

Assessing the impact of CPA BIMR Election Observation in the UK Overseas Territories and Crown Dependencies

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1. Executive Summary

This report presents findings from a study of the Commonwealth Parliamentary Association UK's (CPA UK) election observation work in the UK Overseas Territories (OTs) and Crown Dependencies (CDs). As part of its commitment to strengthening democracy and good governance, CPA UK regularly carries out and supports observation activity across the Commonwealth in its role as the secretariat for CPA's British Islands and Mediterranean Region (CPA BIMR). For simplicity this report will use the terminology CPA UK missions throughout, but we note that the UK branch of the CPA facilitates these missions whilst acting as the secretariat for the CPA region known as the British Islands and Mediterranean Region (BIMR). It is the only organisation serving this distinctive group of small, non-sovereign jurisdictions in this way, conducting 19 such missions since 2011, including multiple observations in some places. It is therefore now an appropriate time to evaluate the effectiveness of this work, consolidate lessons, and suggest improvements.

The main finding is that these missions are overwhelmingly valuable and effective. They generate five specific forms of impact:

- (i) providing legitimacy;
- (ii) facilitating pluralism;
- (iii) shaping reform agendas;
- (iv) raising awareness about international best practice; and
- (iv) enhancing skills transfer between Commonwealth politicians, election officials and the wider observation community.

However, the observation process also embodies a series of tensions facing both the observers and their interlocutors in the jurisdictions themselves. These generally derive from the uniqueness of small, non-sovereign polities where the assumptions underpinning international best practice may not always translate well, and ostensibly pro-democratic reform agendas can have counter-productive effects. This in turn generates a number of dilemmas for actors involved in the process.

We identify five specific dilemmas facing CPA UK when conducting observations in these distinct contexts between:

- (i) applying international best practice vs maintaining local credibility;
- (ii) length of mission vs depth of analytical insight;
- (iii) narrow election observation vs a broader audit of the political system;
- (iv) balancing neutrality vs politicisation;
- (v) career incentives of participants vs the 'do no harm' imperative.

1. Executive Summary

The jurisdictions face five related tensions, which reflect the difficult business of balancing the expectations of international best practice with minimising harm through disruptive reforms.

These manifest themselves in tensions between:

- (i) inherited institutions vs imperatives of small size;
- (ii) inclusive franchise vs local control;
- (iii) international legitimacy vs domestic credibility;
- (iv) domestic autonomy vs UK 'red lines';
- (v) party development vs entrenched independents.

We make three broad recommendations for further consideration by CPA UK to better serve its stakeholders in the OTs and CDs:

- (i) to increase the deep contextual knowledge of observation teams;
- (ii) to reconsider the scope of missions alongside a more robust programme of ongoing governance assessments and support for, especially, election supervisors; and
- iii) to create a set of best-practice guidelines for undertaking observations in small, non-sovereign territories to better balance the demands of international best practice with the realities of insular island politics.

2. Background and Methodology

CPA UK has conducted 19 missions since 2011, observing most—although not all—of the OTs and CDs, many on more than one occasion: Anguilla (2015, 2020); British Virgin Islands (2011, 2015, 2019, 2023); Cayman Islands (2013, 2017, 2021); Montserrat (2014, 2019); St Helena (2021), Turks and Caicos Islands (2012, 2016, 2021); Guernsey (2020); Isle of Man (2021); Jersey (2018; 2022). Although not relevant to this report, it has also observed elections in Fiji (2014) and the UK (2015; 2017). This represents a substantial body of accumulated expertise. It also provides sufficient evidence with which to make reasonable assessments regarding the impact of this work over a sustained period.

Moreover, because CPA UK is the only organisation to observe elections regularly throughout the OTs and CDs, it enjoys a privileged position in terms of the knowledge base that it has generated on this small, non-sovereign group of jurisdictions. It consequently has a special responsibility for ensuring that this expertise is deployed in the service of democracy and good governance. However, to achieve this, CPA UK required stronger evidence of the effectiveness of its observation activity and, a decade or so after its first mission, decided that it was time to take stock.

In 2022, CPA UK engaged us (the authors) to undertake this evaluation via a competitive selection process as Parliamentary Office of Science and Technology (POST) Fellows. We were provided with parliamentary passes and participated in key events. Crucially, for the credibility of the report, we were not paid to undertake this work. Rather, the POST scheme is a mechanism by which our universities gave us relief from elements of our regular academic jobs and provided us with travel funds—via Higher Education Impact Funding (HEIF)—to undertake this important piece of policy-relevant research.

In consultation with the CPA UK team, we designed a methodology that would enable us to understand how an observation mission operates and get a sense of its varied impacts across the OTs and CDs. Of particular importance was that our approach was sensitive to the small island and non-sovereign context. This reflects the fact that both of us have spent almost two decades researching and thinking about the unique challenges that characterise democratic politics in so-called ‘small island developing states’ (SIDS) and analogous non-sovereign ‘sub-national island jurisdictions’ (SNIJs). We have accumulated significant expertise on issues such as constitutional reform, party system development, secessionism, good governance, regional integration and non-sovereignty, all gained from many years spent living and working in the Caribbean and Pacific.

Our research unfolded over three broad phases. Phase one involved ‘observing the observers’ at the June 2022 Jersey election. We spent two weeks embedded in the mission team, attending meetings and hustings, and accompanying them to the polling stations and the counting room on election day. Phase two involved virtual interviews with key stakeholders—including politicians, parliamentary clerks, election officials, journalists, civil

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society groups, civil servants and other informed experts, including CPA staff—from across the OTs and CDs, alongside a review of both the academic literature on election observation and existing CPA UK reports. We also participated in relevant events at Westminster, including visits of officials and members from OT and CD parliaments, and seminars elsewhere. Phase three involved additional in-depth data collection with field visits to Cayman Islands (January 2023) and British Virgin Islands (July 2023).

This approach enabled us to marry depth and breadth so that we can say something meaningful about CPA UK/BIMR observations generally, hopefully prompting reflection and deliberation about the ways in which some of the tensions that we identify might be navigated and attenuated. In preparing this, we have deliberately avoided lengthy explanations of key issues or references to other literatures in favour of readability and accessibility. During the research, we spoke—whether formally or informally—to approximately 100 people: for brevity and to maintain their anonymity, we provide only a limited description of who they are when quoting them directly.

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CPA UK election observations are highly valued and unquestionably effective. In fact, their impact is considerably more substantial than has hitherto been realised. The academic literature on election observation emphasises that, in general, not only are recommendations rarely adopted, but they often do not make it onto the radar of political elites (and even when they do, they tend to be quietly disregarded). Yet one striking difference between conventional practice and CPA UK missions is just how seriously the latter's reports are taken by island stakeholders.

