

marks (and to which is attached a photograph)); if such affidavit also gives particulars of his birth and present nationality; if the applicant satisfies you that he is a refugee; and also if he establishes that it is impossible for him to produce a valid national passport, then you can accept such an affidavit as it were in fact a passport, provided that the applicant is in possession of a document establishing his admissibility to the country from which he is proceeding to Canada, or to some other country.

6. Where an affidavit is accepted in lieu of a passport, it is extremely important that the evidence of re-entry or admissibility should be established beyond any possible doubt. If possible, the right of re-entry should be endorsed on the affidavit by the country of residence. In these cases, when applying to the Department for the issue of a visa, care should be taken to report the evidence of re-entry or admissibility, since without this condition, it will be impossible to accord approval for the issue of a visa.

7. As a general rule it is not considered desirable that affidavits should be prepared by Canadian Consular or Diplomatic representatives, and the provisions of Consular Instructions 19.07 should continue to be observed as heretofore. On the other hand, it should be possible for any applicant to have the affidavit prepared by some lawyer or notary public, if he is provided with the details that should be inserted in such affidavit.

8. The intent of the amendment to P.C. 4851 was to permit refugee aliens to obtain a visa by the production of a travel document or affidavit when they did not possess national valid passports. It was not envisaged that Canadian Consular or Diplomatic representatives would have to issue such affidavits. The amendment provides authority for their acceptance when tendered in lieu of passports in the circumstances indicated, and not authority for their issuance since a Canadian citizen could always get a passport or in extraordinary circumstances would be provided with an Emergency Certificate (See Consular Instructions Article 7.76).

9. The necessary amendment to Section 8.03(c) of the Consular Instructions will be circulated in due course.

I have the honour to be,

Sir,

Your obedient Servant,

(Sgd.) J.W. O'Brien

Secretary of State  
for External Affairs.