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# Portuguese Citizenship for Sephardic Jews

## A Legal Approach

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by

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The Portuguese Citizenship Act (*Lei da Nacionalidade*) was amended in 2013 in order to facilitate Portuguese citizenship acquisition by descendants of Sephardic Jews of Portuguese origin, restoring the injustice caused by their expulsion in the XV and XVI century.

Regulated by the Portuguese Rules of Citizenship (amended on February 2015 by Decree-Law 30-A/2015) was enforced on March 1<sup>st</sup> 2015.

**Article 24-A** of the Portuguese Rules on Citizenship establishes requirements and documents needed to apply for Portuguese citizenship.

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The first application come from the Republic of Macedonia.

The majority of applications come from Turkey (50%), followed by Israel (31%), Brazil and other countries.

*in <https://www.publico.pt/sociedade/noticia/portugal-so-aprovou-8-dos-pedidos-de-nacionalidade-de-descendentes-de-judeus-sefarditas-1747881>*

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The number of applications submitted at the Registry Office has been exponentially increasing.

- In 2015 the average was 46 applications per month.
- In 2016 the current average is of 400 cases per month.

From March 2015 until today the Registry Office has received almost 4.000 applications.

Only 10% have been decided.

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### Requirements to acquire Portuguese Citizenship

#### Naturalization

##### Applicants must:

1. Be of age (over 18) or emancipated under Portuguese law;
2. Not to have been convicted of a crime, punishable under Portuguese law, with imprisonment of three years or more;
3. State and demonstrate in the application descent from a Sephardic community of Portuguese origin.

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### Requirements to acquire Portuguese Citizenship

Since applicants must be of age (over 18) or emancipated under Portuguese law

**Children cannot apply as being Sephardic descendants.**

However, they can apply as children of Portuguese citizens

(article 3<sup>rd</sup> of the Portuguese Nationality Law)



But have to prove a **real** connection to Portugal

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### And how about spouses?

If they are not Sephardic descendants on their own  
They can apply under article 3<sup>rd</sup> of the Portuguese Nationality Law  
(must be married for more than 3 years)



But have to prove a real connection to Portugal.

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### Requirements to acquire Portuguese Citizenship

How to demonstrate the circumstances of belonging to a Sephardic community of Portuguese origin?

- Obtain a certificate at the Israeli Community in Lisbon or Porto.

This will be issued based on surname, genealogy , family documents and memories.



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### How to request the Certificate?

- Application form with attested signature (each Portuguese Jewish Community has its own form);
- Birth certificate;
- Passport copy;
- Proof of residence (e.g. utilities bill with the applicants address);
- Proof of belonging to a Sephardic community of Portuguese origin;
- Cost: 500 €.

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### The Certificate will be issued based on:

- Surname,
- Genealogy,
- Family documents and memories,
- Proof of Ladino language;
- Documents issued by the Jewish community of the applicant, certifying that Portuguese expressions or spoken rites are present;
- Other documentary evidences.

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### Examples of documentary records:

- Copies of Synagogue and Jewish cemeteries archives:
- Cemeteries and lists of tombs,
- Residency certificates,
- Property deeds and wills,
- Family records and family tree,
- Community archives of births and marriages,
- *Brit Milah* records,
- General Government archives showing arrivals from Portugal,
- Lists of ships and passengers arriving from Portugal, among others.

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**However**, if this certificate cannot be obtained, the application can still be submitted to the Registry Office.

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### Approval from the Portuguese Jewish Community



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### Documents required:

1. Application/petition (with attested signature if not submitted by a lawyer)
2. Birth Certificate;
3. Criminal record issued by the authorities of the country of birth, country of nationality and country of residence (if other than the country of birth and/or residence) and by the competent Portuguese services;
4. Certificate issued by the Israeli Community of Lisbon or Porto, or other documents that prove the direct progeny or family descent of a Sephardic community of Portuguese origin;
5. Passport copy (**all pages**).

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### All documents must be:

- a. Legally attested by the Portuguese Consulate of the applicants residence country or have Hague Stamp (Apostille) (if applicable);
- b. Translated into Portuguese language.

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### VERY IMPORTANT

Every application **must** be submitted without errors, with all the necessary documents translated into Portuguese and with all the needed clarifications.

Otherwise the case will suffer a considerable delay.



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The case can now be submitted to the **Registry Office**

*(Conservatória dos Registos Centrais de Lisboa)*

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### What happens then?

- Preliminary analysis within **30** days;
- **20** days to suppress any irregularities detected and /or complete application;
- The Registry Office requests applicant's background checks from: (reports to be given within **30** days extended up to **90** days):
  - Criminal Police;
  - Foreigners and Borders Service;
  - Justice Administration General Direction (Courts);
- After reports are received, Chief Registrar issues a provisional decision within **45** days;
- The case is sent to the Minister of Justice;
- The case returns to the Registry Office for the birth certificate – *Assento* - to be issued.

The whole procedure will take about **1 year** to conclude.

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### **It is of the utmost importance:**

To be completely aware of the Portuguese Nationality Law, the legal requirements and procedure and of how the Registry Office works and what it demands, hence avoiding unnecessary delays.

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### Most common problems:

- Non attested or incorrectly attested documents;
- Non translated documents or with incorrect translations;
- Incomplete documents (e.g. Incomplete passport copies– The copy must include all pages)
- Discrepancies in names or other personal data without proper clarifications / explanation
- Power of Attorney without identity attestation;
- Absence of Criminal certificates;

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## Example of Portuguese Birth Certificate or “Assento de Nascimento”

**8. Conservatória do Registo Civil** [REDACTED]  
Assento de Nascimento n.º 31 [REDACTED] do ano de [REDACTED]

**Registando**

Nome próprio: **Rui Manuel** \*\*\*  
Apelidos: [REDACTED] \*\*\*  
Sexo: **Masculino** \*\*\*  
Hora e data do nascimento: **01 horas e 15 minutos**, do dia **9 de Novembro** de [REDACTED] \*\*\*  
Naturalidade: freguesia de **Pena** \*\*\*  
concelho de **Lisboa** \*\*\*

**Pai**

Nome: **José** [REDACTED] \*\*\*  
Idade: **25** anos \*\*\*  
Estado: **Casado(a)** \*\*\*  
Naturalidade: freguesia de [REDACTED] \*\*\*  
concelho de **Estremoz** \*\*\*  
\* Residência habitual: [REDACTED] \*\*\*

**Mãe**

Nome: **Ana Paula** [REDACTED] \*\*\*  
Idade: [REDACTED] anos \*\*\*  
Estado: **Casado(a)** \*\*\*  
Naturalidade: freguesia de [REDACTED] \*\*\*  
concelho de **Lisboa** \*\*\*  
Residência habitual: [REDACTED] \*\*\*

Avós paternos: [REDACTED] \*\*\*  
Avós maternos: [REDACTED] \*\*\*

Declarante(s): \*\*\*  
Menções especiais: \*\*\*  
Testemunha(s): \*\*\*  
Data do assento: **9 de Dezembro** de [REDACTED] \*\*\*

O/A Escriturário, **Carla Maria Pires Martins Zagalo Fernandes**, Por competência própria  
Processo n.º [REDACTED]

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Applicant is now a **Portuguese Citizen** with all inherent Civil Rights.

Can apply for citizen card and passport at any Consulate or at the Civil Registry in Portugal



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THANK YOU.

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