

RESTRICTED

FM OTTAWA 031630Z NOV 81

TO IMMEDIATE FCO

TELEGRAM NUMBER 608 OF 3 NOVEMBER

CONSTITUTION

1. THE FIRST CLOSED SESSION OF THE CONFERENCE ENDED YESTERDAY EVENING WITHOUT ANY OFFICIAL ANNOUNCEMENT OF WHAT HAD BEEN DISCUSSED OR WHETHER THERE HAD BEEN PROGRESS. PREMIERS QUESTIONED BY REPORTERS AFTERWARDS INDICATED THAT THE MEETING HAD BEEN CONDUCTED IN A FRIENDLY ATMOSPHERE AND GAVE SOME HOPES OF PROGRESS. EVEN LEVESQUE SAID "UNLESS APPEARANCES ARE DECEIVING, BECAUSE ONE NEVER KNOWS, IT SEEMS THERE IS SOLID EFFORT UNDER WAY. THERE HAS BEEN PROGRESS IN MY OPINION....THERE ARE POSSIBILITIES ABOUT AN AMENDING FORMULA". PERHAPS THE MOST NEGATIVE WAS LYON OF MANITOBA WHO CONFINED HIMSELF TO SAYING: "WE HAVE NOT SEEN TOO MUCH FLEXIBILITY ON THE PART OF THE FEDERAL PEOPLE BUT MAYBE AFTER A NIGHT'S REST THEY'LL SEE THE LIGHT A LITTLE BETTER". LOUGHEED WHEN INTERVIEWED THIS MORNING SAID HE THOUGHT THAT HATFIELD'S COMPROMISE SUGGESTION WAS NOT VERY HELPFUL AND THAT TRUDEAU SHOULD GO BACK TO HIS OWN 1978 PROPOSALS WHEREBY THE FEDERAL GOVERNMENT WOULD HAVE AN ENTRENCHED CHARTER OF RIGHTS BINDING ON THE FEDERAL GOVERNMENT ALLOWING THE PROVINCES TO OPT IN. HE EXPRESSED THE HOPE THAT TRUDEAU WAS NOT MERELY GOING THROUGH THE MOTIONS IN ORDER TO SATISFY THE NEW DEMOCRATIC PARTY WHICH MIGHT BE HELPFUL TO HIM WHEN HE WENT TO LONDON.

2. FOR HIS PART TRUDEAU SAID "THERE IS A CHANCE OF AN AGREEMENT BUT I DO NOT KNOW WHAT ODDS I'D GIVE. SOME OF THE GROUP OF EIGHT ARE SHOWING A REASONABLE FLEXIBILITY". IN A TELEVISION INTERVIEW THIS MORNING, CHRETIEN SPEAKING IN A VERY CONCILIATORY MANNER EMPHASISED THE MOVES THAT HAD BEEN MADE BY THE MEMBERS OF THE FEDERAL CAMP AND HOPED THAT THE DISSENTING PREMIERS WOULD FOR THEIR PART FEEL ABLE TO MOVE FORWARD.

3 IT APPEARS THAT THE MEETING CONCENTRATED ALMOST EXCLUSIVELY ON DISCUSSION OF AN AMENDING FORMULA AND THAT ATTENTION TURNED TO THE SUBSTANCE OF THE CHARTER OF RIGHTS ONLY TOWARDS THE VERY END. IT HAS BEEN WIDELY REPORTED THAT HATFIELD FOUND HIMSELF IN DIFFICULTY WHEN ASKED TO EXPLAIN THE DETAILS OF HIS COMPROMISE PROPOSAL AND HAD TO BE HELPED OUT BY TRUDEAU. THIS HAS LENT ADDED CREDENCE TO THE VIEW THAT THE CONCESSIONS OFFERED YESTERDAY MORNING BY DAVIS AND HATFIELD WERE ORCHESTRATED BY THE FEDERAL GOVERNMENT.

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4. RYAN, THE LIBERAL LEADER IN QUEBEC HAS ISSUED A WARNING TO LEVESQUE THAT HE SHOULD NOT FOLLOW THE ONTARIO CONCESSION AND OFFER TO GIVE UP QUEBEC'S VETO ON FUTURE CONSTITUTIONAL AMENDMENT.

5. CLARK THE OPPOSITION LEADER IN PARLIAMENT HAS CHALLENGED MR TRUDEAU TO HOLD A FEDERAL ELECTION OR REFERENDUM IF NO AGREEMENT IS REACHED DURING THE MEETING.

6. THE MEETING CONTINUES IN CLOSED SESSION TODAY.

MORAN

CANADIAN CONSTITUTION LIMITED

NAD

CCD

P & CD

PCCU

PARLIAMENTARY UNIT

NEWS D

INFORMATION D

PS

PS/LPS

PS/MR LUCE

PS/MR HURD

PS/LORD TREFARNE

PS/PUS

MR DAY

MR URE

LORD N G LENNOX

CABINET OFFICE

COPIES TO:

SIR I SINCLAIR

MR FREELAND

DR PARRY

} LEGAL ADVS.

PS/CHANCELLOR OF THE DUCHY OF LANCASTER

PS/LORD CHANCELLOR HOUSE OF LORDS

PS/LORD PRESIDENT

MR H STEEL, LAW OFFICERS' DEPT

PS/HOME SECRETARY

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