

CPA BIMR

Election Observation Mission to the St Helena

SEPTEMBER 2025



FINAL REPORT

“On Election Day, we observed a process that was transparent, well-organised, and professionally managed. The commitment and professionalism of those involved in delivering the election were evident throughout the day. We hope our initial observations and forthcoming report will support the people of St Helena in continuing to strengthen democratic processes on the island. On a personal note, I would like to say, and I believe that I speak on behalf of all seven members of the Mission, that St Helena has seven new ambassadors for your wonderful island. We are deeply appreciative of the warm and open reception our international team of observers received in St Helena.”

Gary Clueit MLC, Head of Mission

EXECUTIVE SUMMARY

- The Commonwealth Parliamentary Association British Islands and Mediterranean Region (CPA BIMR) conducted an international Election Observation Mission to the 2025 St Helena General Election, assessing their observations against international legal standards, commitments and obligations, as well as domestic laws.
- **Political Background:** St Helena, a UK Overseas Territory with around 4,400 residents, operates under a ministerial system introduced in 2021, replacing the former committee model. Governance reforms have improved accountability but remain slow, with unclear roles and limited transparency; a Governance Commission is engaging the public on further changes.
- **Legal Framework:** The legal framework is based on the 2009 Constitution Order and Elections Ordinance, supported by secondary regulations. While it broadly enables democratic elections, it is outdated and lacks provisions for campaign finance, alternative voting methods and administrative complaints. International treaties such as ICCPR and CEDAW apply, but CRPD has not yet been extended.
- **Electoral System and Boundary Delimitation:** St Helena uses a single-constituency, block-voting system where voters can cast up to 12 votes for Legislative Council seats. While simple and trusted, it can limit minority representation and requires voters to vote only in their registered district, which may reduce turnout. Proxy voting is allowed but insufficient for accessibility; stakeholders advocate for additional voting methods.
- **Election Administration:** St Helena’s election administration used a two-tier system led by a Governor-appointed Returning Officer who also acts as Registration Officer, supported by assistants and polling staff. While operations were professional and impartial, voter education remains limited and under-resourced, relying mainly on traditional media and minimal digital outreach.
- **The Right to Vote:** Universal suffrage is guaranteed for St Helenian-status individuals aged 17 and above, but eligibility restrictions – such as for dual allegiance, mental incapacity, long prison sentences and electoral offences – are overly broad. These provisions conflict with international standards on proportionality and non-discrimination, particularly under CPRD and ICCPR.
- **Voter Registration:** Registration is active and closed long before election day, limiting late participation and poorly aligning with campaign phases. Only 2,041 voters registered, with youth underrepresented and diaspora largely excluded. Stakeholders call for extended deadlines and reforms to allow St Helenians abroad to vote.

- **The Right to Stand for Election:** Candidates must be registered voters aged 21 and above, but restrictions, as with those imposed on voter registration, are arguably disproportionate and inconsistent with international standards. Public servants require Governor dispensation and there is no framework for political parties.
- **Candidate Registration:** The nomination process was inclusive and efficient, with 23 candidates standing, but the short timeframe – closing only two weeks before polling – limited grievance resolution. Confusion over impartiality rules discourages some civil servants from acting as sponsors or supporters, creating uncertainty.
- **Election Campaign:** The campaign was modest with posters, limited door-to-door canvassing and one hustling event. Social media played a growing role, aided by improved connectivity, but remains unregulated. Lack of party structure limits policy debate and stakeholders noted the need for clearer campaign conduct rules.
- **Campaign Finance:** Campaign finance is entirely unregulated, with no spending limits, disclosure requirements, or auditing. This undermines transparency and accountability and risks foreign influence. Calls for regulations to ensure a level playing field and public trust are growing.
- **Media:** Media coverage was factual and neutral but lacked critical analysis of policies. Reliance on government advertising may constrain editorial independence and limited diversity reduces scrutiny. Digital campaigning is increasing, highlighting the need for clearer online regulations.
- **Participation of Persons with Disabilities:** Legal and practical barriers persist, including disqualification for mental incapacity, inaccessible polling stations and lack of assistive tools. CRPD has not been extended, and assistance rules could compromise ballot secrecy. The Council chamber remains inaccessible, discouraging candidacy.
- **Participation of Women:** Women do hold key positions, but representation in the Legislative Council fell to four out of 12 seats. No measures exist to promote women's participation despite international obligations under CEDAW.
- **Voting on Election Day:** Polling was calm, orderly and professionally managed, with 56.5% turnout among registered voters. However, restrictive rules, such as voting only in one district, limit participation. Ballot traceability also risks secrecy and public confidence.
- **Counting and Results:** The count was transparent and broadcast live, but slow and labour-intensive, concluding at 5am. While the process reflected the will of voters, procedural improvements could enhance efficiency without compromising integrity.
- **Electoral Justice:** Judicial remedies exist through election petitions, but no election specific administrative mechanism is in place. This limits accessible redress and transparency.

CPA BIMR would like to thank all those in St Helena who supported the work of this election observation, including the elections office, polling staff and candidates. We are grateful for their assistance and trust that this report will be a useful asset to them in upholding and strengthening democracy in St Helena in the years ahead.

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INTRODUCTION TO THE MISSION

The Commonwealth Parliamentary Association British Islands and Mediterranean Region (CPA BIMR) conducted an international Election Observation Mission to the St Helena General Election on 3 September 2025. This is the second time CPA BIMR has observed general elections in St Helena, with the previous Mission in 2021 held virtually, due to Covid-19. The Mission was invited by the Deputy Speaker of the Legislative Council and received broad support from across the political spectrum, with many candidates and stakeholders engaging constructively. Observers were deployed from 23 August to 6 September 2025.

The Mission consisted of seven observers, including three Commonwealth parliamentarians:

- Head of Mission: Gary Clueit MLC (Isle of Man)
- Short Term Observers: Deputy Chris Blin (Guernsey) and Minister Leslie Bruzon (Gibraltar)
- Legal and Political Analyst: Stefan Szwed (Poland)
- Electoral and Campaign Analyst: Craig Whittaker (UK)
- CPA BIMR Staff: Elinor Souch (UK) and Magdalene El Beledi (UK)



The CPA BIMR international election observers to the St Helena General Election

The Mission conducted an independent assessment of the St Helena General Election, measuring the process against international standards, commitments, and obligations, as well as the island's domestic laws. It operated with full independence in its composition, findings, and conclusions, in line with the Declaration of Principles for International Election Observation and the Code of Conduct for International Election Observers.

In the period leading up to Election Day, observers met with a wide range of electoral stakeholders, attended a campaign debate organised by the Youth Parliament, and observed training sessions for Presiding and Assistant Presiding Officers. On Election Day itself, the Mission observed voting across all eight districts of the island, visiting every polling station three times throughout the day. The Mission also observed the counting process.

