the House of Assembly.

***Qualification and Disqualification for Elected Membership of the House of Assembly***

Based on the Virgin Islands Constitution Order (Sections 66), candidates for election as members of the House of Assembly should, among other criteria, be:

- a Virgin Islander of the age of 21 or upwards;
- born in the Virgin Islands of a father or mother who at the time of the birth was a British Overseas Territories Citizen;
- born in the Virgin Islands of a father or mother who at the time of the birth belonged to the Virgin Islands by birth or descent; and
- resident in the Virgin Islands at least five years immediately before the Day of Nomination.

Grounds on which persons may be disqualified to be nominated as candidates include, but not limited to: persons who have been adjudged or otherwise declared bankrupt; persons who are certified to be insane or otherwise adjudged to be of an unsound mind; and persons under the sentence of death or are serving or have been serving a sentence of imprisonment at any time within the period of five years immediately before Nomination Day.

For the nomination of candidates, the Elections Act requires:

- The publication of notices by Returning Officers, at seven clear days before Nomination Day, fixing place and times for receiving nomination papers;

- The nomination of each candidate by at least two registered voters of the Electoral District for which the candidate seeks election and the candidate's consent, attested by one witness. (A candidate may withdraw from his/her candidature by giving notice to the effect three clear days before Polling Day, provided there remains at least one duly nominated candidate for the Electoral District); and
- The deposit with the Returning Officer, by the candidate or someone on the candidate's behalf, the sum of five hundred dollars in legal tender. (This deposit is forfeited, if votes cast for the candidate does not exceed one-eighth of the total number of votes polled in the Electoral District).

In the event that, at the end of the time for nomination, only one candidate has been nominated for the seat to be filled, the Returning Officer shall declare the candidate elected.

### ***The Voting System***

On Polling Day or Election Day, persons whose names appear on the Register of Voters/Voters List are eligible to cast their ballot. Voting for candidates to fill the 13 seats (9 single-seat constituencies or Electoral Districts and 4 At-Large or Territorial seats) in the House of Assembly is required to commence at 6 a.m. and close at 6 p.m. Each voter may vote for one candidate in his/her electoral district and four candidates in the Territorial District.

Voters cast their ballot at Polling Stations where their names appear on the Register of Voters. A voter can vote at only one Polling Station. Once given instruction on voting procedure by the Presiding Officer and a ballot paper with the Presiding Officer's initial on it, voters are asked to make their 'X' for the candidates of choice in secrecy behind screened polling booths. Under the provisions of the Elections Act, assistance may be provided by the Presiding Officer to the physically disabled, blind or illiterate voters,

upon the swearing of the required oath by such persons. After voting, persons return the ballot paper to the Presiding Officer, folded as instructed. In the full view of all present, including agents of political parties, the Presiding Officer then removes the counterfoil and places the ballot in the locked Ballot Box.

### ***Counting of Votes***

After the close of the Poll, in previous General Elections, the Ballot Box was sealed by the Presiding Officer and then transported, along with other documents and material used at the Poll, to the Returning Officer at the designated place of count under Police escort. However, under the present arrangement, the counting of ballots is done at Polling Stations by the Presiding Officers. In preparing for the count, the Presiding Officer unlocks the Ballot Box in the presence of candidates or their counting agents and then proceeds to count the votes, with the assistance of Tally Clerks who keep score of the number of votes cast for each candidate. Where there is dissatisfaction with the count, a candidate or his/her counting agent may request a recount. On conclusion of the count, the results are submitted to the Returning Officer who, in turn, submits them to the Supervisor of Elections. Other documents, including Writs of Election issued by the Governor, reports and the Ballot Box with ballots cast for each candidate in separate envelopes must be submitted by the Returning Officers to the Supervisor of Elections by the day after the General Elections for safe keeping.

## **4.0 PREPARATIONS FOR ELECTIONS**

Activities related to the preparations for the General Elections included: the issuing of Writs and appointment of electoral officials; publication of the Register of Voters; nomination of candidates; voter education; political campaigning; supply and distribution of material; and Advance Polling.

