

**STATEMENT BY SENATOR GEORGE J. MITCHELL
CHAIRMAN, LIAISON SUBCOMMITTEE ON
CONFIDENCE BUILDING MEASURES
NOVEMBER 18, 1997**

I have been asked to rule on the following issue: The Procedural Motion adopted by the Plenary on 24 September created this Subcommittee and defined its remit as the confidence building measures mentioned in the Report of the International Body and any others which might be referred by agreement of the Plenary.

Rule 17 of the Rules of Procedure provides that "each participant will be able to raise any significant issues of concern and receive a fair hearing for those concerns without their ability to do so being subject to the veto of any other party to the negotiations."

The question is: Does Rule 17 override the Procedural Motion on the subject matter to be considered by this Subcommittee? Stated another way: Can any participant in this Subcommittee raise any matter relating to confidence building, whether or not it was mentioned in the Report of the International Body?

I have reviewed the Procedural Motion and the Rule, and have carefully considered the written submissions of the participants on the question. I believe the conflict between the Procedural Motion and the Rule to be more apparent than real. Both are necessary to an orderly and fair consideration of the important subject of confidence building measures.

As a matter of common sense, Rule 17 cannot be literally read to permit any participant to raise any issue at any time in any format. That could lead to hopeless confusion and time-consuming repetition; it could render meaningless any effort to create strands, subcommittees or other subgroups, and to assign work on the basis of those subgroupings. What Rule 17 plainly is intended to prevent is a participant being precluded entirely , in any format, from raising an issue of importance to it; the Rule just as plainly does not authorize the same subject to be raised whenever and wherever a participant chooses.

So I conclude that the subject matter of this Subcommittee is that described in the Procedural Motion.

At the same time, Prime Minister Holkeri and I were, with General de Chastelain, the authors of the Report of the International Body, and we are well aware that it was not, and was not intended to be an exhaustive and final statement on confidence building measures. That was not the remit of the International Body. Furthermore, that Report was completed in January 1996, 22 months ago. This process must be sufficiently reasonable and flexible to accommodate changing circumstances should that be necessary to advance the prospect of achieving agreement.

So while I will not accept attempts at unreasonable delay or repetition, I will make every effort to permit fair discussion of serious, important issues, particularly if there is no other opportunity in this process for their consideration.