POLITICAL BACKGROUND

St Helena is part of the UK Overseas Territory of St Helena, Ascension and Tristan da Cunha, located in the South Atlantic Ocean. The island covers 47 square miles and is home to just over 4,000 residents, of whom some 90 percent are of voting age. The island's status as an Overseas Territory, its remote location and small population underpin its distinctive governance and electoral systems. The UK Government retains constitutional and legal responsibility for its 14 Overseas Territories. The partnership between the UK and its Territories is grounded in shared values and the principle of self-determination, as set out in the United Nations Charter.

St Helena Government comprises a Governor appointed by His Majesty the King on UK Government advice and five Ministers led by a Chief Minister who, together with the Attorney General as a non-voting member, form the Executive Council, which formulates policy. The Governor retains constitutional responsibility for external affairs and defence, as well as internal security, including policing; justice; finance; and administration; with several aspects delegated to the Ministers or Public Service. S/he appoints key officials, including the Chief Secretary, who heads the Public Service, Financial Secretary, responsible for managing public finances, and the Attorney General.

The Chief Minister is elected by and from among the Legislative Council during its first session following a general election. S/he then selects the four other elected members as Ministers, who are responsible for portfolios including: treasury and central support services; safety, security and home affairs; environment and economic planning; education and employment; and health and social care.

The unicameral Legislative Council comprises 12 directly elected members, as well as the indirectly elected Speaker and Deputy Speaker, and *ex officio* the Attorney General.¹ Legislation passed by the Council requires the Governor's assent. The last previous Legislative Council elections were held in October 2021. In May 2024, a resignation triggered a by-election, but with only one candidate nominated, the seat was filled unopposed in August. All but one of the outgoing Council members stood for re-election in 2025.

The ministerial system of governance replaced the committee-based model in 2021, following a public referendum with low voter turnout. In November 2024, the Legislative Council commissioned an independent review by the Westminster Foundation for Democracy, supported by the Foreign, Commonwealth and Development Office, to assess the effectiveness of these reforms in their first legislative term. The review concluded that while accountability has improved, the overall progress has been slow. It highlighted continuing uncertainty over roles and duties, as well as limited transparency. The report recommended a programme of gradual reforms aimed at clarifying responsibilities, strengthening oversight, and enhancing openness. A Governance Commission was established to engage the public on the recommendations, signalling a continued commitment to a participatory process of governance reform.

¹ The Speaker and Deputy Speaker are elected by Members from eligible voters who are not sitting Members.

These political developments unfolded alongside major recent infrastructure investments, including the opening of the airport in 2017, new container port at Rupert's Bay in 2021, and the arrival of high-speed internet via the Equiano cable in 2023. While these projects have improved the island's connectivity and economic potential, their benefits have yet to fully translate into broad-based development or significant improvements in public services, with debates ongoing as to how best to capitalise on the opportunities they provide.

LEGAL FRAMEWORK

The legal framework for elections in St Helena is primarily based on the 2009 St Helena, Ascension and Tristan da Cunha Constitution Order (as amended to 2021), 2009 Elections Ordinance and several secondary laws, including: the 2009 Elections Regulations; 2009 Registration of Electors Regulations; 2013 Electoral Districts (Boundaries and Names) Regulations; and 2025 Provision made by the Governor for enabling Public Officers to be Qualified to be Elected as Elected Members, Speaker or Deputy Speaker of the Legislative Council.² Other relevant laws include the 2011 Immigration Ordinance; 1989 Communications Ordinance; and the Media Standards Code of Practice (as amended to 2023).³

International human rights instruments do not automatically apply to UK Overseas Territories and Crown Dependencies.⁴ They may nonetheless create obligations related to the conduct of elections in St Helena. Treaties that the UK has specifically extended to St Helena, include: 1966 International Covenant on Civil and Political Rights (ICCPR); 1953 European Convention on Human Rights (ECHR); 1965 International Convention on the Elimination of All Forms of Racial Discrimination (CERD); and the 1979 Convention on the Elimination of All Forms of Discrimination against Women (CEDAW).

However, some key instruments have yet to be extended, including the 2008 United Nations Convention on the Rights of Persons with Disabilities (CRPD). In response to the 2022 Universal Periodic Review by the UN Human Rights Council, the UK acknowledged that the implementation of certain human rights recommendations may face limitations in its Overseas Territories due to their distinct constitutional arrangements and local governance.⁵ Yet it remains vital that these instruments are extended to ensure the full enjoyment and protection of rights in all territories.

Recommendation: To more closely align with international standards on the rights of persons with disabilities, extend the CRPD to St Helena and amend laws as necessary.

² The 2017 Revised Edition of the Laws consolidates St Helena's laws under the authority of the 1999 Revised Edition of the Laws Ordinance, providing an updated and unified statutory framework.

³ St Helena is updating its communications laws with a 2025 Communications Bill to replace the 1989 Ordinance, which is still under consultation.

⁴ The UN Human Rights Committee expressed concern in 2015 (CCPR/C/GBR/CO/7) that human rights instruments applicable to the UK are not automatically extended to UK Overseas Territories, emphasising the need for their specific application to territories such as St Helena. See UN Human Rights Committee, *Concluding Observations on the Seventh Periodic Report of the United Kingdom of Great Britain and Northern Ireland*, [CCPR/C/GBR/CO/7](#) (2015), para. 10.

⁵ For detailed information on treaty obligations extended to St Helena, see the UK Parliament's [Treaties database](#) and the UK's Report submitted to the United Nations Universal Periodic Review process ([2017](#) and [2022](#)).

The Legislative Council elected in 2021 formed several working groups to review recommendations made by the 2021 CPA BIMR Mission. Under consideration were a number of general changes to the 2009 Election Ordinance, improving access to elections for persons with disabilities, and modernising voting methods to leverage enhanced connectivity. While only one change was adopted – the 2009 Elections Regulations were amended by the 2025 Legal Notice No. 9 to provide for the presence of election observers in polling stations on election day for the first time – efforts are expected to continue in the Legislative Council's new term.⁶ In order to further the stability of law, and in accordance with international good practice, fundamental changes to election law should be made no less than one year before an election.⁷

Overall, the legal framework supports the conduct of democratic elections. However, several stakeholders noted that it has become partly outdated over time and would benefit from a comprehensive review: for clarity; to modernise the electoral process; and with the aim of broadening participation. Among the concerns identified by the Mission and highlighted by stakeholders were the early cut-off date for voter registration; undue active and passive franchise eligibility restrictions; absence of campaign finance regulations; limited voting methods and provisions limiting voters to casting their ballots at their designated polling station only; the arduous and time-consuming vote counting process; and lack of an administrative complaint mechanism.

While fundamental freedoms are constitutionally protected, legislative and institutional safeguards are not fully developed, with some gaps in both legal protections and their practical implementation. For instance, although the constitutional right to political association exists, the absence of enabling legislation or regulations for political parties, including in political and campaign finance, may constrain some aspects of the practical exercise of this right.