### ***Writs and Appointment of Electoral Officials***

Following the dissolution of the House of Assembly and the announcement of General Elections to be held on 7 November 2011, Writs of Election were issued by the Governor to Returning Officers, spelling out Nomination Day which was 24 October 2011, Advance Polling Day (4 November 2011) and Polling Day. The Writs formally instructed the Returning Officers of their duties and responsibilities for the conduct of the Elections and the reporting of the results to the Governor no later than 8 November 2011.

Presiding Officers and Poll Clerks were also appointed and trained to undertake their functions at the Polling Stations established, mainly in schools and community centres, in each Electoral District. The training of these electoral officials in the provisions of the Constitution and the Elections Act related to voting procedure and the performance of their duties were carried out by the Supervisor of Elections.

### ***The Register of Voters***

Registration of voters in the BVI is a continuous process, since 1990. The Register of Voters compiled for the 2011 General Elections comprised a total of 12,609 electors for the 9 Electoral Districts, as shown in **Annex I**. This total has reflected an increase of 1,433 (12.8 percent) over the total number of registered voters in the 2007 Elections.

### ***Nomination of Candidates***

The nomination of candidates to fill the nine (9) seats for the Electoral Districts and the four (4) At-Large seats took place on 4 November 2011. Forty-three (43) candidates were nominated to contest the General Elections. Of the 43 persons, the two major political parties, the incumbent Virgin Islands Party (VIP) and the opposition National Democratic Party (NDP), accounted for 25 nominated candidates. The VIP, founded in 1971 and has the Party colour of green, fielded a full slate of 13 candidates, including

two women; and the NDP, which was established in 1998 and carries the Party colour of red, presented 12 candidates, two of whom were women.

Twenty-seven (27) of the 43 candidates were nominated to contest the 9 Electoral District seats, whilst 16 candidates were nominated for the 4 At-Large seats. Among the 43 persons, there were 13 Independent candidates. A complete list of the nominated candidates and their party affiliation is shown at **Annex II**.

### ***Voter Education***

The voters were informed of the nominated candidates and the voting process through publications and notices in the local newspapers, and announcements and jingles on radio and television. The Office of the Supervisor of Elections published notices concerning the nominated candidates, the posting of the Register of Voters, location of Polling Stations and electoral offences. Town hall meetings were held to provide information on arrangements for the Elections and the voting process. Information on voting procedure, printed on leaflets and placed on the Internet (Governor's website), was also disseminated to the electorate. The efforts at voter education by the Supervisor of Elections were supported by the major political parties which published photos of candidates in local newspapers.

### ***Political Campaigning***

A key element of the campaign by the two major political parties, VIP and NDP, was the publication of Manifestos. The VIP's Manifesto outlined policies and strategies to improve governance, increase economic activity and tackle social problems. The NDP's Manifesto outlines the Party's promises to fix the economy, reduce the cost of living, protect the rights of consumers, create employment opportunities, and ensure foreign direct investment benefits the people of the BVI. The two Manifestos were general in nature and did not specify how the Parties intended to implement their campaign promises.



The campaign also involved rallies which were carried live on radio and television; radio and television spots; advertisement in newspapers and on the Internet; printing and distribution of leaflets, stickers and T-shirts with party colours; erection of billboards; and organizing motorcades. The campaign of the two major parties actually climaxed with the holding of separate motorcades on the week-end prior to Election Day.

### ***Supply and Distribution of Materials***

In preparation for Advance Voting and Polling Day, Presiding Officers were given, for safe keeping, ballot boxes, collapsible polling booths, ballot papers, poll books and other electoral material required for the effective undertaking of their functions at Polling Stations. The supply and distribution of electoral material were conducted under the direct supervision of the Supervisor of Elections. Polling Stations were set up the day immediately before Advance Polling Day and Election Day, respectively.

### ***Advance Polling***

Advance Polling, observed by Members of the Mission, took place three days before Election Day. This provision in the Elections Act, as amended, gives Police Officers and Electoral Officials who have to work on Polling Day the opportunity to vote early. The said opportunity is provided to the elderly and disabled or illiterate persons who need extra time and assistance with the voting process.