This high level of engagement derives directly from the small and non-sovereign nature of the OTs and CDs as 'clients'. Crucially, it means that CPA UK's impact is likely to be considerably greater than that of equivalent missions by other organisations to larger independent states. We discuss here the reasons why this is so before moving onto the five specific forms of impact generated.

Why do OTs and CDs engage with CPA UK missions?

The first reason why jurisdictions seek and value CPA UK's expertise is that the observation reports themselves are seen to be of very high quality. They tend to be short, focused and concise, but also thorough, well-argued, and predicated on a wide range of views from across the society in question: 'they are far better than those produced by equivalent bodies' [Turks and Caicos Islands Official]. Stakeholders considered them to be rigorously conducted given the length of time missions are in the territory. The technical experts on mission also view them as well-regarded by the wider election observation community of practice: 'CPA UK missions are totally different: elsewhere observers are seen as foreign outsiders and even experience hostility, but the Caribbean OTs are very open to the mission and recommendations, making it a far more worthwhile undertaking' [Expert Observer].

Second, small population size leads to meaningful dialogue around the reports and increases the likelihood of action being taken based on their recommendations. In a small society, awareness of the observation mission is high, the team itself is highly visible, and this generates both extensive media coverage and engagement from the wider public. Small communities rarely attract the attention of outsiders, so their citizens are interested in hearing what external experts have to say: 'People appreciate the observers—their presence validates the process and confirms that we've had free and fair elections, providing an additional stamp of approval' [Cayman Islands Respondent]. Small island politics also tends to be highly personalised: the observation team has relatively easy access to the entire political, commercial and social elite, and if those actors subsequently become reform champions, there exist fewer barriers to implementing their ideas.

Third, the non-sovereign status of these jurisdictions generates a demand for external legitimacy. Almost all are international financial centres of varying size, and are therefore acutely conscious of how the quality of their governance is perceived by outsiders in general,

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and officials in London in particular. This is especially so in those places which have had a fraught relationship with the UK. But, for others, it can also act as a demonstration of confidence: ‘We resisted outside observations for many years, because people were worried about outsiders digging around, but when we came to the realisation that we have nothing to hide, we thought: why not open it up?’ [Cayman Islands Respondent]. Consequently, being responsive to CPA UK—and being seen to be so—is tacitly deployed to either guard against additional surveillance or assertively demonstrate compliance. As one official in Jersey noted, ‘we need to tick the international best practice boxes’.

Fourth, the fact that these are Commonwealth missions shapes how they are viewed locally. This softens some of the perceived paternalism that can accompany similar processes in larger post-colonial countries. The thoughtful choice of mission head and the other team members—i.e. the politicians and election officials who complement the technical experts and often come from other OTs and CDs or Commonwealth countries—creates a sense that observation is a form of two-way peer review and ongoing dialogue that local actors will get to participate in elsewhere, not a form of one-way monitoring by the UK. The corresponding belief is that more sensible recommendations ensue. This is an important legacy of the deliberate decision taken during the earliest CPA UK missions actively to commission non-Westminster MPs as observers, thereby avoiding the danger of them being perceived as insufficiently rigorous or as ‘outward diplomatic missions’ [CPA Official].

Impact 1: Legitimacy

Observation missions encourage validation from domestic and external stakeholders. Small non-sovereign jurisdictions—particularly those with large offshore finance sectors where key actors are instinctively ‘compliance-minded’ [Isle of Man Official]—have a strong motivation to be seen to be adhering to international best practice. The legitimacy provided by CPA UK in declaring their elections free and fair encourages both their willing participation and meaningful consideration of the ensuing recommendations. This matters for three specific reasons. First, it gives confidence to international investors that these are safe and stable places to do business. Second, it reassures the UK that its ‘contingent liability’ is being well managed, especially in light of the two recent Commissions of Inquiry in Turks and Caicos Islands (2008-9) and British Virgin Islands (2021-22). Governors in the OTs therefore take a particular interest. This compels jurisdictions to take missions seriously, too. Recommendations are nearly always considered by Cabinet even if ultimately rejected. Adoption is therefore a poor proxy for effectiveness: ‘what really matters is the quality of the observation itself and the general accompaniment to the electoral process’ [Expert Observer]. Third, this stamp of approval provides governments with external legitimacy in the eyes of their populations, who often have contradictory demands: in particular, they tend to desire greater autonomy and a restrictive franchise, while wanting greater metropolitan oversight to keep elites in check.

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Impact 2: Pluralism

The mission gives voice to other actors in a context where executive dominance is frequently the norm. Small polities further limit the range of voices in public debate because civil society tends to be limited in scale and reliant on explicit public funding or implicit government patronage. Journalists and news organisations often walk a tightrope, with public criticism muted and dissent stifled. This can lead to the perception of consensus and harmony, but also a culture of compliance that reinforces executive domination. Election observations provide a rare opportunity for marginalised groups to participate, potentially amplifying their voices and legitimising their positions: CPA UK reports consequently offer ‘an impartial assessment of the flaws of the system which they can use to advocate for human rights’ or other civic demands [Expert Observer]. This prises open space for a degree of pluralism that might not otherwise exist. Although it may be short-lived and not translated into concrete policy change, it matters precisely because it might be one of few instances where new ideas percolate into wider political debate. The mission thus acts as a transmission mechanism for views to be aired publicly that cannot be quashed by the powerful incumbents whose preferences and agendas shape the contours of quotidian political debate.

Impact 3: Reform

Election observation generates ‘technical’ and ‘political’ reform options for policy entrepreneurs to take forward. The technical experts, who also serve on observation missions to large states, are used to reports being ignored, sometimes in their entirety: as one commented, ‘normally if we get half of one recommendation implemented, we would consider a mission a huge success’. Yet, on a CPA UK mission, it is often the case that most of the ‘technical’ recommendations—i.e. things that pertain primarily to the conduct of the election itself such as disabled access to polling booths or processes for securing ballots—are implemented fully. Acceptance of ‘political’ recommendations—i.e. things that potentially matter for improving the freeness and fairness of the election, but also inevitably reach more deeply into the functioning of the polity, such as electoral district boundary changes, questions around the franchise and belongingship or campaign finance reform—is less likely, but the mission nonetheless plays a crucial role in raising them for public discussion. At times, though, even relatively uncontroversial electoral changes can have far-reaching political effects (see Case Study 1).

The ultimate adoption of recommendations is contingent on three key actors. Firstly, in some cases, the person running the election determines which are taken to cabinet: they wield great agenda-setting influence in theory, while remaining vulnerable to political pushback in practice if they advocate contentious reforms. Secondly, government buy-in is necessary for taking recommendations forward, but it can resist, whether actively, by overt rejection, or passively, by delaying or deprioritising reform.