St Helena currently also lacks formal Freedom of Information (FOI) and Data Protection laws, which may limit citizens' ability to access information.⁸ A 2014 Code of Practice encourages access to information but lacks legal enforceability. A draft FOI Ordinance was abandoned in 2020. Although the Constitution supports some privacy protections, there is no dedicated data protection legislation, which heightens the risk of misuse of personal voter information and can undermine public trust and

⁶ The *International Covenant on Civil and Political Rights* (ICCPR), General Comment No. 25 on Article 25, para. 20, highlights the need for independent scrutiny of the voting and counting processes to ensure electoral integrity and transparency. See UN Human Rights Committee, *General Comment No. 25: The Right to Participate in Public Affairs, Voting Rights and the Right of Equal Access to Public Service* (1996), [CCPR/C/21/Rev.1/Add.7](#).

⁷ The Venice Commission's *Code of Good Practice in Electoral Matters* (2002), Section II, Article 2, recommends that fundamental elements of electoral law should not be amended less than one year before an election, in order to safeguard stability and fairness in the electoral process. See European Commission for Democracy through Law (Venice Commission), *Code of Good Practice in Electoral Matters: Guidelines and Explanatory Report*, [CDL-AD\(2002\)023rev](#) (2002), Section II.2.

⁸ See [ICCPR, Article 19](#), which guarantees the right to seek, receive and impart information; UN Human Rights Committee, *General Comment No. 34: Article 19 – Freedoms of opinion and expression*, [CCPR/C/GC/34](#) (2011), paras. 18–19, affirming that States should proactively make government information accessible and adopt legislation such as freedom of information laws to give effect to this right; see also Council of Europe, *Convention on Access to Official Documents* ([Tromsø Convention](#), 2009), which sets out standards on public access to information held by public authorities.

reduce engagement.⁹ However, the government approved a Data Protection Policy for public consultation in mid-2024, indicating an intent to develop future legislation.

Although the Constitution also prohibits discrimination on several grounds, there is no comprehensive anti-discrimination legislation or detailed statutory protections in some areas. While the position of Ombudsperson (or a Complaints Commissioner) is foreseen under section 113 of the Constitution, it has yet to be established; this lack of an independent oversight mechanism may hinder effective protection against maladministration.

The St Helena Equality and Human Rights Commission (EHRC) is an independent statutory body empowered by the 2015 Equality and Human Rights Commission Ordinance. It is mandated to promote and protect human rights, monitor compliance, investigate complaints, and advise the Government across the Territory. However, it does not have the same role or powers ordinarily vested with an Ombudsperson authority.

ELECTORAL SYSTEM AND BOUNDARY DELIMITATION

The electoral system for the Legislative Council is established in the Constitution (as amended to 2021). St Helena operates as a single, island-wide constituency in which every four years voters elect 12 councillors through a plurality-at-large system, also known as block voting.¹⁰ Each voter may cast up to 12 votes, with the candidates receiving the highest totals declared elected.¹¹

The 2009 Elections Ordinance authorises the Governor in Council to divide the single constituency into electoral districts as 'catchment areas' for polling stations.¹² The 2013 Electoral Districts Regulations subdivides the constituency into eight electoral districts, each with a single polling station.¹³ Voters may register in any district but can only vote at the polling station in the district where they are registered – a limitation many stakeholders view as potentially negatively impacting voter turnout, particularly because election day falls on a workday.

The electoral system enjoys public confidence overall. Plurality-at-large voting is often valued for its relative simplicity. It encourages candidates to appeal broadly to the entire electorate, fostering

⁹ See [ICCPR, Article 17](#), which protects the right to privacy, including protection of personal data; UN Human Rights Committee, [General Comment No. 16: The right to respect of privacy, family, home and correspondence](#) (1988), para. 10, affirming the obligation of States to adopt legislation to prevent unauthorised use of personal data; see also Council of Europe, *Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data* ([Convention 108+](#), 2018).

¹⁰ The Constitution (as amended to 2021) provides for a single constituency with a single electoral roll; but it also allows for multiple constituencies with separate electoral rolls if desired. Since the 2013 election, St Helena votes in a single electoral constituency.

¹¹ When the ministerial system was introduced in 2021, non-ministerial Legislative Council Members were assigned to represent the eight districts. However, some stakeholders argued that the system lacked broad public support.

¹² The 2009 Elections Ordinance also set out that the Governor in Council may divide St Helena into electoral constituencies and determine the number of Legislative Council members to be elected by each constituency

¹³ Districts laid out in the schedule include Jamestown, Alarm Forest, Longwood, Levelwood, Sandy Bay, Half Tree Hollow, St Paul's and Blue Hill.

consensus and accountability. However, it can limit minority representation under some circumstances. It is thought to function well in small jurisdictions without political parties, where voters may focus on candidates' personal qualities rather than platforms. Of note, the absence of parties may limit structured policy debates and increase reliance on voter familiarity with candidates.

St Helena allows proxy voting as an Alternative Voting Method (AVM), enabling voters with justified reasons to vote through a trusted representative. However, the use of proxy voting is reserved only for those who qualify and thus does not stand to widely facilitate participation. It also compromises ballot secrecy, making it unsuitable for those who do not wish to share their electoral choice with a proxy. Many Mission stakeholders advocated exploring additional AVMs, such as mobile, advance, postal or Internet voting, to enhance accessibility, reduce queues and boost participation, especially for voters abroad, those with mobility challenges, or residents in more remote areas.

Recommendation: To facilitate more active voter participation and safeguard secrecy of the vote, consideration could be given to introducing more accessible alternative voting methods that provide the opportunity to cast their ballot to a greater number of St Helenians both on and off the island.

ELECTION ADMINISTRATION

St Helena's election administration operates a two-tier structure. The Returning Officer, supported by three Assistant Returning Officers, is responsible for overseeing the entire electoral process, including candidate nominations and registration, conduct of polling, vote count and declaration of results. While the law establishes the Registration Officer as a separate position from the Returning Officer, in practice the two roles are combined and carried out by a single individual.¹⁴ The combined function is held by a civil servant appointed by the Governor and is not a full-time position; instead, it is incorporated into the post-holder's broader responsibilities outside of election periods. While regarded as the primary authority on electoral issues, the Returning Officer may consult the Attorney General on legal matters when required.

Working under the Returning Officer's authority are the Presiding Officers, supported by Assistant Presiding Officers and Poll Clerks, who manage individual polling stations on election day. All election staff are recruited by the Returning Officer, with the Governor's assent. Most are current or former public servants. Presiding and Assistant Presiding Officers are generally assigned to polling stations in the districts where they are registered as voters which, in the absence of an ID requirement, facilitated voter recognition, and enabled the administrators themselves to vote more easily. All polling and counting staff were trained during joint sessions run by the Returning Officer before

¹⁴ In total, there were also 17 Assistant Registration Officers, including two based at the Castle in Jamestown, with the rest operating in their respective electoral districts.

election day. The training covered the full scope of responsibilities; trainees were provided materials such as extensive notes and guidance documents detailing election day proceedings.