At the close of the Advance Poll, the record of the number of persons who exercised their franchise showed that 654 votes were cast for candidates running in the Electoral Districts and 653 for candidates contesting At-Large seats. The ballots cast at the Advance Poll were submitted to the Supervisor of Elections for safe keeping until Polling Day when they are delivered to the Presiding Officers. The ballots are placed in respective ballot boxes before the commencement of the voting process on Polling Day and are later counted with ballots cast on the same Day of the Poll.



## **5.0 ELECTION DAY AND RESULTS**

### **ELECTION DAY**

On Polling or Election Day, Members of the Observer Mission were deployed in four separate teams and consequently were able to visit almost all of the Polling Stations in the nine Electoral Districts. The Teams observed the opening of the Poll at 6:00 o'clock in the morning and the closing of the Poll at 6:00 o'clock in the evening, at separate Polling Stations. The Poll opened and closed on time at those Polling Stations. At the opening of the Poll, the Presiding Officer showed the empty Ballot Box, placed the ballots from the Advance Polling in the Box and then locked it in the presence of party agents, security officers and Observers, and then announced commencement of voting. The Teams also observed the arrangements for voting, the voting process, the performance of electoral officials, voter turnout and voter behavior, behaviour of agents of candidates, support for the physically challenged, mock polling stations and security arrangements.

#### ***Arrangements for Voting***

Polling Stations were well arranged and organized with booths containing eight compartments. This arrangement enhanced the secrecy of the ballot and assisted the efficient flow of voters, thus avoiding congestion in the Polling Station. In general, the arrangements at Polling Stations provided an adequate physical environment and ambience for voting.

#### ***The Voting Process***

Voting was conducted in an orderly, transparent and peaceful manner. The voters were able to exercise their franchise without intimidation. A concern of the Mission is the electoral procedure for the Presiding Officer to place the voters' ballots in the Ballot Box,

instead of voters dropping in their own ballot papers. This provision may serve to compromise the secrecy of the ballot.

### ***Performance of Electoral Officials***

The electoral workers, mostly women who were neatly attired in uniform polo shirts, performed their duties in a very professional manner. The Mission was impressed with the Officials' efficiency and impartiality in carrying out their functions. There were however a few inconsistencies in following electoral procedure. Minor variations in performance included the process whereby the voter was required to enter the polling booth twice, casting the Electoral District ballot first and then returning to cast the At-Large ballot. Obviously, the more efficient procedure was to hand the voters both ballot papers for casting their votes at once in the polling booth, as done in the case of most Presiding Officers.

Another minor difference in performance involved the removal of the counterfoil from the ballot papers: some Officials removed it before giving the ballot paper to the voter, whilst other removed it after the voter had cast his/her ballot. The removal of the counterfoil after the voter had already cast the ballot may also compromise the secrecy of the ballot.

### ***Voter Turnout and Voter Behaviour***

Throughout the Day of Poll, there was a fairly steady flow of voters. The brief rain showers did not hamper the voter turnout. Voters waited in long lines patiently, displaying exemplary behavior. More Polling Stations may need to be established for future Elections in order to reduce time spent by voters in line. The large voter turnout, including a high level of participation by young people, is clearly an indication of the electorate's commitment to their civic duty and to the democratic process, for which they should be strongly commended.

***Behaviour of Agents***

Agents of the main political parties were present at most Polling Stations during the opening of the Poll, the voting process, the closing of the Poll and the counting of the ballots. The Elections (Amendment) 2007 stipulates that each candidate may appoint not more than two agents at a polling station, one of whom must remain in the polling station at any given time to observe the proceedings. The Act, as amended, also provides for the appointment of not more than two counting agents to attend at the counting of the votes. As in the case of electoral workers, most of the agents of candidates were women. The agents displayed good cooperation between themselves, sharing information, and with the Presiding Officer and Poll workers by keeping score of persons who voted and tallying votes for candidates during the count. However, there were a few incidents where the behavior of some agents bordered on direct interference with the proceedings. Moreover, the use of computers and mobile phones, despite signs forbidding their use, by some agents within the Polling Station was a distraction to the proceedings and eroded the authority of the Presiding Officer.

