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STAND – FAAE and the Referendum in Sudan

Within the Canadian Parliamentary system, the work of committees began as early as 1949, and their power has grown substantially since that time period, particularly following the 1980s.ⁱ According to the “Practical Guide for Committees” which can be found on the Parliament of Canada’s primary website, committees are central to the basic operations of the House of Commons for three basic reasonsⁱⁱ: 1) they allow for the detailed analysis of complex matters, enabling members to narrow in on certain subjects in a fashion that would, simply put, not be possible under the conditions of an entire assembly (i.e. the House of Commons), 2) they allow for an infusion of expert knowledge on topics of national concern, and 3) they provide a means for individual Members to “...probe into the details of policies and programs, thereby further developing an expertise in specific areas.”ⁱⁱⁱ One of the reasons for the growing power of Parliamentary committees stems from the fact that such committees have become very active. According to the Parliament of Canada’s website, in the last fiscal year (April 2007 to March 2008), committees held 1076 meetings and sat for approximately 1700 hours.^{iv}

The Parliamentary committee system is primarily composed of two types of committees (though others do exist, such as Joint Committees and Special Committees): Standing Committees and Subcommittees. Standing Committees are automatically established as permanent committees at the onset of every session of Parliament (typically created under the particular Standing Orders – that is, the rules of the House – of Parliament at the time of their creation) and are essentially charged with two tasks: 1) examining matters that are “...referred to them regularly by the House [i.e. Standing Orders],”^v and 2) overseeing the operations of various Subcommittees that are eventually placed under their respective jurisdictions.^{vi} Regarding their mandates (i.e. Standing Orders), Standing Committees can also receive “Orders of Reference”, which are matters referred to a particular Standing Committee by a specific order of the House.^{vii} Thus, the main difference between a Standing Committee and its relevant Subcommittees concerns the ability of the Standing Committee to report directly to (and receive mandates directly from) the House. Also, as mentioned, Standing Committees are thought to be “permanent”, as the House will typically only alter the number of Standing Committees and their responsibilities in an attempt to “...reflect changes in the structure of public administration,”^{viii} and this can only be done through amendments to the Standing Orders. Subcommittees are far more temporary in nature, and are typically composed of fewer members who are charged with much more narrow tasks and mandates involving highly specific subject matters. The Standing Committee most closely related to the policy goals of STAND – that is, the Committee on Foreign Affairs and International Development (FAAE) – is currently composed of two Subcommittees: the Subcommittee on Agenda and Procedure (SFAA) and the Subcommittee on International Human Rights (SDIR).^{ix}

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Standing Committees are free to act in a fairly unconstrained fashion “...in the exercise of their mandate... provided they do not exceed the authority vested in them by the House.”^x Consequently, committees are relatively bound by their respective mandates, and “... may not conduct business or make recommendations that would exceed the scope of those mandates or Order of Reference.”^{xi} However, if a Standing Committee requires additional powers (i.e. more money, more manpower, extra equipment, etc.), the House may choose to confer those powers upon them by approving a report provided by the committee articulating the request, or by adopting a motion within the House that confers those powers upon the committee.^{xii}

Although, as previously mentioned, committees have gained a great deal of scope and power since their initial inception in 1949, it is thought to be common knowledge that the reports created by such committees are merely “recommendations:” to be acted upon, considered, or even simply read entirely at the discretion of individual MPs, the media or even individual citizens who wish to gain access to a particular report for a particular purpose.^{xiii} Thus, some reports are widely read and gain a great deal of popular recognition and support, undergoing thorough analyses and consideration by countless individuals which can then (potentially) result in changes to legislation; however, many others get published and then sit on a shelf collecting dust, never to be read again.^{xiv} A comparison can be drawn to course readings at a university or college. Oftentimes a student will read a particular article and learn something new; however, other students might entirely ignore that same article. Nevertheless, what differentiates the two and lends committee reports a greater degree of legislative (i.e. law and/or policy making) potential is the fact that, with regards to individual reports, committees “...can request a comprehensive response from the government within 120 days.”^{xv} If a committee chooses to initiate this request, the likelihood that the report will be read and considered is invariably increased; however, such a request does not ensure that the report’s recommendations will be adopted. Ultimately, whether or not a report will be likely to garner widespread support and (indirectly) enact any potential changes it attempts to promote is fully dependent upon the discretion of the MPs who read the reports upon their finalization and submission to the House. A report must be capable of not only creating, but also harnessing a certain “buzz” – that is, media attention – which must then be turned into “action” through the vessel of the House of Commons (i.e. legislation and/or policies must be changed, etc.).^{xvi}

Another important notion to remember when considering the impact of committee/subcommittee reports concerns the simple fact that both MPs and Senators (as the Senate controls a separate list of committees/subcommittees that conduct similar work) are under constant bombardment by “advice”. This advice stems from numerous sources, including committee reports, things that show up in the media, the opinions of various lobbyists, the demands and concerns of their constituents, the advice of their staff and advisers, the suggestions of their “party whips” – one of the most powerful sources – and so on. All of these sources “...are competing for the MP or the Senator’s attention and valuable time.”^{xvii} Consequently, it is not uncommon for a report, regardless of its quality and potential, to be overlooked due to the