Voter education efforts remain limited. Information is primarily disseminated through newspaper notices and radio broadcasts, but also the St Helena Government Facebook page. Although the Mission noted the presence of an informative YouTube video explaining candidate registration, this was one of the few examples of digital outreach of this type observed. Many stakeholders considered voter education to be under-resourced and in need of a more concerted and sustained engagement.

Overall, the elections were administered professionally and efficiently, with administrators fulfilling their responsibilities in accordance with the law. The majority of stakeholders expressed confidence in the integrity of the election administration. The Returning Officer and their team were widely viewed as impartial and efficient in meeting their responsibilities and all statutory deadlines. No direct concerns were raised about their independence; however, some observations were made in relation to the complaints process (see *Electoral Justice*). Presiding Officers and their teams were also regarded as well-prepared, contributing to the orderly and timely discharge of their election day roles.

THE RIGHT TO VOTE

Universal and equal suffrage is established by the Constitution (as amended to 2021) and operationalised through the 2009 Elections Ordinance, which sets out eligibility criteria for voter registration. The practical procedures for voter registration are detailed in the 2009 Registration of Electors Regulations. Holders of St Helenian status who are aged 17 or older on the day of application, and who are present and ordinarily resident in St Helena, are eligible to register and vote.¹⁵ Exceptions to the residency requirement apply only to those absent temporarily for the purpose of their or their spouse or life partner's employment, education/training or medical treatment for no longer than 30 months, or an aggregate of up to 625 days within the preceding 30 months.

The Elections Ordinance disqualifies several categories of individuals from voting:

- those who show "allegiance, obedience or adherence" to a foreign power or state;
- are certified as incapable of making decisions due to mental incapacity;
- are serving a prison sentence longer than 12 months;
- were convicted of electoral offences (barred from voting for seven years following their conviction).

These restrictions contravene a number of international standards. A statutory curtailment of voting rights for anyone with St Helenian status who also holds foreign citizenship lacks clear definition and

¹⁵ St Helenian status is defined in the 2011 Immigration Ordinance; it is based on birthright or residence rather than formal citizenship status. Also note that the Legislative Council's working groups formed to address electoral reform have taken up a discussion lowering the voting age to 16.

guidance, thus risking arbitrary application.¹⁶ This may undermine the principles of universal and equal suffrage and runs counter to norms requiring that any limitation on suffrage be based on objective and reasonable criteria, proportionate to a legitimate aim, and not discriminatory in nature. Blanket exclusions based on mental incapacity – even if court-certified – are incompatible with the rights of persons with disabilities as recognised under the CRPD.¹⁷ Similarly, the broad disenfranchisement of prisoners, without due regard to the nature or seriousness of the offence, deviates from international norms favouring case-by-case assessments.¹⁸ Finally, the seven-year voting ban for electoral offences is disproportionate and inconsistent with international human rights standards.

VOTER REGISTRATION

The system of voter registration in St Helena is active, requiring individuals to apply for inclusion on the Register of Electors. The Registration Officer oversees this process, which formally began with the publication of the Provisional Register on 9 May, open for public inspection and objections until the statutory deadline of 16:00 on 23 May, as mandated by law. After the deadline for resolving challenges had passed – and none were lodged – the final Register was officially gazetted on 30 June, establishing it as the authoritative list for the election.

By law, no additions to or deletions from the Register are permitted between the publication of the Provisional and Final Registers, nor from the issuance of the writ of election on 1 July until election day on 3 September. Voters may register in only one electoral district. These timelines, designed to allow for gazetting and legal scrutiny of the Register, are widely regarded as limiting opportunities for voter registration during the campaign period. Many stakeholders expressed a preference for extending registration deadlines, including up to election day. The existing registration deadline also poorly aligns with nomination and campaign phases, curbing candidates' ability to promote voter registration. Voter education efforts were limited, largely confined to notices in local newspapers and were generally considered insufficient.

A total of 2,041 individuals were registered, out of the island's estimated population of approximately 3,800 (in December 2024, based on the 2021 census). The figure includes ineligible voters but excludes non-St Helenians. Younger voters were notably underrepresented, a trend often attributed to voter apathy. The law requires applicants to be at least 17 years of age on the date of application, not by

¹⁶ See UN Human Rights Committee, *General Comment No. 25*, para. 4. The Committee states that the right to vote “may not be suspended or excluded except on grounds which are established by law, and which are objective and reasonable.” See also European Court of Human Rights, *Seyidzade v. Azerbaijan*, App. No. 77169/11, Judgment of 3 December 2015, which affirms that restrictions on electoral rights must be lawful, necessary in a democratic society, and proportionate.

¹⁷ See *Convention on the Rights of Persons with Disabilities* (CRPD), Articles 12 and 29 CRPD Committee, Communication No. 4/2011: *Zsolt Bujdosó and five others v. Hungary*, CRPD/C/10/D/4/2011 (2013), para. 9.4 and CRPD Committee, *General Comment No. 1* on Article 12: *Equal recognition before the law*, UN Doc. CRPD/C/GC/1 (2014), para. 48.

¹⁸ See UN Human Rights Committee, *General Comment No. 25*, para. 14; and Council of Europe Committee of Ministers, *Resolution CM/ResDH(2019)135* on the execution of the European Court of Human Rights judgment in *Hirst v. the United Kingdom* (No. 2), which addressed the UK's blanket ban on prisoner voting, noting it was partially repealed following developments in 2018.

election day. Because jury service is drawn from the electoral register, some St Helenians may be discouraged from registering given the implications of serving on juries involving neighbours in a small community.

Recommendation: To encourage and facilitate greater participation, the period of voter registration could be extended, with appropriate safeguards in place potentially up to election day. Anyone who will have reached the voting age on election day rather than their registration, should be able to register to vote.

St Helena's unique demographics add to the complexity of maintaining an inclusive and accurate voter register. The island has a significant diaspora, with many St Helenians living abroad – particularly in the UK and South Africa, but also on Ascension, where residents do not have the right of abode, and the Falkland Islands. Temporary and seasonal migration complicates tracking residency and voter eligibility, which some contend is overly restrictive. The Registration Officer actively seeks to identify cases of voters who no longer meet eligibility criteria to remove their entries in the Register of Voters. Limited data compatibility between St Helena Immigration Office and the Registration Officer hinders effective verification and timely removal of ineligible voters, contributing to inconsistencies. Many stakeholders expressed the view that the system could benefit from a more complete review and reform (see *The Right to Vote*).

Recommendation: To facilitate wider participation by a mobile population, consideration could be given to amending the eligibility requirements to allow a greater number of St Helenians abroad to register and participate in elections.