***Support for the Physically Challenged***

For those elderly persons who were not able to take advantage of the Advance Polling opportunity, some efforts were made to assist them in voting. However, the location of Polling Stations made it physically challenging to access some buildings in which Polling Stations were housed.

***Mock Polling Stations***

Mock polling stations were established by the two major political parties, VIP and NDP, at the required 100 yards away from the actual Polling Stations. Party workers assisted supporters in finding their names on the Register of Voters and directing them to the Polling Station. However, no evidence of harassment of voters was observed.

### ***Security***

Police security was provided at all Polling Stations. The security officers acted discreetly and effectively. The presence of the Police at the opening and closing of the Poll, and at the counting of ballots, no doubt helped to ensure the orderly and peaceful manner in which the Poll was conducted during Advance Polling and on Election Day. The Police should therefore be highly commended for the important role played in securing Polling Stations and maintaining peace and order.

### **RESULTS**

After the close of the Poll, the ballots for Electoral Districts and At-Large seats were counted. The counting of both sets of ballots took place at the Polling Stations in Electoral Districts and was observed by Members of the Mission. The counting was open and transparent but the process was painfully slow, long and drawn-out, with each ballot having had to be shown to candidates' agents, electoral officials, observers and members of the public.

The Results of the General Elections, presented at **Annex III**, were announced by the Government Information Service (GIS) and carried on radio and television stations, including the Caribbean Broadcasting Network (CBN Channel 51) and BVI Web TV. The Electoral District and Territorial Results indicate that the National Democratic Party (NDP) won 9 of the 13 seats in the House of Assembly. The NDP gained 5 of the Electoral District seats and all 4 of the Territorial or At-Large seats. The Virgin Islands Party (VIP) obtained the remaining 4 Electoral District seats. There was a large voter turnout of 70.8 percent in these 2011 General Elections, compared to 62.3 percent in the 2007 General Elections.

Following the declaration of the NDP as winner of the Elections, Dr Orlando Smith, Leader of the NDP, was appointed by the Governor as Premier under Section 52 (1) of the Constitution.

## 6.0 CONCLUSIONS AND RECOMMENDATION

### CONCLUSIONS

The conclusions of the Mission, having observed the General Elections, are as follows:

- There was nothing untoward – unconstitutional, illegal or otherwise – that could be construed as having any significant influence on the outcome of the Elections;
- The will of the people of the British Virgin Islands was fairly and freely expressed in an open democratic process; and
- The people of the BVI should be highly commended for the transparent, orderly and peaceful manner in which the Elections were conducted.

Those conclusions were issued in a Preliminary Report by the Observer Mission, found at **Annex IV**.

### RECOMMENDATIONS

Despite the above conclusions, the Observer Mission felt there was a need for improvement of the electoral process in a number of areas. To this end, the following recommendations are proffered:

- **Voter Education:** A well-structured voter education programme should be developed by the Office of the Supervisor of Elections. Such programme should include the structure of Government and how Government works, management of the electoral process, the voting process, voter registration and the importance of voting. This information may be published in booklet form and widely distributed, and may also be placed on the Internet. Technical assistance should

be sought from the Commonwealth Secretariat for the development of the voter education programme.

- **The Voting Process:** Future improvement in the process should include, a clear separation between ballot boxes for Electoral District ballots and the Territorial or At-Large ballots; an increase in the number of polling stations; the establishment of polling stations in buildings that are easily accessible to the physically challenged and the elderly; introduction of voter identification cards or the use of some form of voter identification, in order to avoid double voting or other fraudulent activity; an amendment to the Elections Act to allow voters to place their own ballot in the ballot box, instead of giving the ballot to the Presiding Officer to put in the box; review of the counting process with a view to having a more straightforward and timely count; and thorough and early training of electoral workers should be conducted in order to ensure standardization of operational procedures at polling stations.
- **Code of Ethics or Conduct:** The BVI enjoys an enviable reputation of having a well-run electoral process. The same cannot be said about political campaigning. Although the campaign was somewhat incident-free, there seems a need for a Code of Ethics/Conduct especially for candidates and other politicians. Such Code of Conduct should place restrictions on the use of inflammatory language, half-truths, lies and character assassination to gain political advantage. Political parties should be required to sign the Code of Conduct. The Code should include mechanisms for monitoring adherence to its provisions.