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Thirdly the UK can theoretically implement unilateral changes, but rarely does so when elections are considered free and fair (which they generally are in all OTs and CDs). Its representatives do exert informal influence by raising implementation as an issue, particularly around thorny issues like campaign financing. Yet Governors themselves recognise that difficult long-term political change operates at a different pace to two-week missions, one-year CPA UK funding cycles, and four-year administrations: ‘We very much value what CPA do: they have not had as much impact as they probably would have wanted, but that takes time’ [UK Official]. This, again, is why adoption is a poor measure of mission success: new governments often do not prioritise tabling the report for timely cabinet discussion (let alone action) and the ‘window of action is always short before the subsequent election’ [Cayman Islands Official]. Nonetheless, some respondents—particularly opposition parliamentarians and civil society organisations—still feel that the UK could do more to hold governments to account.

Impact 4: Awareness-Raising

The observation mission also informs local actors about international best practice and stimulates debate regarding the freeness and fairness of the election. As one Cayman Islands journalist noted, it ‘helps to plant seeds for future investigation and reporting’, a crucial component of democracy. Publics have limited awareness of what, exactly, constitutes best electoral practices virtually everywhere. But the difference in the OTs and CDs is that smallness and non-sovereignty inevitably produce ways of doing things electorally that may depart from the expectations of international best practice while also making sense in their own terms and reinforcing, rather than undermining, democracy. Moreover, capacity constraints mean that few jurisdictions have a dedicated elections official—let alone statutory body—responsible for running each ballot. So, the key individual who oversees the process often (but not always) has enormous knowledge of, and experience with, local elections, but sometimes less awareness and understanding of international best practice. The CPA UK mission, especially when it is repeated, helps to generate this discussion, while, crucially, bolstering support for that official, as well as potentially legitimising their preferred reform agendas.

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Impact 5: Skills Transfer

Case Study 1 - Reform in Jersey

Although we draw a neat distinction between ‘technical’ and ‘political’ recommendations, in truth, there is a substantial grey area where they overlap. For example, changes to constituency boundaries or methods for electing different categories of parliamentarian are simply technical fixes that resolve inequalities amongst the electorate, and are therefore potentially necessary for the subsequent election to be considered fair. But, upheaval always creates new patterns of winners and losers: even fairly circumscribed electoral tinkering can have far-reaching effects that reach deep into the polity and potentially run counter to existing democratic expectations.

Jersey is a good example. The 2018 CPA UK report made a set of justifiable recommendations about balancing the franchise: e.g. implementing a 2013 referendum decision to reform the electoral system, equalising the size of constituencies, and eliminating potential conflicts of interest on the part of one group of Parliamentarians, the Constables, who generally held office through acclamation (i.e. they were elected unopposed). At this point, Jersey elected three different groups of parliamentarians to the States Assembly: 49 in total, comprising 8 whole-island Senators, the 12 Constables of each Parish, and 29 Deputies. These Members were nominally equal, but the Senators tended to have greater legitimacy due to their island-wide mandate and often led the government, whereas the Constables were viewed less as politicians and more as ‘the mothers and fathers’ of their Parish. The Parishes themselves were also far from equal in size and of ancient significance, their sub-divisions, the ‘vingtaines’, reflecting the paths of rivers and tributaries. In sum, the CPA UK recommendations adroitly followed best practice regarding malapportionment, which, had historically favoured incumbent elites.

But, the reform process was controversial, leading one Deputy to tell us that it showed how ‘politicians don’t actually know very much about elections’. In 2022, Senators were eliminated in favour of greater numbers of Deputies, despite many feeling that the position of the Constables within the States Assembly was considerably more anachronistic. So, an important source of island-wide legitimacy was lost to tradition, because, as another politician suggested, ‘the parish system is what makes Jersey, Jersey’. Yet, those Constables also had to face election: even when unopposed, the 2022 ballot had an option for ‘none of the above’, with a

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Case Study 1 - Reform in Jersey (continued)

member of the public at one of the hustings wryly pointing out that ‘none of the above is unlikely to turn up’. Constituencies were equalised through making some (but not all) multi-member, which led to perceptions of unfairness, with different electors being able to vote for different numbers of Deputies. In all, much of the public expressed confusion—even dismay—at the new system.

However, reform advocates—both bureaucrats and politicians—were pleased with the changes, and were, to some degree, a little disappointed that the 2022 report (understandably) pulled its punches somewhat by eschewing a new suite of potentially potent recommendations. This highlights several of the dilemmas facing CPA UK and the importance of the mission for legitimising reform. Jersey is changing rapidly, with increased urbanisation, growing economic inequality, severe pressure on housing, and a critical mass of expatriates (8% of the population is of Portuguese-Madeiran origin). Political parties are now emerging that reflect these cleavages and challenging incumbent independents. In this sense, the 2018 CPA UK mission prised open a door that has led to considerably greater pluralism and a more vibrant democracy. Some dislike the specific reforms that have produced this outcome, while others want to see them pushed even further to facilitate ongoing political modernisation.

Finally, CPA UK’s work creates a global community of practice with meaningful lesson-sharing. The OTs and CDs are individually unique, but they have a mutual Commonwealth heritage and analogous experience of how Westminster-style institutions function in a small polity. Combining observers from different jurisdictions is a unique way of building a mission team, and it distinguishes CPA UK from other election monitoring bodies: ‘Although it is election observation, it is actually more like technical assistance due to the collegiate nature of the work’ [Expert Observer]. This generates strong buy-in from stakeholders—especially election officials and parliamentarians—who appreciate the opportunity to network and participate collaboratively as peers, and, crucially, learn from their counterparts in other small, non-sovereign islands. It also creatively builds a genuine community of practice in which their knowledge regarding the conduct of elections and the challenges of managing them is shared and augmented. Perhaps most importantly, it connects election supervisors—who are frequently isolated, overburdened and underappreciated—to their equivalents elsewhere, helping to mitigate these difficulties and strengthening their capacity to deal with the dilemmas of applying international standards in these inimitable contexts (see Case Study 2).

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Case Study 2 - A Lonely Life: The Difficult Business of Election Supervision

The person charged with managing elections has a uniquely tough job that differs everywhere in structure, function and resourcing. In the Isle of Man, the Parliamentary Clerk and Supervisor of Elections are distinct roles, but in Jersey, they are combined. In the Cayman Islands, the Supervisor is also a Permanent Secretary in a Ministry, reporting separately to both the Governor and the Premier. In some OTs, it is not even a permanent or full-time role: it can be severely under-resourced, with extra staff only delivered around elections. As one put it, 'it's a lonely life being a clerk of a small parliament'. For another, 'the office is not given the prestige it should have'.