THE RIGHT TO STAND FOR ELECTION

The Elections Ordinance requires candidates for the Legislative Council to be registered voters aged 21 or older.¹⁹ The Constitution (as amended to 2021) disqualifies from standing any person who: owes “allegiance, obedience or adherence” to a foreign state; is declared bankrupt; mentally incapacitated; serves a prison sentence longer than 12 months; or has been convicted of electoral offenses within the past seven years.

These restrictions unduly limit the right to stand and conflict with international standards for democratic elections.²⁰ The ambiguous rules on allegiance to a foreign state potentially undermine international standards and legal certainty. Disqualifying individuals based on mental incapacity – even when court-determined – runs counter to international norms. The seven-year ban on candidacy following electoral offense convictions similarly conflicts with international standards.

¹⁹ The Legislative Council's working groups formed to address electoral reform have taken up a discussion lowering the age of eligibility to stand to 18.

²⁰ See footnotes 16, 17 and 18 under *Right to Vote* for standards also applicable to passive franchise (right to stand).

Recommendation: To safeguard and support universal and equal suffrage, as well as legal certainty, voter and candidate eligibility criteria should be reviewed and amended, removing any undue restrictions and bringing them in line with international standards and good practices.

Individuals involved in the administration of elections, voter registration and the judiciary are prohibited from standing as candidates. Public servants – who constitute about half of the island's workforce – are ineligible unless granted dispensation by the Governor, which is routinely provided. Arrangements are in place to support transition between public service and elected office.²¹ Other rules restrict certain professions; for example, the Media Standards Code of Practice (as amended to 2023) requires broadcasters and journalists to take leave if they stand for election.²²

CANDIDATE REGISTRATION

The nomination period for the 2025 general election opened on 1 July with the publication of the writ and closed at noon on 20 August. A total of 23 nominations were submitted, with no applications rejected. 11 incumbents sought re-election. The process was inclusive, efficient and professionally administered overall.

To be nominated, candidates required endorsements from two sponsors, whose signatures had to be attested by the Returning Officer or a Justice of the Peace, and five further supporters, whose signatures had to be witnessed. Unlike both the sponsors and supporters, witnesses are not required to be registered voters. Each person could act as a sponsor or supporter for up to 12 candidates, corresponding to the number of contested seats. There is no fee or monetary deposit to stand as candidate. Most stakeholders described the nomination process as largely unproblematic.

However, several candidates raised concerns regarding possible confusion over official guidance for candidacy registration. They noted that a circular issued by the Chief Secretary – reminding public servants of their obligation to maintain political impartiality – was overly expansively interpreted, which may have effectively discouraged certain civil servants from acting as sponsors or supporters.²³ At least one candidate was required to resubmit their nomination with alternative signatories after their initial sub, originally accepted, was later deemed invalid.²⁴ Several stakeholders worried that this contributed to an atmosphere of uncertainty and may have had an effect on political participation more broadly, potentially leading some public servants across service grades and staff of state-owned enterprises to err on the side of caution when exercising their civic rights during the nomination and later also the campaign period.

²¹ See *Provision Made by Governor for Enabling Public Officers to be Qualified to be Elected* (2025), Schedule 1, section 49(3).

²² See *Media Standards Code of Practice*, Code 8(1.5) (St Helena, Media Standards Commission).

²³ By law, members of the election administration and police are prohibited from supporting candidates in any capacity.

²⁴ This was because one of the signatories was identified as a public servant, even though they did not hold a senior managerial position (ordinarily the threshold for prohibition).

None of the 23 original nominees withdrew, although this is permitted until the close of the nomination period. On the final day, all candidates were entitled to inspect other nominations. Although the legal framework allows for objections to be filed, none were submitted. Decisions by the Returning Officer to uphold an objection may be appealed through an election petition to the court. Given the candidate registration process concluded only two weeks before election day, the timeframe may not have been adequate to address potential grievances.

There are currently no registered political parties in St Helena, and all candidates ran as independents. While no formal obstacles to party formation exist, there is also no legal framework to formally recognise parties or support their participation, for instance by permitting party names on ballot papers or regulating their activities, finance or internal functioning.

ELECTION CAMPAIGN

There is no official commencement of the campaign period, but most candidates started to engage with the electorate on nomination day. There is also no statutory campaign silence period; however, the Media Standards Code of Practice sanctions any discussion and analysis of election issues on election day until the closing of polls. As per official guidance issued by St Helena Government on 2 June, campaign posters had to be removed within 14 days after the poll and no posters could be displayed within the Polling Station or its limits on election day.



The campaign enjoyed moderate visibility overall, even though some stakeholders described it campaign as more vibrant than in most recent elections. Numerous A4 and A5 posters featuring many of the 23 contestants were observed across the settlements and along some roads. At least one candidate reported campaigning door-to-door. Another candidate stood out through greater visibility and spending, producing merchandise and securing comparatively more advertising space in local newspapers. This raised some concerns among

stakeholders about the extent to which the current framework ensures a level playing field and provides adequate guidance on proscribed practices.

Candidate manifestos predominantly emphasised practical initiatives over broader ideological platforms or substantive policy discourse, reflecting the relatively low level of politicisation and issue-based campaigning. Common priorities included improving educational standards, introducing targeted tax incentives, encouraging reverse migration, and addressing the cost-of-living concerns. Notably, one candidate pledged to forgo their salary if campaign promises were not fulfilled within the first 100 days in office – a declaration that prompted significant public discussion regarding both

its feasibility and appropriateness. Some stakeholders questioned whether such a pledge could constitute an improper inducement or even a form of bribery (see *Electoral Justice*). This highlighted the potential value of establishing a code of conduct for candidates, whether as a civil society initiative or one spearheaded by candidates themselves.

Several candidates also publicly declared their intention to seek the post of Chief Minister, a position elected by the Legislative Council during its inaugural session. Some went further, pledging to resign if unable to deliver on their agendas – an approach that raised concerns about a potential governance gridlock. Several Mission stakeholders expressed doubts as to whether all candidates fully grasped the operational realities and limitations of the political and administrative framework.

A single hustings event, hosted by the Youth Parliament in the Castle Council Chamber, brought together 19 candidates. The event was broadcast live on the radio, streamed on Channel 31 TV, and remains available via the SAMS Radio podcast and YouTube. It provided a rare opportunity for voters to directly compare the candidates' substantive policy priorities, while also engaging St Helena's youth – an age group underrepresented among registered voters.



A single hustings event was hosted by the Youth Parliament in the Castle Council Chamber

The Mission observed a growing role of the Internet and social media in the campaign, said to be driven by the activation of the Equiano subsea cable, which lowered costs and improved reliability. This development enabled St Helenians both locally and, in the diaspora, to engage with campaign content online, fostering broader community discussion and participation. While online campaigning has become more prominent, it remains largely unregulated. Existing prohibitions – such as those against bribery and making false statements about candidates – are understood to apply to the digital sphere. Additionally, the use of official government social media accounts for political purposes is expressly prohibited, with no reported violations. This evolving online campaign environment underscores the need for clearer regulations to guide campaign conduct on digital platforms.