Consideration and implementation of these suggested improvements to the electoral process will certainly help to strengthen operational management and further enhance public confidence in the BVI electoral system.

**2011 GENERAL ELECTIONS REGISTERED  
VOTERS, BVI**

<b>Electoral District</b>	<b>Polling Station</b>	<b>No. of Registered Voters</b>	<b>TOTAL</b>	<b>Ranking of Electoral Districts by</b>
First	Zion Hill	866	1384	6 <sup>th</sup>
	Carrot Bay	518		
Second	Jost Van Dyke	142	1248	8 <sup>th</sup>
	Cane Garden Bay	461		
	Brewers Bay	219		
	Meyers	426		
Third	Sea Cows Bay	1530	1530	1 <sup>st</sup>
Fourth	Road Town	1342	1346	7 <sup>th</sup>
	Salt Island	4		
Fifth	Huntums Ghut	977	1521	2 <sup>nd</sup>
	Long Trench	544		
Sixth	Baughers Bay	1266	1520	3 <sup>rd</sup>
	Belle Vue	254		
Seventh	Long Look	1158	1158	9 <sup>th</sup>
Eighth	Hope Estate	89	1404	5 <sup>th</sup>
	East End	1315		
Ninth	The Valley	1052	1498	4 <sup>th</sup>
	North Sound	311		
	Anegada	135		
<b>TOTAL</b>		<b>12609</b>	<b>12609</b>	

## Annex II

## BVI ELECTION CANDIDATES 2011

Electoral District	Virgin Islands Party (VIP)	National Democratic	People's	The Party of the	Independent Candidates
1 <sup>st</sup> District	Andrew Fahie*				Preston Stoutt
2 <sup>nd</sup> District	Alvin Christopher*	Claude Cline-Skelton			Leall Rymer Allewine Smith
3 <sup>rd</sup> District	Julian Fraser*	Kevin Smith			
4 <sup>th</sup> District	Dr Vincent Scatliffe*	Mark Vanterpool			Collin Scatliffe
5 <sup>th</sup> District	Elvis Harrigan*	Delores Christopher			
6 <sup>th</sup> District	Omar Hodge*	Alvera Maduro-Caines			
7 <sup>th</sup> District	Ronnie Lettsome	Dr Kedrick Pickering*		Allen Wheatley	
8 <sup>th</sup> District	Dancia Penn*	Marlon Penn			Nolan Davis Bevis Sylvester
9 <sup>th</sup> District	Ralph T. O'Neal*	Dr Hubert O'Neal			Lorie Rymer Devon Osborne Samuel O'Neal
At-Large	Irene Penn O'Neal*	Dr Orlando Smith*	Shaina Smith		Eileen Baronville
At-Large	Keith L. Flax*	Myron Watwyn	Elton Callwood		
At-Large	Vernon Malone*	Ronnie W. Skelton	Natalio		
At Large	Zoe Walcott-McMillan	Archibald Christian	Khoy Smith		