One problem is political pressure. The job is a delicate balancing act: supervisors can instigate reform agendas, particularly since (in OTs) they serve Governors rather than governments. But self-censorship is often necessary to avoid political pushback, particularly where the Elections Office is dependent on parliament for funding. In very small polities, tension can easily lead to outright conflict and hostility: 'You feel that you are constantly fighting against the politicians'. They might aggressively resist changes to boundaries, or even simply the enforcement of rules on registering electors, when constituencies can literally turn on a handful of votes: one Supervisor ventriloquised this as 'let's not fix what is allegedly broken'.

The inverse problem is neglect: 'People think that once an election is finished, the Supervisor has nothing to do. On the contrary, there is work to be done. This is why it is important that recommendations are made early and approved, so that the Supervisor has time to move forward with them. It is a huge amount of work'. The paradox here is that these vital actors are provided with resources to undertake the visible (but short-lived) 'front office' activity involved in running the election, but they are starved of them afterwards when it comes to the invisible 'back office' labour required to maintain the long-term functioning of the system. This can reinforce the sense of loneliness and disregard, with many Supervisors becoming disenchanted with the job and moving on, in turn generating another paradoxical problem: when so much knowledge about often-arcane constitutional and legal processes is vested in a single person, that institutional memory is something that small polities can ill-afford to lose cheaply.

4. Dilemmas facing CPA UK

Although our assessment of CPA UK's impact is overwhelmingly positive, the process of election observation in small non-sovereign jurisdictions also encompasses dilemmas, five of which we outline here. Further reflection on the dilemmas implied by them could help to attenuate their effects.

Dilemma 1: International Best Practice vs Local Credibility

Both international best practice guidelines and the tacit assumptions of election observation professionals are largely distilled from the experiences of large democratic states. They make no allowances for population size, even though this decisively shapes political practice in small islands. Politics is 'hyper-personalised', with politicians unavoidably close to the people they serve. Citizens can easily contact and make demands of those politicians, but, at the same time, perceptions of patronage and clientelism are rife. Many of the system-level problems identified by CPA UK missions are rooted in this dynamic. Yet because these patterns of behaviour are driven fundamentally by small size, the types of institutional fixes that technical experts tend to recommend will not alter them. There are also good reasons to argue that they should not change, either: small jurisdictions are likely to be well-functioning, stable democracies precisely because personalised politics often signifies high levels of social cohesion that can be absent in larger and more fragile states.

Nonetheless, their substantive democratic practices are often seen to be aberrant. One respondent from the British Virgin Islands echoed a wider concern that this denotes 'a predisposed prejudice that we must be benchmarked against what others who are foreign to our culture and history hold as international standards'. Three points therefore require consideration. First, if certain practices are not deviant, but explicable in their own terms, they pose an intrinsic challenge to conventional democratic wisdom. Second, because these jurisdictions are fundamentally different to larger polities, supposedly universal principles distilled from the experiences of the latter will not always apply. Reforms may even undermine what is viewed locally as legitimate practice, if implemented too fastidiously or with insufficient consensus. Even when widely accepted, they can still generate new democratic trade-offs (see Case Study 3). Third, there exists an evident opportunity, in light of this, and on the basis of its unique accumulated expertise, for CPA UK to re-conceptualise what actually constitutes best practice for elections in small jurisdictions, feeding these ideas 'upwards' to the international election observation community of practice rather than primarily filtering existing norms 'downwards'. This could bolster the local credibility of missions and see the challenges faced by OTs/CDs better reflected in 'universal' guidance that was never designed with them in mind.

Dilemma 2: Length of Mission vs Depth of Insight

CPA UK learns an astonishing amount during a two-week mission. The pace is truly relentless, with the observation team working very long days, travelling huge distances,

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canvassing myriad views, generating lots of high-quality data, and spending an inordinate amount of time—often well into the evening and during ostensible breaks for meals—digesting and debating that information. One concern is such intensity could be counterproductive. CPA UK missions involve as many as ten meetings or events daily, often with multiple respondents, for almost the entirety of the two weeks directly preceding the election. They enjoy significant administrative support—including easy access facilitated by the host government—but fatigue can invariably become a barrier to reflective learning (and, indeed, the wellbeing of researchers themselves). Technical experts noted that CPA UK missions tend to be shorter and more intense than the industry average, in part because of cost and ease of meeting key players on a small island. But, equally, the longer a team can stay in a territory, the greater their appreciation of the contextual complexities, thereby avoiding the perception that it is a ‘helicopter mission’ [British Virgin Islands Respondent].

Moreover, there are drawbacks to such intensity. First, some ‘political’ recommendations will be dismissed on the grounds that foreigners are insufficiently appreciative of local complexities. This is, to a degree, unavoidable. But, it can provide a pretext for opponents to resist reform, which is why it is a risk that should be minimised: outside expertise can engender conversations about alternatives that might not otherwise occur to insiders, but if it invites excessive pushback, the credibility of the report can be undermined, with other reforms placed in jeopardy (see Case Study 4). As one experienced observer put it: ‘Two weeks is not very long to become discerning about the context: it is risky to be so ambitious in such a short time or to publish such a comprehensive report on the basis mainly of interviews’. Second, even seemingly minor ‘technical’ fixes can lead to unanticipated consequences, potentially provoking far-reaching, system-level changes. This could be mitigated if the team—especially the technical experts—spent more time on the ground. A key principle of international standards is that observations ‘do no harm’. Yet in very small societies, upheaval is inherently more likely, both because reforms stand a greater chance of being adopted and their effect on a tiny polity can be extensive (and viscerally so to the public). Teams should therefore be even more mindful of the ‘do no harm’ principle than they are elsewhere (see Case Study 1).

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Case Study 3 - The Effects of Smallness on Electoral Districts

Small size can profoundly affect outcomes in individual constituencies, and relatively limited tweaks to boundaries or the voting system can swing elections in ways that electors and politicians do not always anticipate, potentially exacerbating other democratic tensions. These effects are further amplified by the 'winner takes all' nature of Westminster-style polities.

In 2012, the Cayman Islands government held a referendum on switching from multi-member districts to single-member constituencies to resolve electoral inequalities. The plebiscite failed, in part because people feared the emergence of intensified two-party competition redolent of Jamaican 'garrison' politics. The 2013 CPA UK report reiterated the issue of malapportionment, informing and legitimising a reform process already gathering momentum: 'It is helpful to refer to somebody outside the village when it comes to making a change' [Cayman Islands Official]. So, in 2017, Cayman Islands introduced single-member constituencies, each averaging roughly 1,200 voters. This equalisation is certainly fairer in terms of eliminating disproportion, especially between the more heavily populated parts of Grand Cayman and the smaller outlying islands. But it carries unavoidable democratic trade-offs: first-past-the-post means that such tiny constituencies can be won (or lost) by just a handful of votes. Previously, the multi-member districts tended to produce a majority party that could govern alone or a minority one that could govern with independent support. Parties also exercised strong control over candidate selection.