Some stakeholders noted that the presence of 23 diverse candidates with generally unaligned manifestos highlighted the potential benefits of a party-political system in the future. They argued that political parties could help consolidate shared interests, offer clearer choices to voters, and enable more structured policy debates. Unified party platforms were described by these Mission stakeholders as a way to possibly improve governance, accountability and voter engagement.

Overall, despite a limited campaign and lack of vibrant public debate, no obstacles stood in the way of voters' making informed choices. Nor was apparent incumbent advantage observed in the process.

CAMPAIGN FINANCE

Political and campaign finance remain entirely unregulated. There are no limits on candidate spending, no restrictions on the amount or sources of campaign funds or donations, including foreign contributions, and no obligation for candidates to report, disclose or have their financial activities audited. There is no public monetary or in-kind support for election contestants. Candidates financed their campaigns mainly through personal resources, with modest typical expenditures, ranging between £250 and £500. The amounts reflected the territory's small electorate and predominance of low-key campaigns. However, the 2025 election marked a shift, with increased spend and visibility from some candidates. This sparked debate, including calls for campaign finance regulation.

The lack of political and campaign finance regulation detracts from greater transparency and accountability and does not safeguard the level playing field for contestants. It highlights vulnerabilities in the political environment, including to foreign interference, and does not facilitate the assessment of the campaign's integrity. Without mandated disclosure or audit, the scale and sources of campaign funds remain opaque, limiting public oversight and informed voter choice.

Recommendation: To promote transparency, accountability and a level playing field, a regulatory framework for political and campaign finance should be developed, including requirements for disclosure and reporting of income and expenditures by contestants and third-party actors, with independent oversight empowered to enforce compliance.

MEDIA

Media in St Helena is primarily regulated by the Media Standards Ordinance 2011 and Media Standards Code of Practice, as amended in 2023. Oversight is provided by the St Helena Media Commission; a panel chaired by the Chief Magistrate, with two additional members who do not represent media organisations. The Ordinance aims to uphold journalistic standards and ensure compliance with St Helena's international obligations regarding media services.²⁵ Supporting St Helena's broader digital modernisation strategy, legislative work continues in the 2025

²⁵ See Section 5.1 of the [Media Standards Code of Practice](#).

Communications Ordinance, which aims to introduce a comprehensive regulatory framework for managing electronic communications networks and services, including broadcasting. However, its primary focus is on infrastructure regulation, licensing, consumer protection and spectrum management, rather than direct oversight of media content.²⁶

Two main media organisations currently operate on the island. South Atlantic Media Services (SAMS) runs a local and online radio station and publishes *The Sentinel*, a weekly newspaper launched in 2012, which offers news and community features, and provided election coverage with a neutral editorial tone, including broadcasting the count live. SAMS Radio operates two channels: SAMS Radio 1, which carries local programming, and SAMS Radio 2, which relays the BBC World Service. SAMS is managed by South Atlantic Media Services Ltd, a company limited by guarantee originally set up with government support and traditionally reliant on public funds, though now operates editorially independent of direct control.

The other key media entities are SaintFM and *The Independent*. SaintFM was originally launched in 2005 and operated as an independent station until closing in late 2012 due to financial and operational challenges. It was revived as a community-owned station in 2013 but ceased live broadcasting again in late 2024 following the illness and later passing of its founder.²⁷ More recently, SaintFM has operated with the support of volunteers and has aired topical interviews with the Returning Officer and an informational bulletin in the run-up to election day. *The Independent*, initially affiliated with SaintFM, continues to publish weekly print editions and maintains an online presence, since 2022 as a limited privately owned company. While not state funded, *The Independent* has historically received donor support for operational and printing costs. It regularly includes editorial features, opinion columns, and letters to the editor. It is known for providing impartial commentary and has at times challenged government policies and decisions.

In addition, the Sure TV service, which mainly broadcasts South African channels, features one free promotional channel (Channel 31) allocated to local content. This outlet aired the Youth Parliament's election debate.

Media coverage of the 2025 general election was largely factual, centring on official announcements, candidate interviews, and community event summaries. Throughout the election period, the St Helena Government Press Office issued regular press releases and public notices, further contributing to public information. More in-depth policy analysis was absent, however, resulting in coverage that conveyed the basics but lacked critical engagement with candidates' records or campaign platforms. While this ensured that voters were sufficiently knowledgeable about the technical process and who was standing, it left little space for public interrogation of policies or broader governance issues.

²⁶ The draft Ordinance establishes an independent Communications Regulator responsible for enforcing compliance and supporting the fair, transparent delivery of communications services.

²⁷ The former SaintFM and *Independent* owner's outspoken style and relationship to government sparked debate over media independence and neutrality, reflecting the challenges of journalism on a small, close-knit island.

Candidates had access to a range of paid advertising options. SAMS and *The Sentinel* offered promotional packages priced at £100 and £50, including half-hour radio interviews and jingles, printed campaign posters in the newspaper and on social media, and short campaign videos. At least 16 candidates used these services. *The Independent* offered discounted rates for additional space, with at least nine candidates purchasing advert placements. Beyond traditional media, candidates actively used social media platforms to share their messages and engage with voters, typically through self-managed Facebook pages. There was no evidence of paid social media promotion during the campaign, though digital outreach is a growing part of political communication on the island.

St Helena's media plays an important role in raising civic awareness and helping voters make informed choices. However, its reliance on government funding – mainly through official ads and public service announcements – may limit its ability to fully hold power to account or encourage debate. While it supports media sustainability, it may encourage a cautious editorial approach. Political coverage tends to be non-confrontational, with little investigative journalism. The limited diversity of media and careful editorial practices reduce the depth and critical nature of reporting, potentially weakening public scrutiny of institutions and decision-makers.

PARTICIPATION OF PERSONS WITH DISABILITIES

Persons with Disabilities (PWDs) are constitutionally guaranteed equal rights, including the right to participate. Full and equitable access to the electoral process – both legally and in practice – has yet to be fully realised, however. The Convention on the Rights of Persons with Disabilities (CRPD) is not extended to St Helena.²⁸ The 2009 Elections Ordinance disqualifies persons certified as incapable due to mental incapacity from voting; the Constitution restricts candidacy for those adjudged to lack the cognitive ability. St Helena permits participation by persons with disabilities unless individually deemed incapable, aligning with the European Court of Human Rights rulings requiring individual assessments. However, this conflicts with CRPD Committee decisions that exclusion on disability grounds in any form constitutes discrimination.²⁹ There are no measures in place to encourage greater participation of persons with disabilities.

Several physical and procedural obstacles were observed during the voting process on election day. Although all but one location had ramps, other hindrances such as narrow entrances and high door thresholds impeded access for persons with disabilities. Visual impairments were unaccommodated: there are no braille stencils or magnifying aids, precluding independent voting. Ballot design – dense layout, no candidate photos, similar names and no provision for 'nicknames' that are in common use – may make voting less accessible for some voters.