\* Incumbent



## BVI 2011 ELECTIONS RESULTS

Polling Stations	DISTRICT	Polling Station Local Votes Cast	Local Ballots Cast for District	Territorial Ballots Cast	District Territorial Ballots	Polling Station Registered Voters	District Register ed	% Turn out-Polling Station	% Turn-out- District
Zion Hill	1	620	934	620	933	866	1384	71.6	67.5
Carrol Bay	1	314		313		518		60.4	
Jost Van Dyke	2	95	818	95	818	142	1248	66.9	65.5
Cane Garden Bay	2	312		312		461		67.7	
Brewers Bay	2	130		130		219		59.4	
Meyers	2	281		281		426		66.0	
Sea Cows Bay	3	1176	1176	1175	1175	1530	1530	76.8	76.9
Road Town	4	973	973	973	973	1342	1346	72.5	72.3
Salt Island	4	0		0		4		0.0	
HuntumsGhut	5	676	1006	676	1006	977	1521	69.2	66.1
Long Trench	5	330		330		544		60.7	
Baughers Bay	6	833	1006	833	1006	1266	1520	65.8	66.2
Belle Vue	6	173		173		254		68.1	
Long Look	7	774	774	774	774	1158	1158	66.8	66.8
Hope Estate	8	69	1097	69	1097	89	1404	77.5	78.1
East End	8	1028		1028		1315		78.2	
The Valley	9	789	1149	789	1146	1052	1498	75.0	76.7
North Sound	9	258		258		311		83.0	
Anegada	9	102		99		135		73.3	
Total		8933	8933	8928	8928	12609	12609	70.8	70.8

BVI 2011 GENERAL ELECTIONS RESULTS				
CANDIDATES	PARTY AFFILIATION	DISTRICT	VALID VOTES	% of Votes
Fahie, Andrew	VIP	1	611	65.8%
Stoutt, Preston	IND	1	317	34.2%
		TOTAL	928	100.0%
Christopher, Alvin	VIP	2	423	52.4%
Cline-Skelton, Claude	NDP	2	324	40.1%
Rhymer, Leall	IND	2	53	6.6%
Smith, Allewine	IND	2	7	0.9%
		TOTAL	807	100.0%
Fraser, Julian	VIP	3	613	52.4%
Smith, Kevin	NDP	3	557	47.6%
		TOTAL	1170	100.0%
Vanterpool, Mark	NDP	4	661	68.5%
Scatliffe, Collin	IND	4	95	9.8%
Scatliffe, Dr. Vincent	VIP	4	209	21.7%
		TOTAL	965	100.0%
Christopher, Delores	NDP	5	520	52.1%
Harrigan, Elvis	VIP	5	478	47.9%
	»	TOTAL	998	100.0%

CANDIDATES	PARTY AFFILIATION	DISTRICT	VALID VOTES	% of Votes
Hodge, Omar	VIP	6	385	38.6%
Maduro-Caines, Alvera	NDP	6	612	61.4%
		TOTAL	997	100.0%
Lettsome, Ronnie	VIP	7	157	20.5%
Pickering, Dr. Kedrick	NDP	7	536	70.1%
Wheatley, Allen	POP	7	72	9.4%
		TOTAL	765	100.0%
Davis, Nolan	IND	8	30	2.8%
Perm, Dancia	VIP	8	423	38.8%
Penn, Marlon	NDP	8	524	48.1%
Sylvester, Bevis	IND	8	112	10.3%
		TOTAL	1089	100.0%
Osborne, Devon	IND	9	11	1.0%
O'Neal, Dr. Hubert	NDP	9	537	46.9%
O'Neal, Ralph T.	VIP	9	565	49.3%
O'Neal, Rheudel Samuel	IND	9	12	1.0%
Rymer, Lorie	IND	9	20	1.7%
		TOTAL	1145	100.0%

## Annex III (iii)

## BVI 2011 GENERAL ELECTIONS RESULTS

## TERRITORIAL OR AT-LARGE DISTRICT

CANDIDATES	PARTY AFFILIATION	VALID VOTES	PERCENTAGES
Smith, Daniel Orlando	NDP	5117	14.7%
Walwyn, Myron	NDP	4619	13.2%
Skelton, Ronnie W.	NDP	4489	12.9%
Christian, Archibald "Archie"	NDP	4222	12.1%
Penn-O'Neal, Irene	VIP	3870	11.1%
Walcott-McMillan, Zoe	VIP	3417	9.8%
Malone, Vernon Elroy	VIP	3041	8.7%
Flax, Keith L	VIP	3039	8.7%
Smith, Shaina	PPA	906	2.6%
Wheatley, Natalio Sowande	PPA	798	2.3%
Lettsome, Bertrand 'Washasha X'	IND	478	1.4%
Callwood, Elton	PPA	354	1.0%
Smith, Khoy 'Elijah'	PPA	208	0.6%
Maduro, Edmund Gregory	IND	123	0.4%
Penn, Lionel	IND	100	0.3%
Baronville, Eileene	IND	81	0.2%
	TOTAL VOTES	34862	100.0%

