

Spared Lives the actions of three portuguese diplomats in world war II

Documentary Exhibition | Catalogue | September 2000

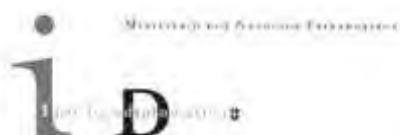
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FOREWORD

At a public ceremony the Portuguese Government, through the Ministry of Foreign Affairs, acknowledged and confirmed the rehabilitation of the memory of Aristides de Sousa Mendes, restoring the truth concerning both his image and his diplomatic career.

At the time an idea was born of making the documentary testimonies of his actions during the Second World War (during which he granted entry visas into Portugal to as many Jewish refugees as sought him out at the Consulate in Bordeaux), known to a wider public.

Aristides de Sousa Mendes disobeyed the instructions of the Portuguese Government of the time but saved thousands of lives in the light of his principles and his conscience. Two other Portuguese diplomats, Carlos Sampaio Garrido and Alberto Teixeira Branquinho, acted in a limited way along similar lines.

This exhibition will travel the United States of America throughout our network of consulates. Its aim on the one hand will be to remind the Portuguese community in the United States of this manifestation of humanism by three of their compatriots and on the other to raise American society's awareness of the actions developed by these diplomats which made it possible for thousands of Jewish refugees to find in Portugal a gateway to safety and stability on the American continent, where they started new lives and families, whose descendants are alive today.

Jaime Gama Minister of State and of Foreign Affairs

INTRODUCTION

We are gradually finding out about the actions of Portuguese diplomats placed in European countries during World War II who took steps to save the lives of thousands of Jewish refugees who were persecuted and threatened with imprisonment and death.

Entry visas into Portugal, from where they could embark to the American continent, was the only solution they could see to save their lives. Rich or poor, they were all alike in their despair and Portugal was the country that would lead them to salvation.

Going against the orders of the Portuguese government or stretching the strict selection criteria imposed regarding visas, the Portuguese diplomats recalled in this exhibition acted according to the dictates of their conscience and the generosity of their nature. Although the action of some diplomats, such as the paradigmatic case of Aristides de Sousa Mendes, and those of Sampaio Garrido and Teixeira Branquinho, is well known and widely documented, there must surely be others who took similar measures but so discreetly that they have yet to be singled out.

The mass of documents on this subject in the Historical and Diplomatic Archives of the Foreign Ministry has been carefully studied but huge numbers of documents have still to be examined and when they are they will surely unveil a few surprises.

The documents in this exhibition are sufficient proof, nevertheless, that at a moment of crisis that has no parallel in recent history, Portuguese diplomats acted with a great sense of professionalism and humanity.

I would like to thank Mrs. Maria Isabel Fevereiro, Head of the Historical and Diplomatic Archives, and Mrs. Manuela Franco, for their outstanding competence, dedication and interest in organizing and mounting this exhibition to which I wish the greatest success.

by *Manuel Corte-Real* President of the Diplomatic Institute

EXHIBITION

A SHORT ARCHIVAL NOTE

The researching community is well aware of the documentary wealth deposited in the Arquivo Historico-Diplomatico (Diplomatic Historical Archives or AHD, for short) about Portuguese foreign policy during the Second World War. Many works, some published, others not, the result of research made there, attest to that wealth. Despite the already significant bibliography extant and the sources published by the Foreign Ministry in the so-called “White Papers” (in this particular case the fifteen volumes of “Dez Anos de Polftica Externa, 1936-1947”), researchers as a whole still investigate the period of the Second World War more than any other.

Nevertheless, examination of the many aspects of this question is far from complete. This is the case of the refugees, for instance, which has not yet been the target of an exhaustive, in-depth study, although it has been the object of occasional focused scrutiny by a few academics.