²⁸ CRPD Article 29 provides for the participation in political and public life of persons with disabilities, and Article 21 requires parties to take all appropriate measures to ensure access to fundamental freedoms by those concerned.

²⁹ Paragraph 48 of the CRPD Committee's 2014 General Comment No. 1 to Article 12 of the CRPD states that "a person's decision-making ability cannot be a justification for any exclusion of persons with disabilities from exercising their political rights, including the right to vote [and] the right to stand for election" (see footnote 19).

In accordance with the law, assistance is provided by the Presiding Officers; voters may not be aided by trusted individuals. Although voting pauses and everyone is asked to leave the premises, requiring voters to disclose their choices to officials breaches ballot secrecy. Proxy voting is permitted but inadequate for independent, confidential and full participation. The absence of other alternative voting methods further restricts greater participation, disproportionately impacting persons with disabilities and others facing accessibility challenges, thus serving to exclude some St Helenians.

Recommendation: To more closely align with international standards on the rights of persons with disabilities, extend the CRPD to St Helena and amend laws as necessary. In addition, to facilitate independent participation, provisions for assisted voting could be amended to allow voters to be aided by a trusted person of their choice. The ballot design could also be reviewed for accessibility, and visual-aid equipment introduced for voters with visual impairments.

Importantly, the Legislative Council chamber remains inaccessible, which may ultimately discourage some candidates from standing. This barrier prevented a wheelchair-dependent Deputy Speaker from fully participating and discharging her mandate during the past term; she did not stand for the position again. The failure to remove these obstacles highlights significant deficiencies in addressing the needs of persons with disabilities. Discriminatory treatment contravenes the principles of equality and reasonable accommodation, demanding effective and timely remediation.³⁰

THE POLITICAL PARTICIPATION OF WOMEN

The United Nations Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) was extended to St Helena in 2017; however, some provisions remain unincorporated into domestic law. No targeted measures exist to promote women's representation, despite Article 4's explicit reference to such a tool.

Women occupy several key political and public positions. The outgoing and incoming Chief Minister, the indirectly elected Speaker and former and current Deputy Speaker. Additionally, the Chief Secretary and the CEO of the Equality and Human Rights Commission are women. However, candidacy by women decreased to 26 percent (six of 23) in the 2025 elections, and overall representation of women in the newly directly elected Legislative Council both decreased and

³⁰ See ECtHR, *Tănase v. Moldova* [GC], no. 7/08, §165 (2010), holding that the right to be elected includes the right to assume and exercise office once elected. See also, CRPD Article 29 which requires States to ensure that persons with disabilities can fully and effectively participate in political and public life, including the right to hold office and perform public functions with necessary accommodations; CRPD Committee, *General Comment No. 1* (2014), para. 37 clarifying that denial of reasonable accommodation constitutes discrimination. Although not directly applicable, see also [OSCE Copenhagen Document](#) (1990), paras. 7.5 and 7.7, affirming the right to seek and assume office if elected.

remains below parity (four of 12).³¹ Women are well represented in election administration: the Returning Officer, all three Assistant Returning Officers and most Presiding Officers are women.

Recommendation: To support women's equal participation in political life and increase women's representation in the Legislative Council, consideration could be given to introduction of measures to encourage a greater number of women to stand for office.

VOTING ON ELECTION DAY

Election day was conducted in a calm, orderly and peaceful manner, with no incidents reported. Polling stations opened promptly at 10:00 and closed on schedule at 19:00. The Returning Officer and Assistant Returning Officers visited each station and ensured polling staff were able to vote. Voters demonstrated civic responsibility and respect throughout the day, contributing to a positive atmosphere overall. Several candidates were observed meeting voters outside the polling stations. The professionalism of polling staff was evident in all locations, with Presiding and Assistant Presiding Officers managing proceedings competently and in accordance with the law.

Members of the Mission observed all eight polling stations. Each of the three Mission teams attended both the opening and closing at different locations, resulting in three observations at opening and three at closing. Throughout the day, each team also observed voting at each of the eight polling stations, making a total of 24 observations. Following the close of polls, the Mission observed the vote count, which took place at a central location inside the Court House in Jamestown.



Polling stations were clearly signposted and marked

³¹ Notably, two of the top three returned Members are women, including the first-place holder. See CEDAW Committee, [General Recommendation No. 30 on women in conflict prevention, conflict and post-conflict situations](#) (2013), which addresses the importance of gender parity in public and political life.

Of the 2,041 individuals registered to vote, a total of 1,151 participated in the election.³² Four ballots were rejected. This reflects a turnout figure of 56.6% of registered voters, broadly in line with previous elections; however, in light of the relatively low voter registration rate, similarly to past contests, ultimately fewer than one-third of the eligible electorate voted. While turnout rates were relatively consistent across the electoral districts, the number of registered voters at each of the eight locations varied markedly: from 103 at Blue Hill to 471 at Half Tree Hollow. The uneven distribution may suggest a potential need to review the current electoral district structure to ensure a more equitable allocation of resources and optimise capacity.

Several accessibility challenges were observed. Although ramps were available at all but one location, features such as raised door thresholds and limited parking did little to reduce physical barriers. At one polling station, the car park was closed, potentially rendering access more difficult for some voters. The lack of additional aids to support voters with disabilities was also noted. Furthermore, the assistance procedure – where polling stations temporarily close to allow Presiding Officers to assist voters – was observed to slow the process and contribute to delays, particularly at busier locations (see *Participation of Persons with Disabilities*).

Although voters could mark their ballots out of view, two aspects of the law compromise vote secrecy. First, voter assistance is provided by the Presiding Officer rather than a trusted individual named by the voter. Second, each ballot paper and counterfoil have matching serial numbers, with the voter's registration number recorded on the counterfoil at issue. This allows ballots to be traced in legal challenges. While no such case has occurred, the risk to voter anonymity remains. While used voter lists and ballots are stored securely and destroyed after six months, the possibility of traceability challenges secrecy and can undermine public confidence, as noted by several Mission stakeholders.

Recommendation: To protect the secrecy of the vote, the practice of writing voter numbers on ballot counterfoils should be reviewed and replaced with other safeguards.

Despite there being only one constituency, voters must cast ballots in the electoral district of their registration. Many believe that allowing voters to vote at any polling station would improve efficiency and increase turnout. Additionally, the law states that only voters who were issued a ballot before 19:00 are permitted to complete voting; those still waiting in line at closing are to be turned away.³³

³² Some 63 voters applied to vote by proxy.

³³ While voters may leave ample time to complete the process, unforeseen delays caused for instance by temporary closures whilst assisted voting takes place could effectively disenfranchise some voters.

Recommendation: To encourage greater voter participation, consideration could be given to making it possible for voters to cast their ballot at any of the eight electoral districts, as well as allowing voters in line outside the polling station at the close of polls to obtain and cast a ballot.