The problem is that the party system had partially collapsed by the 2021 election, with many independents emerging who, in three- or four-way battles, only had to appeal to a minority cross-section of the constituency, winning with as few as 350 votes in some cases and by wafer-thin margins. The incumbent governing party still won 7 of 19 seats, which, absent another party winning more, would hitherto have conferred governing legitimacy. However, the 12 independents coalesced post-election to form a government, acting as a de facto party despite not having outlined these intentions pre-election, publishing a manifesto or standing on a shared platform, nor being subject to the reporting, campaigning or financing regulations that face—and, in this new context, disadvantage—formally registered parties. As one observer noted: 'People were happy with the election results, but they were not happy with the formation of the government'. Yet in a tiny Westminster polity where executive domination is pronounced, there are few mechanisms now available to recalibrate a voting system that has 'radically changed the face of politics in Cayman' [Cayman Islands Official].

4. Dilemmas facing CPA UK

Dilemma 3: Narrow Election Observation vs Broader Systemic Audit

The neat distinction we draw between ‘technical’ and ‘political’ recommendations is, in practice, a fiction. A significant grey area exists between narrow changes to election management and deeper political and governance reform. Moreover, it is not simply that technical fixes can reach far more deeply into the functioning of the polity (and the constitutional settlement) than may initially appear the case. Rather, this effect is magnified dramatically in small contexts where elections can turn on just a handful of votes in a very close-knit constituency. The redrawing of boundaries or changes to electoral rules can have dramatic and disorientating consequences for the electorate (see Case Studies 1 and 2). This may not be a bad thing: reforms can be democratically beneficial, but they also create confusion and controversy. More importantly, the scope of the mission potentially changes: it inevitably moves from narrow election observation towards a wider system-level audit of governance functions, procedures, and constitutional provisions (see Case Study 3). Implementing more ‘political’ reforms may make for freer and fairer elections—and may even be viewed as a necessary pre-requisite—but their effects can reverberate well beyond the electoral process.

This dilemma reflects the CPA UK methodology: the breadth of consultation gives observers a strong sense of the system and its problems, but limited depth works against finding plausible solutions to those deeper challenges. This can create a paradoxical outcome: the mission makes, in good-faith, political recommendations that go beyond technical election monitoring, but these can lack legitimacy (as discussed above). Yet many reformers actively desire a systemic audit and disruption to their sometimes-ossified political systems. There is no easy answer here. A broader systemic focus is likely to lead to more substantive recommendations, along with greater controversy at times, whereas a narrower electoral one would mitigate some of the risks associated with a two-week mission and be largely uncontroversial. However, the latter would also fail to realise the full potential of these missions by supporting the aspirations of progressive reformers. To paraphrase one interviewee: ‘we know our elections are fine, it’s the political system that needs to change’. The former is, as noted earlier, largely true of all of the OTs and CDs, implying that the real value of the mission is in generating much-needed discussion and debate about the latter (see Case Study 4).

Dilemma 4: Balancing Neutrality vs Politicisation

Election observation is not—cannot be—a neutral, value-free, dispassionate endeavour. Mission team members come with their own beliefs, whether professionally regarding international best practice, or personally regarding the normative goals a political system should pursue. These principles can also vary substantially given the diverse composition of each team. Moreover, the people with whom they consult, similarly, carry their own intellectual and political baggage. There is no way around this: the best observers can do is

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be as reflexive as possible about their own preconceptions, understandings and 'positionality'. This is why building in time for reflection and contemplation during missions is crucial from a methodological perspective. But it bears greater consideration. Something presently missing from the CPA UK reports is a more inbuilt justification for the recommendations provided, alongside an evaluative discussion of the potential system-level consequences and trade-offs of pursuing them.

This matters, for at least two further reasons. First, a political recommendation, or even one that straddles the 'technical-political' boundary—e.g. to equalise constituency sizes, change the voting system, or eliminate a category of parliamentarians—can be implemented in numerous different ways, all with different consequences. However, once the recommendation is adopted, CPA UK has no influence over how a government chooses to operationalise it. This is, of course, as it should be. Yet without the options and their trade-offs—or some of them, in an illustrative sense—being made public, the team misses an opportunity to inform the debate and inoculate itself against potential criticism, particularly if the government uses reform to pursue factional advantage. Second, there is potentially then a sizeable gap between how stakeholders—especially confused citizens—understand the recommendation and its eventual manifestation as policy. This can lead to a situation where a subsequent mission four or five years later is more diffident and cautious (again, see Case Study 1). We are not advocating for significantly longer reports, but rather that the 'working' be rendered explicit to inform debate. It could be written down in an appendix, or provided in a formal 'post-mortem sometime after the election' [British Virgin Islands Official] with relevant committees where local political and, especially, civil society actors can interrogate technical experts about their reasoning, helping the latter to hold the former to account during implementation:

Dilemma 5: Career Incentives of Participants vs the 'Do No Harm' Imperative

Election observation is an industry. CPA UK hires experienced experts to provide analysis and undertake substantive report-writing. This level of professionalism is greatly appreciated by the jurisdictions. However, professionals inevitably have career goals independent of the mission. They need to justify their presence and win their next contract. These incentives unavoidably impel them to suggest changes and reforms because their last report is evidence of their insight, influence, and therefore suitability for the next job. We know this, because the same logic is implicitly at work in this report! Our executive summary could be short, saying that 'everything looks good to us'. But, although true, this would also be perceived as insufficiently rigorous. Put simply, the process itself can never be a faithful scientific application of international best practice. It is intrinsically contextual: the OT or CD in question carries its own baggage—including, as noted above, its expectations of the mission—and the observation team arrives with even more.

Two further issues thus invite greater consideration. First, in some places, there may be little

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to say critically, whereas in others there could be much. This should influence the extent and type of recommendations. Yet counterintuitively, better-governed jurisdictions sometimes receive more criticism, perhaps because the team works harder to deliver it. Second, the historical relationship with CPA UK matters: a third mission to a territory is, by definition, different to the first, and this inevitably influences the willingness of the team to make, repeat or avoid making particular recommendations. This dynamic is, moreover, not unidirectional: some teams may shy away from potentially contentious recommendations; others may double-down on them. To reiterate: context matters. Our solution in this report has been to propose areas for further reflection, rather than off-the-shelf technical remedies. Could the observation reports do something similar? By this, we mean offering more tailored and open-ended, question-oriented recommendations alongside a more substantive discussion of their 'working' in explicit pursuit of the 'do no harm' principle.

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This brings us to some of the tensions faced by the OTs and CDs themselves: all five of them imply a series of dilemmas which could, as we discuss shortly in the recommendations, be attenuated with greater reflection on their implications for programming.

