

# *Grant of Portuguese nationality, by naturalization, to foreigners descendants of Sephardic Jews*

## **Decree-Law no. 30-A / 2015**

**(Original text in Portuguese. Un-certified free translation)**

of February 27

They are called Sephardic Jews, Jews descended from the ancient and traditional Jewish communities of the Iberian Peninsula.

The presence of these communities in the Iberian Peninsula is very old, even before the formation of the Christian Iberian kingdoms, as happened with Portugal from the twelfth century.

These Jewish communities, from the end of the 15th century and after the Edict of the Alhambra in 1492, were persecuted by the Spanish Inquisition, many of its members then took refuge in Portugal.

However, King D. Manuel, who had initially enacted a law which guaranteed them protection, determined, from 1496, the expulsion of all Sephardic Jews (also known as Marranos) who did not submit to Catholic baptism. Thus, numerous Sephardic Jews were expelled from Portugal in the late fifteenth and early sixteenth centuries.

In general, these Peninsular Jews established themselves, among others, in countries such as the Netherlands, the United Kingdom and Turkey, as well as in regions of North Africa and later in American territories, notably Brazil, Argentina, Mexico and the United States of America.

In spite of the persecutions and the remoteness of their ancestral territory, many Sephardic Jews of Portuguese origin and their descendants maintained not only the Portuguese language, but also the traditional rites of the old Jewish cult in Portugal, conserving, throughout generations, their family surnames, objects and documents proving their Portuguese origin, along with a strong memorial relationship that leads them to denominate themselves as "Portuguese Jews" or "Jews of the Portuguese Nation."

With the "conversion on foot," a denomination by which the forced conversion of the Jews was known, decreed by D. Manuel, there ceased to exist officially Jews in Portugal, and only Old Christians and New Christians denomination concealed to Jewish origin.

During the period of the Inquisition many of these New Christians and Portuguese Jews were able to escape and leave the Kingdom, establishing themselves in some regions of the Mediterranean (Gibraltar, Morocco, South France, Italy, Croatia, Greece, Turkey, Syria, Lebanon, Israel, Egypt, Libya, Tunisia and Algeria), northern Europe (London, Nantes, Paris, Antwerp, Brussels, Rotterdam and Amsterdam), Brazil, the West Indies and USA, among others, creating great communities and founding notable synagogues, such as the Portuguese Synagogue in Amsterdam, Shearith Israel Synagogue in New York, Bevis Marks Synagogue in London, Touro Synagogue in Newport (Rhode Island - USA), Montreal Portuguese Synagogue and Tzur Israel Synagogue in Recife.

At the beginning of the 19th century, some descendants of Sephardic Jews who had taken refuge in Morocco and Gibraltar returned to Portugal. In 1801, the first modern Jewish cemetery was built near the English cemetery in Lisbon, and in 1868, D. Luis, the "Jews of Lisbon" were granted permission to

install a cemetery for the burial of their coreligionists, the present cemetery of Rua D. Afonso III in Lisbon.

Even today, in many surnames of Jewish-Sephardic families, the Portuguese matrix is preserved, although in some cases it is mixed with Castilian.

In the diaspora of the Netherlands and the United Kingdom subsist, among others, family surnames like: Abrantes, Aguilar, Andrade, Branda, Brito, Bueno, Cardoso, Carvalho, Castro, Costa, Coutinho, Dourado, Fonseca, Furtado, Gomes, Gouveia, Granjo , Henriques, Lara, Marques, Melo and Prado, Mesquita, Mendes, Neto, Nunes, Pereira, Pinheiro, Rodrigues, Rosa, Sarmiento, Silva, Soares, Teixeira and Teles.

In the diaspora of Latin America, for example, the surnames of Almeida, Avelar, Bravo, Carvajal, Crespo, Duarte, Ferreira, Franco, Gato, Gonçalves, Guerreiro, Leão, Lopes, Leiria, Lobo, Lousada, Machorro, Martins, Montesino, Moreno, Macias, Miranda, Oliveira, Osório, Pardo, Pina, Pinto, Pimentel, Pizarro, Querido, Rei, Ribeiro, Salvador, Torres and Viana.

In addition, in other regions of the world, there are also descendants of Sephardic Jews of Portuguese origin who, in addition to those indicated above, retain the following surnames: Amorim, Azevedo, Álvares, Barros, Basto, Belmonte, Cáceres, Caetano, And Mantova, and Mato Grosso, as well as Mato Grosso, Mato Grosso, and Mato Grosso do Sul. Black, Oliveira, Osório (or Ozório), Paiva, Pylon, Pinto, Pessoa, Preto, Souza, Vaz and Vargas.

In addition to the family surnames and the use of the Portuguese language, in particular in the rites, there are descendants of Portuguese Sephardic Jews who, even today, speak Ladino among themselves, a language used by the Sephardim expelled from Spain and Portugal in the fifteenth century, derived from Castilian and Portuguese and currently spoken by about 150 000 people in existing communities in Israel, Turkey, the former Yugoslavia, Greece, Morocco and the Americas, among many other places.

