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GRS 310
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FM OTTAWA 042200Z NOV 81
TO IMMEDIATE FCO
TELEGRAM NUMBER 617 OF 4 NOVEMBER

CONSTITUTION

1. I HAVE DISCUSSED THE STATE OF PLAY AS AT EARLY AFTERNOON TODAY WITH A SENIOR MEMBER OF THE FEDERAL GOVERNMENT TEAM. HE EMPHASISED THAT THE SITUATION WAS VERY FLUID AND THEREFORE DIFFICULT TO DESCRIBE ACCURATELY.

2. THE MOST SIGNIFICANT DEVELOPMENT IS THAT MR TRUDEAU HAS PROPOSED THAT THE FEDERAL PACKAGE AS IT STANDS BE PATRIATED, THAT IMPLEMENTATION OF THE CHARTER OF RIGHTS BE DELAYED WHILE FURTHER DISCUSSION TAKES PLACE AND THAT IF THERE IS NO AGREEMENT AT THE END OF 2 YEARS THE MATTER BE PUT TO CANADIANS IN A NATIONAL REFERENDUM. MY INFORMANT SAID THAT MR LEVESQUE HAD EXPRESSED INTEREST IN THIS PROPOSAL. HOWEVER, MR TRUDEAU HIMSELF TOLD REPORTERS ON HIS WAY TO LUNCH THAT MR LEVESQUE HAD AGREED WITH HIS PROPOSAL.

3. THERE ARE A NUMBER OF OTHER PROPOSALS STILL ON THE TABLE INCLUDING THOSE MADE AT THE OPENING SESSION BY MESSRS HATFIELD AND DAVIS, THAT MADE BY MR DAVIS YESTERDAY (ACCEPTANCE OF THE DISSENTING PROVINCES' AMENDING FORMULA IN RETURN FOR ACCEPTANCE BY THE DISSENTERS OF THE CHARTER OF RIGHTS) AND VERY DETAILED AND LENGTHY PROPOSALS BY SASKATCHEWAN (SUMMARY IN MIFT). MR DAVIS' TRADE-OFF PROPOSAL HAS NOT ATTRACTED SUPPORT LARGELY BECAUSE MR TRUDEAU MADE IT CLEAR THAT UNDER IT THE PROVINCES WOULD HAVE TO ACCEPT THE CHARTER AS IT STANDS AND THAT THEIR AMENDING FORMULA WOULD APPLY ONLY TO SUBSEQUENT CONSTITUTIONAL CHANGES.

4. THE MEETING IS GOING ON BEHIND CLOSED DOORS THIS AFTERNOON AND MAY POSSIBLY CONTINUE TOMORROW. MR LYON OF MANITOBA HAS LEFT TO CONTINUE HIS ELECTION CAMPAIGN BUT IS REPRESENTED BY HIS ATTORNEY-GENERAL.

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5. MY INFORMANT EXPRESSED THE VIEW THAT MR TRUDEAU HAD MOVED A CONSIDERABLE WAY IN AN ATTEMPT TO LEGITIMISE HIS CONSTITUTIONAL PACKAGE IN THE EYES OF THE CANADIAN PEOPLE AND FOR THE BENEFIT OF THE BRITISH PARLIAMENT AND THAT THERE WERE GROUNDS FOR SOME HOPE THAT A COMPROMISE DEAL WOULD EMERGE. I SHARE HIS VIEW.

FCO PSE PASS TO LORD MORAN C/O HEADS OF MISSION SECTION, FCO

DAVIES

CANADIAN CONSTITUTION LIMITED

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PS/MR LUCE

PS/MR HURD

PS/LORD TREFHARNE

PS/PUS

SIR A ACLAND

MR URE

LORD N G LENNOX

CABINET OFFICE

COPIES TO:

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MR FREELAND

DR PARRY

LEGAL ADVS.

PS/CHANCELLOR OF THE DUCHY OF LANCASTER

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