Tension 1: Inherited Institutions vs Imperatives of Small Size

Governing institutions designed for large states do not function the same way in small ones. Jurisdictions do not experience this problem uniformly—the CDs have shaped institutions to their distinctive circumstances more easily than the OTs—but it remains an issue for all. Election observers unavoidably enter this fraught milieu, which is more sensitive and nuanced than elsewhere, with reform debates revolving around three positions: (i) that small jurisdictions should be more like large ones; (ii) that large-state institutions should be better adapted to a small context; and (iii) that reform should not happen at all. Generalist experts who normally observe elections in bigger countries readily recognise the first and third, but miss the second, which is exactly what is needed in small, non-sovereign jurisdictions. Yet, inherited institutions are rarely adapted, because outside experts seek to apply international best practices that were never designed with small jurisdictions in mind. This can lead to reforms that upend idiosyncratic practices that previously held together delicate social compromises, potentially undermining broader reform agendas.

Tension 2: Inclusive Franchise vs Local Control

This problem can be seen most clearly in debates about expatriate voting (see Case Study 4). These small jurisdictions often have a disproportionately large outsider population—due to the pressure to increase the store of human capital necessary to supply sectors like offshore finance—with ‘belongers’ sometimes even being in the minority. In the OTs, there is a concomitantly strong desire to retain a highly exclusionary franchise—and even more restrictive rules on standing for office—to preserve a distinct island identity and a degree of political control in a rapidly globalising world. Things are different in the CDs: British incomers can vote, but restrictions on work permits and housing perform a similar function. So, while these tensions echo immigration debates elsewhere, the difference is that the relative scale of the migrant population potential outnumbers the autochthonous equivalent. In the Caribbean OTs, there is also an unavoidable class and racial dimension to this problem that potentially carries with it colonial connotations. Indeed, given this, it is remarkable that migration has not created greater tension or a sustained backlash. The obvious wealth generated is likely a key factor, as is the small population size, which fosters a sense of community and the strong democratic traditions that are common to most small island societies.

Tension 3: International Legitimacy vs Domestic Credibility

The inverse of CPA UK’s dilemma about the importance of context is that local policymakers and politicians might seek to pursue international best practice and value the importance of international legitimacy precisely because it is economically expedient, while also

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knowing that it is politically contentious and that their local communities will resist it. They also tend to be much more sympathetic to the reasons for this resistance as they live with the same issues, too. For example, in many OTs and CDs, the quid pro quo of the wealth generated by offshore finance and a buoyant job market is unrelenting pressure on house prices and the general cost of living, stark declines in the international competitiveness of other economic sectors, and widening inequality. They then find it frustrating when external consultants imply that the government is the barrier to reform when they see themselves as carefully gauging the mood of a restive electorate while trying to balance their aspirations with the imperatives of a dysfunctional, but vital, economic model.

Tension 4: Domestic Autonomy vs UK 'red lines'

Local reformers often see solutions with great clarity, and believe they can convince their people of their merits, but the options they wish to pursue are constrained by what the international community in general, and the UK in particular, consider best practice. For example, in contexts where political party systems are weak, politicians usually run as independents, and governments often comprise informal coalitions of the willing. This can create tensions, particularly when a group of independents behave as a de facto party (see Case Study 3). There is consequently a paradoxical need for a unifying, island-wide authority, but this brings with it the risk of even greater executive domination. The wider issue, here, is that the worst tendencies of Westminster-style parliamentary systems are exacerbated in small jurisdictions, especially with absent parties (see Case Study 5). A presidential system that separated the legislature and the executive would arguably be more suitable, but policymakers who advocate this believe that they would not be permitted to pursue it.

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Case Study 4 - Belongership in the OTs

The OTs have a highly exclusive franchise. They differ in the extent to which this derives from constitutional or legislative provisions, the nature of the political rights conferred by 'belonger' status, and the relative ability of migrants to naturalise. Belongership is extremely difficult to acquire, and the specific rights enjoyed by individuals can depend on their birthplace, parental lineage, residency status or method of acquisition of belongership. Non-belongers are excluded from political participation entirely. British Overseas Territory Citizens (BOTCs) largely enjoy full citizenship rights when residing in the UK, but British citizens have no reciprocal rights in the OTs.

There are, though, good reasons for this. Because the OTs historically had tiny populations with a shared experience of colonialism and deep ancestral bonds—some in the British Virgin Islands can trace their familial roots all the way back to slavery—a pervasive fear has remained that outsiders could effectively recolonise them. Reflecting on Cayman breaking away from Jamaica in 1959, one politician noted how 'people back then could see that with a population so small, if provisions were not put in place in local legislation as well as in the constitution, the people who ran this place would have come from somewhere else'. These fears were not unfounded. As the explosion in offshore finance has absorbed large numbers of often-wealthy, globally mobile expatriates, the descendants of those people are now in a minority. A widened franchise could decimate their political control.

In Cayman, until the 2003 Quincentennial celebrations, just 12 people could be granted status annually. So, the government made 500 grants: in the end, over 3,300 people were naturalised. 'Born Caymanians' (who can generally stand for election and vote) and 'paper Caymanians' (who can only vote) represent around half the population of 75,000, with approximately 23,500 on the electoral register. In the British Virgin Islands, the equivalent numbers are approximately 32,000 and 16,000 respectively. So, a large segment of the population—many of whom have been permanent residents for decades—remain disenfranchised. A key concern is that this reproduces a shallow pool of potential representatives: 'This is not something that can be ignored forever; we need to at least start the conversation' [Cayman Respondent]. Yet change is difficult: potential beneficiaries cannot influence politics and politicians have no incentive to dilute their own power bases.

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Case Study 4 - Belongership in the OTs (continued)

Consequently, CPA UK's role is crucial, in terms of raising the issue on behalf of the disenfranchised, reminding governments of international democratic norms, and, at times, their own constitutional provisions: 'I can see the benefit of some of these wild recommendations; it is good for us to hear that we are behind the times on some things' [Cayman Official]. Nonetheless, the issue remains fraught, and many feel that recommendations to widen the franchise cause resentment. A balance might be to consider incremental steps that recognise explicitly the genuine democratic trade-offs experienced by small, insular, post-colonial communities faced with a large influx of often-wealthy outsiders: e.g. clearing application backlogs, improving the political rights of existing belongers, and gently loosening other restrictions to help some long-term residents achieve belongership.

