

OVERVIEW OF IMMOVABLE PROPERTY RESTITUION/COMPENSATION REGIME – PORTUGAL (AS OF 13 DECEMBER 2016)

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A. OVERVIEW

Portugal was neutral during World War II, and throughout the war continued to trade with both the Axis and the Allied powers. This included supplying tungsten – an essential material for the arms industry – and other raw materials such as wood, iron ore and sardines to Germany in exchange for gold. Portugal also assisted many Jewish refugees who were attempting to escape the Nazis with visas to the United States and other Latin American countries but refused to accept undocumented refugees. Against the will of Portugal’s dictator and Prime Minister António de Oliveira Salazar, a Portuguese consul in Bordeaux, France, Aristides de Sousa Mendes, is said to have issued thousands of visas to refugees (Jews and non-Jews alike) so they could travel to safety through Portugal. Estimates of the number of Jewish refugees who travelled through Portugal during the war range significantly from just over 10,000 to more than 100,000.

In 2012, a member of the Portuguese government reported that, “to our best knowledge, there was no immovable property confiscated or otherwise wrongfully seized in Portugal during the Holocaust Era, between 1933-1945.” (Green Paper on the Immovable Property Review Conference 2012, p. 71 (Portugal).)¹

As best as we are aware, after World War II, Portugal did not enter into any treaties or agreements with other countries that involved the restitution or compensation of immovable property confiscated or wrongfully taken during the Holocaust.

As best as we are aware, Portugal has no domestic laws that specifically address restitution of immovable property from World War II and the Holocaust era, which is located in another country.

Before World War II, in 1933, there were approximately **1,000** Jews in Portugal. The wartime Jewish population swelled as Jewish refugees travelled though the country. Portugal’s current Jewish population is between **1,000** and **2,000** Jews.

¹ A state historical commission was convened in 1998 (Resolution of the Council of Ministers No. 57/98) to examine the separate but related issue of gold transactions between Portugal and Germany between 1936 and 1945. The commission concluded in 1999 that Portugal did not knowingly handle gold looted from Holocaust victims and, as a result, there was no obligation to pay compensation.

The [Comunidade Israelita de Lisboa \(Jewish Community of Lisbon\)](#) unites local community groups and organizes cultural, religious and educational activities.

Portugal had only a small pre-World War II Roma population. The Council of Europe estimated in 2012 that Portugal's Roma population was approximately **52,000 or 0.49%** of the population.

Portugal became a member of the Council of Europe 1976 and ratified the European Convention on Human Rights in 1978. As a result, suits against Portugal claiming violations of the Convention are subject to appeal to the European Court of Human Rights (ECHR). Portugal has been a member of the European Union since 1986.

Portugal endorsed the Terezin Declaration in 2009 and the Guidelines and Best Practices in 2010.

As part of the European Shoah Legacy Institute's Immoveable Property Restitution Study, a Questionnaire covering past and present restitution regimes for private, communal and heirless property was sent to all 47 Terezin Declaration governments in 2015. As of 13 December 2016, no response from Portugal has been received.

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