The present diploma allows the exercise of the right of return of Sephardic Jewish descendants of Portuguese origin who so desire, through the acquisition of Portuguese nationality by naturalization, and their integration into the national community, with the inherent rights and obligations.

Where heard on an optional basis the Israeli Community of Lisbon, the Israeli Community of Porto, the Superior Council for the Judiciary, the Superior Council for Administrative and Tax Courts, the Superior Council of the Public Prosecutor's Office, the Bar Association, the Order of Notaries , the Chamber of Solicitors, the Trade Union of Registrars and the Council of Officials of Justice.

A hearing was held, on a voluntary basis, of the Jewish Community of Belmonte, the Trade Union Association of Portuguese Judges, the Trade Union of Magistrates of the Public Prosecutor's Office, the Trade Union of Registrars and Notary Officers, the Records and Notary Trade Union the Northern Region, the Union of Record and Notary Workers of the Southern Zone and Islands, the Union of Judicial Officials, the Union of Officials of Justice and the Association of Officials of Justice.

Like this:

Under the provisions of article 2 of Organic Law No. 1/2013, of July 29, and pursuant of letter a) of paragraph 1 of article 198 of the Constitution, the Government decrees the following:

## Article 1

### Object

The present diploma proceeds the second amendment to the Portuguese Nationality Regulation, approved by Decree-Law no. 237-A / 2006, of December 14, as amended by Decree-Law no. 43/2013, of April 1, granting of Portuguese nationality, by naturalization, to descendants of Sephardic Jews.

## Article 2

### Addendum to the Portuguese Nationality Regulation

It is added to the Portuguese Nationality Regulation, approved by Decree-Law no. 237-A / 2006, of December 14, amended by Decree-Law no. 43/2013, of April 1, A, with the following wording:

### Article 24 A

#### Naturalization of foreigners who are descendants of Portuguese Sephardic Jews

1 - The Government may grant Portuguese nationality, by naturalization, to the descendants of Sephardic Jews, when they fulfill the following requirements:

- a) Are major or emancipated according to Portuguese law;
- b) They have not been convicted, with a final and unappealable decision, for the commission of a crime punishable by a maximum prison sentence of three years or more, according to Portuguese law.

2 - In the application to be submitted by the interested party are indicated and demonstrated the circumstances that determine the tradition of belonging to a Sephardic community of Portuguese origin, namely family names, family language, direct descent or family relationship in the common parent collateral line from of the Sephardic community of Portuguese origin.

3 - The application shall be accompanied by the following documents, without prejudice to the waiver of its presentation by the interested party in accordance with article 37:

- a) Birth registration certificate;
- b) Certificates of criminal record issued by the competent Portuguese services, of the country of origin and of the nationality, as well as of the countries in which they have had and are resident, which must be authenticated when issued by foreign authorities;
- c) Certificate of a Jewish community with the status of a religious legal person, residing in Portugal, in accordance with the law, at the date of entry into force of this article, attesting to the tradition of belonging to a Sephardic community of Portuguese origin, the applicant's surname, family language, genealogy and family memory.

4 - The certificate referred to in letter c) of the previous paragraph must contain the applicant's full name, date of birth, place of birth, nationality, nationality and residence, as well as the indication of direct descent or family relationship in the collateral line of common parent from the Sephardic community of Portuguese origin, accompanied by all the evidence.

5 - In the absence of the certificate referred to in letter c) of paragraph 3, and for demonstration of direct descent or family relationship in the collateral line of a common parent from the Sephardic community of Portuguese origin and tradition of belonging to a Sephardic community of origin Portuguese, the following evidence is admissible:

a) Authenticated document, issued by the Jewish community to which the applicant belongs, attesting to his use of expressions in Portuguese in Jewish rites or, as the language spoken by him within the community, of the Ladino;

b) Authenticated documentary records, such as records of Jewish synagogues and cemeteries, as well as residence permits, property titles, wills and other evidence of the applicant's family connection, by direct descent or family relationship in the common parent from the Sephardic community of Portuguese origin.

6 - In case of doubt as to the authenticity of the content of documents issued abroad, the member of the Government responsible for the area of justice may request from the Jewish community referred to in letter c) of paragraph 3 an opinion on the means of proof submitted under the provisions of the preceding paragraph.

### Article 3

#### Implementation

This decree-law shall enter into force on the first day of the month following its publication.

Seen and approved by the Council of Ministers on January 29, 2015. - Pedro Passos Coelho - Rui Manuel Parente Chancerelle de Machete - Anabela Maria Pinto de Miranda Rodrigues - Paula Maria von Hafe Teixeira da Cruz - Nuno Paulo de Sousa Arrobas Crato - Luís Pedro Russo da Mota Soares.

Promulgated on February 24, 2015.

Post it.

The President of the Republic, Aníbal Cavaco Silva.

Countersigned on February 26, 2015.

The Prime Minister, Pedro Passos Coelho.