Tension 5: Party Development vs Entrenched Independents

Party system institutionalisation is a problem with which most of these jurisdictions are grappling. Indeed, they are, for the most part, unique in comparative terms—relative to both Westminster polities in general, and small Caribbean ones in particular, which are their nearest comparators—in having large numbers, even majorities, of independents (see Case Study 5). In each, there is a group of local political activists who want to see parties emerge, whether to break the stranglehold of existing elites, to provide representation for new social or class interests, or simply because they are perceived as being synonymous with how politics should be done in a modern society. However, their existing systems struggle to incorporate parties because—like other institutions—they function differently in small polities. The main problem is scale: party machines fulfil an organisational function in large states by allowing politicians to reach out to constituents they will never meet and sell their political platform. But this is unnecessary in a small context, where constituencies are tiny (potentially just a few hundred people) and politics is highly personalised. Without this function, the danger is that parties either fragment—meaning they emerge and disappear with great regularity according to the whims of aspirant politicians—or they become entrenched vehicles of executive domination. In both cases, they provide neither stable alternations of power nor the crucial representative function—in terms of offering identifiably distinct ideological platforms to different sections of society—that is their supposed *raison d'être*. This, in turn, drives the very governance problems—i.e. clientelism and corruption—that these jurisdictions are trying to avoid.

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Case Study 5 - The Problem of Undeveloped Party Systems

The OTs and CDs are unique—with some partial exceptions, such as the British Virgin Islands—in that they do not have institutionalised party systems. The significance of this is frequently overlooked. CPA UK reports often empirically acknowledge the limited extent of party representation, but rarely interrogate the implications of the stunted party system itself. Yet parties are conventionally seen as critical for the functioning of parliamentary democracy, especially in oppositional Westminster systems. So, when observers make recommendations based on international best practice, this implicitly assumes the existence of party competition in a context where it is explicitly absent.

The extent of party system institutionalisation carries implications for the fairness of an election and the subsequent democratic functioning of politics. These face particular challenges where independents and parties coexist uncomfortably: a system historically dominated by the one—with crucial decisions like the composition of the executive decided by a mixture of convention, consensus or procedure—can experience disruption when it incubates the other. Accepted norms and processes, which were not designed to accommodate disequilibrium, may become distorted.

During a campaign, representatives of parties and independents face different constraints and requirements. Post-election, the standing orders in parliament—particularly in jurisdictions that are not used to party competition—struggle to account for new forms of political contestation, particularly where professed independents behave as de facto parties alongside actual parties. Changes to voting systems can exacerbate these problems in tiny polities: single-member, multi-member or island-wide constituencies can have very different consequences for independents and parties, and produce very different results, influencing in turn the composition of the executive (and even perceptions of electoral or governing legitimacy). The fact that Jersey and Guernsey sought to solve ostensibly the same problem by taking the opposite approach is instructive: the former eliminated its island-wide Senators and created new constituencies (see Case Study 1); the latter now only elects island-wide members. But both still have an undeveloped party system.

Many reformers would like to see stronger party systems emerge to represent different interests in their increasingly complex societies. Yet the obstacles remain daunting: mechanisms for identifying parties, let alone registering them, are often

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Case Study 5 - The Problem of Undeveloped Party Systems (continued)

weak; informal coalitions of politicians are therefore able to behave as proto-parties without registering; and elections officers usually have few tools with which to either monitor or sanction them. Partially institutionalised party systems potentially have three interrelated negative effects:

(i) ongoing destructive tension between independents and parties; (ii) unresolved questions around opaque mandates and governing programmes; and (iii) declining legitimacy of the political process itself. This can, in turn, ultimately undermine the further development of the party system, reinforcing its stuntedness, and setting back progress on other goals—such as campaign finance reform—that depend on clear, non-discriminatory rules able to induce compliance. In sum, the party landscape directly influences electoral outcomes in very small polities: observation teams should therefore take it seriously.

6. Recommendations

Many of the dilemmas identified above could be attenuated by greater sensitivity on the part of missions to the distinctive small, non-sovereign context, particularly when it comes to making recommendations that touch upon sensitive dimensions of island identity. This is not to say that missions should romanticise political customs for their own sake. Rather, greater appreciation of these realities could be fed into the process of observation, thereby helping to anticipate the consequences of reform without adaptation, and making stronger recommendations about what might need to be adapted for reform to work.

Recommendation 1: Greater Contextual Knowledge

CPA UK missions have multiple impacts beyond simply the reform of electoral practices and procedures. This is evidently a good thing in terms of evidencing their value. However, these sometimes-unintended effects can be magnified in small, non-sovereign jurisdictions. Sensitising technical experts to the unique nature of this context and the potential unforeseen consequences of their recommendations can improve mission outcomes. Evident tensions exist, both between the demands of international best practice and the realities of small-island politics, and between narrow election observation and a deeper systematic audit. Moreover, CPA UK's clients—the jurisdictions and their key policy entrepreneurs—all desire subtly different things from the observation process. One way of dealing with this is to invert the usual direction of travel: instead of only asking how the OTs and CDs can change to better reflect international best practice, we also need to consider how external norms should be adapted to suit them. Alongside greater contextual knowledge, this could also give missions greater legitimacy.

Three specific initiatives merit further consideration. First, co-opting eminent local citizens to provide additional background on each context. Questions exist regarding how they are selected and the roles they play—including whether they serve on the observation team itself—but these should not be insurmountable (see Case Study 6). Second, increasing time spent on the ground: 'in an ideal world, the missions would be longer, at least with earlier deployment for the technical experts before the mission' [Expert Observer]. If the consultants could begin work earlier—perhaps with virtual meetings in advance—and then make either a separate pre-mission trip or begin a week or two before the CPA UK team members arrive, this would allow for deeper contextual insertion. It could also alleviate time compression during the observation proper, providing the whole team with more space for rest, recuperation and reflection. Third, receiving an initial briefing on the idiosyncrasies of the political, socio-cultural and economic history of each jurisdiction. There is limited knowledge on these tiny places—with just one or two former politicians or hobbyist historians having written a substantive political history of them—yet eminent citizens are keen to engage with outsiders and offer a wealth of arcane expertise. This could usefully be tapped into as part of a few days of pre-mission briefings, including distilling the effects of previous reform attempts and potential ones that are likely to meet fierce resistance or generate unintended consequences.

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Finally, it is worth noting here that the electoral process extends well beyond election day: 'If it is a marathon, the CPA only come in on the last lap, and this potentially hinders the objective feedback that they get from the stakeholders who are focused on the race' [Cayman Islands Official]. So, the eminent citizens could play multiple roles throughout the process, one of which would comprise a critical public advocacy role after the election (thereby dovetailing with some of our suggestions in Recommendation 2). This could have a number of components: (i) supporting the more systematic follow-up activity that we suggest below; (ii) promoting the recommendations to ensure they remain on political agendas; (iii) continuing to explain their 'working' to inform the public of their importance and implications; and (iv) thereby keeping reform debates alive (see Case Study 6).

Case Study 6 - The Value of Local Insights

The International travel restrictions inhibited observations during the COVID-19 pandemic. In the 2021 Cayman Islands election, even a regional Caribbean mission—a method used previously by some OTs—was unviable. Yet the government found an imaginative solution: as the CPA UK team worked remotely and held virtual consultations with stakeholders, it mobilised a local one that operated alongside, but separate to it. The domestic observers were selected through an open call managed by a former Deputy Governor with input from across the political spectrum, and comprised a diverse group of volunteers with varying prior experience of supporting elections.