## Annex III (iv)

## BVI 2011 GENERAL ELECTIONS RESULTS – TERRITORIAL OR AT-LARGE ELECTORAL DISTRICT

CANDIDATES	PARTY AFFILIATION										1st	2nd	3rd	4th	5th	6th	7th	8th	9th	Total	% of Votes
Baronville, Eleene	Independent										5	3	12	27	7	13	6	3	5	81	0.2%
Callwood, Elton	People's Patriotic Alliance										108	52	35	33	23	37	22	24	20	354	1.0%
Christian, Archibald "Archie"	National Democratic Party										332	344	477	573	512	505	437	524	518	4222	12.1%
Flax, Keith L.	Virgin Islands Party										428	276	483	215	291	326	172	336	512	3039	8.7%
Lettsome, Bertrand 'Washasha X'	Independent										43	46	38	39	53	41	79	98	41	478	1.4%
Maduro, Edmund Gregory	Independent										8	21	12	16	8	22	6	14	16	123	0.4%
Malone, Vernon Elroy	Virgin Islands Party										424	302	514	221	289	279	196	331	485	3041	8.7%
Penn, Lionel	Independent										7	5	5	10	8	5	9	41	10	100	0.3%
Penn-O'Neal, Irene	Virgin Islands Party										567	368	605	296	395	403	232	449	555	3870	11.1%
Skelton, Ronnie W.	National Democratic Party										306	379	501	611	584	552	460	557	539	4489	12.9%
Smith, Daniel Orlando	National Democratic Party										363	457	606	676	646	616	515	667	571	5117	14.7%
Smith, Khoy 'Elijah'	People's Patriotic Alliance										36	23	18	14	21	27	13	36	20	208	0.6%
Smith, Shaina	People's Patriotic Alliance										174	130	129	76	90	84	71	110	42	906	2.6%
Waicott-McMillan, Zoe	Virgin Islands Party										469	308	539	278	338	373	216	364	532	3417	9.8%
Walwyn, Myron	National Democratic Party										287	385	552	604	589	574	478	595	555	4619	13.2%
Wheatley, Natalio Sowande Uhuru	People's Patriotic Alliance										96	78	78	102	80	86	76	151	51	798	2.3%
	TOTAL VALID VOTES										3653	3177	4604	3791	3934	3943	2988	4300	4472	34862	100.0%

BLANK VOTES	31	67	79	61	50	64	48	38	64	502	1.4%
REJECTED VOTES	0	0	1	0	0	1	0	1	0	3	0.0%
TOTAL INVALID VOTES	31	67	80	61	50	65	48	39	64	505	1.4%

TOTAL VOTES % of Valid votes

3684 3244 4684 3852 3984 4008 3036 4339

99.2% 97.9% 98.3% 98.4% 98.7% 98.4% 98.4% 98.4% 99.1% 4536 98.6% 35367 98.6%

VALID BALLOTS	921	811	1171	963	996	1002	759	1086	1134	8843
REJECTED BALLOTS	12	7	4	10	10	4	15	11	12	85
BALLOTS CAST	933	818	1175	973	1006	1006	774	1097	1146	8928
% of Ballots Cast	10.5%	9.2%	13.2%	10.9%	11.3%	11.3%	8.7%	12.3%	12.8%	100.0%

**Annex IV:****Preliminary Report of the Electoral Observer Mission to the BVI**

Representatives of two International Organizations were invited by His Excellency Boyd McCleary, CMG, CVO, Governor of the British Virgin Islands to constitute an Elections Observer Mission to monitor and observe the national elections of the Territory. The Elections were held on 7 November 2011 and were preceded by an Advance Polling Day for special persons on 4 November, 2011.