The lack of works on this subject may possibly be due to the difficulties encountered by researchers who face a task that requires time to spare on long hours of investigation. In addition to the substantial volume of documents involved and the fact that the sources are, naturally enough, scattered throughout the archival record groups of the AHD (with connections that are not always immediately obvious), many of the documentary files were disorganized from the start, which in itself shows how difficult contemporary administration of this problem was. Furthermore, the absence and/or non-existence of archives from diplomatic and consular posts means that we cannot complement the research with specific material from these posts and fill in occasional, but inevitable, omissions in the archives of the Secretariat of State. Some of the former archives of legations, embassies and consulates, such as the Madrid Embassy and the Berlin Legation, disappeared during the devastating violence of the conflicts. Others have not survived to our day for the simple reason that the historic value of consular documentation was only belatedly understood. Others await transfer to Lisbon at such a time when the AHD deposits, already seriously overcrowded, are able to accommodate them.

Linked to the question of the refugees are the Portuguese diplomats who personally endeavored to save as many persecuted lives as possible. This is the theme of this exhibition which is dedicated exclusively to the actions of Aristides de Sousa Mendes (Bordeaux, 1940), and Sampaio Garrido and Teixeira Branquinho (Budapest, 1944). We would like to make it clear, however, that the fact that the exhibition concentrates exclusively on these three men is not meant to imply that they were the only diplomats who played a relevant role in this field, merely that so far it has not been possible to research more thoroughly into the question of whether others behaved similarly.

With the exception of the photographs by Roger Kahan and the proofs of the article

by the journalist Cesar dos Santos (both kindly lent by Professor Moises Fernandes), which as far as we know have never been published, the documents in this exhibition have been sourced only from the AHD.

Because of the itinerant nature of this exhibition we have decided not to display the original documents. Instead we have arranged for photographic reproductions which are as faithful to the originals as possible, mainly in terms of size and color.

When selecting the documents it was our intention to give visitors all the vital data, all the parts, to enable them to piece together the episodes shown, not merely to illustrate some of their more significant moments. This was only possible because the cases themselves are limited to short periods in time, enabling us to present the sequence of events as if it were a film.

It was our intention to let the documents speak for themselves, prompting visitors to read them directly, so we did away with the usual captions as these would inevitably involve each document being summarized and subject to our own interpretation. Furthermore, as this exhibition is aimed at the Portuguese community in the United States but also at the American public in general, we wished to provide non-Portuguese speakers with a convenient way to “read” the exhibits, albeit indirectly. We have accordingly replaced the traditional archival description in the bilingual catalogue with a transcription of the more important segments of each text. For the same reason the catalogue also contains fifteen documentary annexes which, on account of their importance and length, have been reproduced in full. We are thus giving the American public an opportunity to read the quotes and transcriptions in a translation that has attempted to respect the style both of the times and of their writers. In short, in one way or another the public will feel “compelled” to interact with each document and the message it conveys. We hope that this intimate contact will inspire visitors and let them experience emotions that can only be transmitted through the language (and thinking) of the protagonists themselves, which would be totally stripped of all intensity of feeling if reduced to a mere archival description.

It is a well-known fact that documentary exhibitions are not very appealing and risk being boring. We have therefore attempted to raise people’s interest by showing in the same space excerpts from an award-winning documentary about Aristides de Sousa Mendes by Diana Andringa, Teresa Olga and Fatima Cavaco. The fact that visitors can actually witness Sousa Mendes' drama through the magic of pictures will, we hope, make them curious to read the documents on display and contribute to minimizing their in-built dryness.

Maria Isabel Fevereiro Director, Diplomatic Historical Archives

POLITICS AND MORALS

The reunification of Germany and the end of the Soviet Union enabled the Allies to bring closure to a number of issues that the Cold War had left unresolved. Since the fall of the Berlin Wall the thinking behind the reinvention of Europe has been framed by the moral effort required to understand the disasters of World War II and Soviet totalitarianism. Albeit unevenly the question of morality and politics has been under the spotlight both in terms of relations between States and between these and individual rights. Seemingly, the Rights of Man are gaining ground on the National State.