Crucially, they enabled a vital physical presence on the ground. But they also offered a subtly different—and more contextually sensitive—view of the election overall, reflected in some differences of emphasis in their report. This was to some extent inevitable given the distance at which the CPA UK observers were compelled to operate. Formal online meetings can directly generate explicit evidence. But it is informal, in-person interactions that allow the absorption of implicit perceptions, indirectly by osmosis during on-site fieldwork. It is not that the one is more important than the other. Rather, they might be productively combined, because the local insider team renders perceptible that which is imperceptible to outsiders: 'We value comments from external observers, as it keeps the process purer. But the greater the number of eyes, from more diverse backgrounds, looking into the process, the greater the credibility of the mission' [Cayman Islands Observer]. In sum, the process can benefit from the systematic integration of local expertise.

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Case Study 6 - The Value of Local Insights (continued)

The Cayman experience was distinctive: (i) the imperative for hiring a local team was largely one of necessity; (ii) the bureaucracy has a substantial degree of capacity, including a notably well-resourced Elections Office and particularly experienced Supervisor of Elections; (iii) fortuitously, there happened to be a highly qualified and skilled foreign observer resident in the Cayman Islands at the time who was able to lead the domestic team, producing the requisite guidance; and (iv) there was strong political buy-in and support for the team from all quarters. The broader lesson is that concerned citizens want to contribute, have much to offer, and can improve mission legitimacy.

If a way were found to append, say, two eminent local experts to CPA UK teams, they could play a crucial translational role between international best practice and an occasionally divergent local context: ‘some things that appear completely normal to local observers might be looked on with horror by external ones’ [Cayman Islands Observer]. They can also thereby facilitate a corresponding dialogue between the observers who represent those international norms and the island community. This would provide for ‘better optics than just flying in for two weeks and leaving’ [Cayman Islands Respondent]. But, more importantly, it would improve the team’s comprehension of the idiosyncrasies of the relevant jurisdiction and the reasons why certain practices prevail—for better or worse—thereby infusing the report and its recommendations with greater depth and nuance.

Thorny questions exist regarding how, by whom, and on what criteria these appointees would be selected. Should they be apolitical community elders hired by an independent body or even CPA UK itself, or overtly political choices made by the government and opposition? What role would the Governor or other UK representatives play in their selection? How would they work with the observation team, and how could CPA UK incorporate them successfully? None of these questions have easy answers, but neither are they irresolvable. Moreover, the payoffs could be substantial: if brought into the process in the right way, these people would instantly provide a level of local gravitas, wisdom and institutional memory that outside observers, by definition, can never have.

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Recommendation 2: Reconsider Scope of Missions

There are pros and cons to a longer and deeper mission versus a shorter and narrower one. The challenge is that, currently, missions are relatively short, but they tend to make a series of largely uncontroversial technical recommendations about electoral processes alongside a couple of ambitious changes that have the potential to cause great upheaval. There also exists a significant grey area between the two, comprising recommendations which may appear technical but also potentially carry serious implications for political outcomes and practice in such small polities. To do the more ambitious political reforms real justice, we feel the above changes to increase contextual knowledge are imperative. However, CPA UK could also easily—and quite justifiably—narrow the scope of missions to focus solely on the technical dimensions of election observation, and retain its current practice. Either way, the point is that the organisation should spend some time considering the distinction between an election observation and a systemic audit because its present practice masquerades as the former, but inevitably transgresses some way into the territory of the latter.

As it happens, local stakeholders tell us that they would quite like both, but our inclination is they are not really the same thing, and potentially require a conscious evolution in the methodology deployed on mission. A first step, as we suggested above, is that ‘the working’ in the reports could be rendered more explicit. If teams are to continue making recommendations that reach more deeply into political and governing systems—which is certainly a legitimate form of practice—then this needs to be grounded more fully in an explicit account of the potential trade-offs for these unique jurisdictions. A related second step would be to engage in a more systematic process of follow up. We know that CPA UK already offers this, but it is perceived to be rather ad hoc, rather than an institutionalised ‘calendar for ongoing work between elections’ [British Virgin Islands Official].

A more formal and structured approach should be relatively straightforward to develop, conceivably with the technical experts returning after, say, six months, to meet with key stakeholders, engage in parliamentary committees, appear in the media and so on, answering questions about the report—again, explaining ‘the working’—and assisting in the debate and preparation of reforms. This would also help to avoid the problem of politicians kicking observation reports into the long grass, a source of frustration to many reformers in the jurisdictions. This would also buttress the authority of the Election Supervisor and the eminent citizens discussed above by providing visible international support for reform agendas at the precise moment, post-election, when inertia is likely to prevail.

Recommendation 3: Create Novel Best-Practice Guidelines

Much of our analysis here is premised on the idea that small jurisdictions are fundamentally different to larger ones. More importantly, they are unlikely to ever become large countries. This is especially so in the OTs and CDs, which are small even in relation to their sovereign small state counterparts, which is of course part of the reason why they have not pursued

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independence. In line with our arguments above—that existing international best practice is largely distilled from the experience of much bigger and fundamentally different countries, and was therefore never designed with small ones in mind—we believe that there is merit in CPA UK developing its own best practice guidelines for elections in small jurisdictions. We are not suggesting divergence for its own sake: rather, by placing existing norms in productive tension with the realities of small island experiences, a more tailored approach might be generated.

In short, CPA UK has a unique opportunity to influence the norms governing international election observation for the better, and arguably even has a moral responsibility to do so. As one former OT Premier told us of mission teams previously encountered: ‘they only observe elections in small places, but at times they do not seem to understand smallness, when it is more incumbent on them than anybody else to do so’. The organisation certainly has the experience to do this—it has a level of unique accumulated expertise that no other election monitoring body does—and we would be very keen to assist in any way that we can. It also has the legitimacy as a member-driven organisation. Doing so would certainly improve its observation work. But, far more importantly, rather than primarily transmitting knowledge and expertise ‘down’ to the jurisdictions, it would also allow CPA UK to do the same ‘upwards’ to the global community of election observation practice.

Specifically, it could become, on this basis, an advocate for recognition that population size and non-sovereignty are key factors shaping politics and the consequences of potential reforms. This could offset some of the paternalism that the CDs and OTs often perceive from outsiders. Moreover, the organisation could also develop a series of support programmes better tailored to the needs of particular actors within them. In particular, the often-beleaguered role of Election Supervisor is frequently one that is lonely, overburdened, under-resourced and replete with stress throughout these jurisdictions. There is, in our view, significant opportunity here to engage in a systematic process of lesson-sharing and support which could improve both electoral practice and, in turn, the wider prospects for parliamentary democracy.