The Mission comprised two teams as follows:

The Caribbean Community Secretariat represented by:

Ambassador Rudolph Collins, Head of Mission

Mr. Eugene Petty, Former Supervisor of Elections, St Kitts and Nevis

Ms Mignon Bowen, Project Officer, CARICOM Secretariat

The Commonwealth Parliamentary Association represented by:

Mr. Thomas Docherty, Member of Parliament (Lab) and Head of Mission

Mr. Leon Gallienne (Guernsey)

Mr. Conor Burns, Member of Parliament, (Con)

Mr. Alex Downie, OBE MLC (Isle of Man)

The two teams, following some preliminary discussions shortly after their arrival, agreed that their respective mandates would be best served by pooling their resources, coordinating their activities and by working together as one Mission in the fulfillment of their of common objective. This position was also consistent with the spirit of Governor McCleary's invitation and who, in a letter of welcome, expressed the hope that 'the teams will work as one and in close collaboration throughout the visit, sharing information, documentation, expertise and as appropriate making joint visits to polling

stations on Election Day. In this spirit of unity it was agreed that Ambassador Rudolph Collins would perform the duties of Chief of Mission.

The Mission paid courtesy calls on Governor McCleary at a meeting where the members were introduced to Madame V. Inez Archibald Deputy Governor of the British Virgin Islands and received valuable background information on the electoral system that obtained in the Territory and the electoral process that was set in motion following the dissolution of the British Virgin Islands House of Assembly and the setting of the date for national elections. This information was further amplified during a briefing session with Ms Juliette Penn, the Supervisor of Elections.

The Mission also paid courtesy calls on Mr. Ralph T. O'Neal, Premier and Chairman of the Virgin Islands Party and on Dr. D. Orlando Smith, President of the National Democratic Party. Both of these distinguished gentlemen were exceedingly gracious in allocating some of their valuable time to a meeting with the team members of the Mission.

The Mission was able to observe the electoral process at work both for the Advance Polling Day and on Election Day. On Election Day the Mission deployed in four separate teams and consequently were able to visit all nine Districts and just about every polling station. Emphasis was placed on observing the arrangements made at the opening and closing of the polls including the security of the ballot boxes, the presence of agents and the procedures that would assure voters regarding the secrecy of their ballots.

Every opportunity was also taken to speak informally to citizens of the BVI regarding their views on the electoral process including the extent to which they were aware of the actual voting process and of their rights, duties and obligations during this period. The Mission also focused attention on determining whether the Territory's electoral laws ensuring the freeness and fairness of the electoral process were being observed and in particular whether there were activities in and around the polling station which could be construed as being intimidatory or having an impact on a voter's freedom of choice.

The British Virgin Islands enjoys an enviable reputation of having a well run electoral process and just as enviable for having a citizenry that believes in the fairness of that process. Such national confidence in the system allows for the free exchange of views that are the hallmark of a democratic process at work. This was put to the test on November 7, 2011 and the Mission was present to observe the results.

The Mission met this morning and discussed what was encountered on Election Day and the findings and impressions during the days immediately before including those based on observations of the voting procedures on Advance Polling Day. It was agreed that in the Mission's Preliminary Report, the Team's overall impressions of the just concluded elections process. A detailed Report would then follow and in that Report we would seek to comment on aspects of the process with a view to assist in making it an even better one for the next national elections.

It is our conclusion that there was nothing untoward - unconstitutional, illegal or otherwise - that took place which could be construed as having any significant influence on the outcome of the elections. We were in fact quite satisfied with how the entire process was conducted. In the circumstances the Mission wishes to affirm that the will of the people of the British Virgin Islands was fairly and freely expressed in an open democratic process during the national elections of 2011, and that the people of the BVI should be highly commended for the transparent, orderly and peaceful manner in which the elections were conducted.

**Ambassador Rudolph Collins**  
**Chief of Mission**  
**8 November 2011**