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time constraints placed upon those individuals charged with the task of translating the oftentimes highly specific goals of such reports into action. In the end, sometimes committee/subcommittee reports have an impact, and sometimes they don't.^{xviii}

With regards to the report issued by FAAE entitled “The Referendum in Sudan: Where to After 2011?” the report will likely only be as effective as Parliament allows it to be. Fortunately for this particular report, the referendum in Sudan is a fairly recent event, which typically ensures a temporary yet substantial increase in overall awareness, both within the public and within Parliament. This awareness can then potentially translate into an enhanced degree of interest shown by individual MPs with regards to the report and its specific goals. However, the effects of the media could also take away from the report’s momentum, as other events might overshadow the events transpiring in Sudan and force the report to become another victim of the committee system’s altogether uninspired and lacklustre structure. The popular uprisings in the Middle East, for example, have been garnering a great deal of media attention throughout the past month; therefore, at present, it seems less likely that the report will command nearly as much “sway” as it did when it was originally published. Essentially, a report is most effective while its subject matter remains at the head of discussions both within and outside of the House of Commons. Without a great deal of popular support, largely provided by mass media, the legislative potential of such reports – that is, the capability of such reports to enact real change – becomes gradually degraded.

Still, the report is in its early phases, and the situation in both North and South Sudan is ongoing. If the report gains enough recognition over the course of the next month or two, with adequate support a decision could be made to act upon the recommendations contained within it. It is undeniable that the particular recommendation in question – specifically, the notion that “Canada should send a high-level delegation... to both North and South Sudan... to communicate its continuing interest in a peaceful future for the Sudanese people, including in Darfur,”^{xix} – is an attainable one. Working together with civil society, the delegation would closely resemble that of an inter-parliamentary association (i.e. an association that enables politicians from a particular country to interact with – both teaching to and learning from – politicians in other nations).^{xx} Given the fact that the situation in Sudan is ongoing, it seems that the most logical next step (assuming this has not already been done) would be to execute a committee request to receive a comprehensive response within 120 days. This would force the issue in a sense, which is exactly what the situation requires, as the circumstances within both North and South Sudan are ripe for the recommendation’s implementation.

With regards to civil society organization such as STAND, perhaps the best method available for attempting to ensure that the recommendations set out in the report are followed would involve any form of active promotion of not only the report and its recommendations, but the situation surrounding the referendum and the Sudanese people in general. As previously mentioned, a report must be capable of not only creating, but also harnessing a certain “buzz” –

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that is, media attention – which must then be turned into “action” through the vessel of the House of Commons; therefore, any effort to maintain a certain sense of urgency with regards to the situation in Sudan, effectively ensuring that the subject remains in both the headlines of the media and the heads of Canadian citizens, will endow the report itself with a greater degree of power and subsequent potential. This could be done not only through the publication itself, but also through an action as simple as a phone call or visit to a local MP, in which one’s concerns can be directly voiced. Ultimately, it is of the utmost importance for organizations such as STAND and all of its affiliates – from its members to its readers – to attempt to serve as a means through which the nation can be consistently reminded of the sheer gravity of the current situation in the newly formed nations of North and South Sudan. Canadians and the MPs that represent them must not forget that, as stated by United Nations Secretary-General Ban Ki-Moon, the situation unfolding will not only invariably alter the lives of the Sudanese people; it will also “...send shockwaves throughout the region.”^{xxi} The ongoing violence in Darfur in particular must also not be forgotten, as it is “...directly connected to the country’s broader stability,”^{xxii} and will play a vital role in both the present and future peace process both within and between the two nations.

ⁱ John English, "The Member of Parliament and Foreign Policy," in *Canada Among Nations 1998: Leadership and Dialogue*, eds. Fen Osler Hampson and Maureen Appel Molot (Toronto: Oxford University Press, 1998), pp. 69-80.

ⁱⁱ “Practical Guide for Committees.” P. 1.

ⁱⁱⁱ Ibid.

^{iv} Ibid. p. 2.

^v Ibid.

^{vi} Ibid. p. 10.

^{vii} Ibid. p. 2.

^{viii} Ibid.

^{ix} “Committees List.”

<http://www2.parl.gc.ca/CommitteeBusiness/CommitteeList.aspx?Language=E&Mode=1&Parl=40&Ses=3>.

^x Ibid.

^{xi} Ibid.

^{xii} Ibid.

^{xiii} Mark Yaniszewski, McMaster Political Science Professor: Canadian Foreign Policy. “Email Correspondence.”

^{xiv} Ibid.

^{xv} Canadian Parliament: House of Commons. “Report to Canadians 2010: Committees.”

http://www.parl.gc.ca/information/about/process/house/RTC2010/rtc2010_04-e.html.

^{xvi} Ibid.

^{xvii} John English.

^{xviii} Mark Yaniszewski.

^{xix} Canadian Parliament: FAAE. “The Referendum in Sudan: Where to After 2011?” p. 13.

^{xx} Mark Yaniszewski, McMaster Political Science Professor: Canadian Foreign Policy. “Lecture on the Workings of Parliament.” January 31st, 2011.

^{xxi} United Nations Secretary-General, SG/SM/13252; SC/10087; AFR/2062, November 16, 2010,

http://www.un.org/News/Press/docs/2010/sgsm_13252.doc.htm.

^{xxii} Canadian Parliament: FAAE. p. 23.

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