One such issue was the industrial extermination of the Jews. Incomprehensible, as absolute evil cannot be rationalized, the Holocaust remains beyond the realm of reckoning, all the more so as the western world has become so thoroughly removed from imagining, let alone experiencing, the terror of political power unleashed upon society.

Nevertheless, the pariah status imparted to Jew for over one and a half millennia of Christianity has recently been acknowledged. Decades of research have unequivocally documented the legal and logistic apparatus that prepared and supported the nazi policies, from plain persecution to theft, from destitution of the attributes of any social being, such as deprivation of a personal name, to being treated as cattle for slaughter. The current international process of according compensation for damages is above all a formal acknowledgement that terrible things happened, that crimes were committed against individuals: the representatives of the guilty pay up and the representatives of the victims give acquittance.

German totalitarianism imposed war on many countries. All along, the Nazis extended "special consideration" to occupied, allied or neutral countries for being, in the words of the Reich bureaucracy, "friends or allies of Germany". As the German war effort was intimately connected to the "Final Solution" of the Jewish Question in Europe, these countries are now being called upon to reassess their behavior during World War II. A call that cannot go unheard, particularly when democracy has been sanctioned as a paradigm of the organization most favorable to Man, now, professedly, the measure of all things.

Portugal participated in World War II as a neutral country. A lucid assessment of internal and external constraints, i.e. the experience of the recent Spanish Civil War and the Iberian Peninsula's geostrategic position made that stand advisable. In 1939 neutrality was a political and juridical concept of simple, if deceptive, implementation. But, in addition to its vile plan of conquering territories and spheres of influence,

Germany was engaged in total ideological warfare. As the commands of the totalitarian movement were enforced, the Nazi world vision was thrust upon conquered lands, and the values on which the western world had functioned until then were destroyed. The semantics of neutrality changed. It became a difficult position to administer, particularly as Portugal was under an authoritarian regime, governed by a dictator who operated on

certainties, in this particular case a set of principles tailored to a world that the war itself was destroying.

Certainties are the enemy of truth. In the Portuguese case, hidden behind the self-satisfaction of having escaped the conflict, whilst possibly even having benefited from it, the truth was not grasped even as the war ended: on the news of Hitler's death, official mourning was declared. And to this day, a legalist, apolitical and amoral assessment of Portuguese neutrality still prevails. Having failed to understand that winners and losers would never be equal and that the Nazi state could not be regenerated, having abstained from taking sides in the political and moral conflict brought about by World War II, Salazar relegated Portugal to the periphery of modernity and out of the history of Europe. Democracy would take another thirty years to reach Portugal. Only then would the country find the political route back to Europe.

A problem of refugees

We know that thousands of refugees, mainly Jewish, passed through Portugal during the years of the Second World War. Many of these lives were spared by the determined action of the three Portuguese diplomats documented in this exhibition: Aristides de Sousa Mendes, Portuguese Consul in Bordeaux, Carlos de Sampaio Garrido, Portuguese Minister in Hungary and Alberto Teixeira Branquinho, Portuguese Charge d'Affaires in Budapest.

Through the strength of his character, Sousa Mendes rose above the prevailing panic in June 1940 and on his own decision and risk opened Portugal's doors at the right moment to those fleeing France. He was crushed by the certainties of Salazar who was nevertheless overcome by the creation of a political fact which if reversed would raise issues that would be difficult to fit into the chosen parameters of Portuguese neutrality,

In 1944, confronted with the German occupation of Hungary and the accelerated program of the extermination of Hungarian Jews, Sampaio Garrido and Teixeira Branquinho pledged their sense of values and their courage to implementing a rescue operation programmed by the representatives of neutral countries in Budapest, which received the approval and active involvement of the Lisbon authorities.

These two episodes, so different in human and political terms, are a good example of how the Portuguese policy on refugees from Nazism evolved from an initially restrictive attitude, which gradually mellowed as the war progressed, to eventually taking some form of active engagement once the regime realized that German defeat was certain and it started to imagine that neutrality could provide a platform for political protagonism after the war.

