



SECRET

October 20, 1981

MEMORANDUM FOR MICHAEL KIRBY

Subject: Possible CCMC Meeting

If the government were to agree to hold a CCMC meeting prior to a First Ministers Conference, I would envisage the following scenario.

In general, the objective of the provinces will be to demonstrate the inflexibility of the Federal government. Some may seek to use this as an excuse not to attend a First Ministers meeting. Our objective must be to demonstrate just enough flexibility to justify holding a meeting. In order to do so, some thought should be given to an open CCMC meeting.

The meeting ideally should proceed as follows:

- 1) The minister of Justice would open the meeting by reiterating that following the Supreme Court decision which established the legality of the constitutional package, the government intends to proceed with all of the elements of the Resolution.
- 2) The government hopes to proceed with the agreement of the maximum number of provinces possible. Such agreement is dependent on whether the provinces are prepared to compromise on substance.

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- 3) The purpose of the meeting is to determine what measure of agreement if any can be presented to First Ministers the following week.
- 4) In order to determine whether there is any agreement, the provinces should be asked to express their position on each of the elements of the package.
- 5) The minister of Justice should indicate as he has already done publicly a willingness to make some movement on the amending formula; as far as the Charter is concerned he should not move from his present position. He should seek to find out from the provinces what parts of the Charter are totally unacceptable to them.
- 6) The bottom line federal position should be reserved for the Prime Minister.
- 7) As far as a First Minister's Conference is concerned, the Federal objective should be a closed conference attended only by First Ministers.

Eddie Goldenberg