COUNTING AND RESULTS

After the polls closed, Presiding Officers conducted rudimentary checks, before securely transporting the ballot boxes and materials to the counting location in Jamestown. The delivery process was smooth and well-organised, with no discrepancies reported during verification. The count, conducted by reading each ballot paper aloud by a single person, was laborious and lengthy, highlighting a potential need for a review of the process. It was broadcast live on SAMS Radio 1, and the Mission received reports that many St Helenians followed it from home, reflecting public interest and trust in its transparency. The official results were declared just after 05:00 am on Thursday 4 September.

Overall, the conduct of opening, voting, closing and counting was assessed as very good by all teams and at all locations. Polling staff were cooperative and welcomed the Mission's presence, facilitating transparent observation across all stages. While the election was professionally administered and reflected the will of the voters, several procedural and structural issues identified above merit further consideration to enhance future electoral processes.

ELECTORAL JUSTICE

The law regulates electoral offences, with penalties capped at fines of £1,000 and/or imprisonment for up to 12 months.³⁴ Higher sanctions apply to corrupt practices and offences committed by election officials, with fines reaching £2,000 and imprisonment up to 18 months.

A formal judicial mechanism for electoral complaints and appeals, known as election petitions, is in place but only available on specific grounds, including offences likely to have influenced election results; corrupt practices that invalidate the election; disqualification of a candidate; or improper election of a candidate. Standing to file a petition is restricted to eligible voters, candidates, persons entitled to stand, and the Attorney General. Petitions must generally be submitted within 14 days of the official results announcement, though allegations of corrupt practices may be lodged within 28 days of the alleged act. A petition is subject to a £50 deposit applied towards the cost of the proceedings. All petitions are heard in open court to ensure transparency.³⁵ No election petitions were filed before, during or immediately after the 2025 election.

³⁴ Offences regulated by the 2009 Elections Ordinance include among others: violation of secrecy of the vote; 'personation' (i.e. voting for someone else, other than as a delegated proxy); undue inducement (with goods or services); vote-buying; and pressure or intimidation of voters.

³⁵ The Chief Justice regulates the practice, procedure and cost of election petitions and related trials.

Objections to the Register of Electors may be raised by any person eligible to vote or the Attorney General. They must be submitted in writing to the Registration Officer within 14 days of publication of the Provisional Register. Those dissatisfied with the Registration Officer's decision may appeal it to the Magistrates' Court within seven days, which issues a decision within ten days. These decisions are final. No formal objections were submitted in advance of the 2025 election.³⁶

While informal complaints about the wider election process have been raised with the Returning Officer, the election administration lacks a dedicated administrative complaints channel. There is no full clarity whether any grievances should be addressed through the public service complaints procedure. Some stakeholders questioned the adequacy of the framework, citing concerns about transparency, institutional independence, potential conflicts of interest, and insufficient timeframes for submitting and resolving election-related complaints.

The absence of a constitutionally mandated Complaints Corner or Ombudsperson in St Helena limits avenues for impartial review and redress. While the EHRC has served as intermediary for electoral complaints, its ability to seek or offer legal advice, conduct thorough investigations, or take legal action on behalf of complainants is constrained by limited funding and other resources. In sum, while the existing provisions offer a satisfactory avenue for redress, the system would be strengthened by the introduction of a formal administrative complaints instrument.

The Attorney General received enquiries on two topics. The first involved the EHRC acting on behalf of two claimants objecting to the use of a church as a polling station, citing concerns over respect for different religions or none and the principle of separation of church and state.³⁷ The second was addressed by the Returning Officer and related to a query from a member of the public concerning one candidate's publicly-made promise to donate their prospective Legislative Council salary should they fail to meet their campaign pledges, as well as their distribution of campaign merchandise. The question raised was whether the expressed promise constituted a corrupt practice or inducement, as prohibited by law. The police were consulted and advised that they did not consider the matter to fall within the offence of bribery. The complaint was formally replied to by the Attorney General and the Governor, both of whom provided guidance and information to the claimants but refrained from taking positions on the matter in the interest of impartiality.

Recommendation: To ensure more accessible and cost-effective avenues for redress, consideration could be given to establishing an administrative elections-specific complaints mechanism or enhancing the existing public service track to better fulfil this function.

³⁶ One registered voter noticed that an incorrect middle name had been recorded in the Register; this was rectified by a correction order published in an extraordinary government gazette notice before election day.

³⁷ St Helena does not have a formal separation of church and state. The Church of England is the established church. In practice, the government operates largely secularly, and freedom of religion is observed.

RECOMMENDATIONS

1. To more closely align with international standards on the rights of persons with disabilities, extend the CRPD to St Helena and amend laws as necessary.
2. To facilitate more active voter participation and safeguard secrecy of the vote, consideration could be given to introducing more accessible alternative voting methods that provide the opportunity to cast their ballot to a greater number of St Helenians both on and off the island.
3. To encourage and facilitate greater participation, the period of voter registration could be extended, with appropriate safeguards in place potentially up to election day. Anyone who will have reached the voting age on election day rather than their registration, should be able to register to vote.
4. To facilitate wider participation by a mobile population, consideration could be given to amending the eligibility requirements to allow a greater number of St Helenians abroad to register and participate in elections.
5. To safeguard and support universal and equal suffrage, as well as legal certainty, voter and candidate eligibility criteria should be reviewed and amended, removing any undue restrictions and bringing them in line with international standards and good practices.
6. To promote transparency, accountability and a level playing field, a regulatory framework for political and campaign finance should be developed, including requirements for disclosure and reporting of income and expenditures by contestants and third-party actors, with independent oversight empowered to enforce compliance.
7. To more closely align with international standards on the rights of persons with disabilities, extend the CRPD to St Helena and amend laws as necessary. In addition, to facilitate independent participation, provisions for assisted voting could be amended to allow voters to be aided by a trusted person of their choice. The ballot design could also be reviewed for accessibility, and visual-aid equipment introduced for voters with visual impairments.
8. To support women's equal participation in political life and increase women's representation in the Legislative Council, consideration could be given to introduction of measures to encourage a greater number of women to stand for office.
9. To protect the secrecy of the vote, the practice of writing voter numbers on ballot counterfoils should be reviewed and replaced with other safeguards.
10. To encourage greater voter participation, consideration could be given to making it possible for voters to cast their ballot at any of the eight electoral districts, as well as allowing voters in line outside the polling station at the close of polls to obtain and cast a ballot.
11. To ensure more accessible and cost-effective avenues for redress, consideration could be given to establishing an administrative elections-specific complaints mechanism or enhancing the existing public service track to better fulfil this function.

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CPA BIMR ELECTION OBSERVATION SERVICES:

The first objective of the BIMR Strategy is to strengthen parliaments and the skills of their members. As part of this work, CPA BIMR facilitates election observations when invited to do so.

For more information about these services, please contact the CPA BIMR Secretariat at:
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