The initial attitude was in harmony with the restrictive policies by which the other countries in Western Europe attempted to resist the destabilization caused by the expulsion

of the Jews from Germany. Between 1935 and 1938 mass movements in Europe appeared to be a question of yet more refugees, with national states refusing to take part in the solution to a problem provoked by the irresponsible policy of one of their peers. Third parties were involved in the upheaval and expense for which the guilty party

- the Reich - refused to pay, with the added insult that it had previously expropriated the property of those it expelled. In the second place, the people expelled were not a temporary problem: with no possibility of returning, stripped of their nationality, whoever took them in should be prepared to integrate them in their national community. And therein lay an additional problem: they were Jews.

Faced with the internationalization of the Jewish issue, Portugal did not renounce its sovereign attribute of protecting its own nationals, nor the right of asylum nor the prerogative of granting asylum as it saw fit, i.e. provided that the way of life and the unity of the State were not disturbed. Early on the Portuguese regime marked the difference between "Portuguese nationals of Jewish extraction", protecting their interests in Germany, and refugees, a political problem it did not wish to have. "Portugal has no political or racial reasons to concern itself with a problem that does not exist within its frontiers where for that very reason it has no desire to see it emerge", as one document at the Ministry of Foreign Affairs (henceforth MNE) put it in 1939. Foreign Jews were declared morally and politically undesirable by the Police of Vigilance and Defense of the State (henceforth PVDE) who sought to limit to a minimum their arrival in Portugal.

A Border Policy

As with its foreign counterparts, the Portuguese security police was instrumental in defining the policy of entry. This policy is documented in a series of Circulars with directives on issuing visas, which were sent by the MNE to its diplomatic missions and consular services abroad. Since 1936, with the war in Spain and the specter of a Soviet revolution there, which threatened national independence and the survival of the regime, the visa policy had assumed importance as an active instrument of national defense. That year, Russians, stateless persons and individuals documented by institutions and countries to which they did not belong - such as with the Nansen passports - could no longer be given residence permits. The consular services could only provide 30-day tourist visas, extendable to 60 days.

Meanwhile, as a result of a number of agreements signed in the late 20s the citizens of many European countries, including Germany, could enter Portugal without a visa and this had enabled many German Jews to settle here. The PVDE, however, complained to the MNE about the number of Germans arriving on short term passports which the German consulate refused to revalidate: "this refusal is given only to Jews, but the measures adopted by the police are general given the difficulty in distinguishing a German Jew from the rest [of the Germans]". The agreements on visas were to be cancelled only in September/October 1939, but a stop was put to the problem in 1938. That year, after the

annexation of Austria and the failure of the Evian Conference, the MNE sent a Circular on 8 October, "in response to repeated consultations by various consulates concerning the treatment to be accorded to Jewish emigrants in Portugal", "said emigrants may not be granted residence permits for Portugal; they will be allowed in as tourists, and then only for 30 days".

Following the fall of Poland, Portugal's unique conditions as a neutral country, beyond the sphere of German influence and with an operational Atlantic port, were objectively framed by Salazar when determining that Portugal should be a transit country. Circular 14, dated 11 November 1939, sent to posts abroad "to avoid abuses and loose practices which the PVDE deems inconvenient or dangerous", set down a list of cases for which consuls could not grant consular visas without previously consulting the MNE: foreigners of undefined, contested or disputed nationality, those whose passports bore a declaration or any sign that they could not freely return to the country from whence they came, or Jews expelled from the countries of their nationality or from whence they came. It nevertheless made it quite clear that "consuls will be very careful not to obstruct the arrival in Lisbon of passengers on their way to other countries, particularly the transatlantic air routes or to the East".

From early 1940 onwards, correspondence between the MNE and the PVDE and the MNE and the diplomatic missions and consulates is clearly restrictive to Jews entering Portugal, regardless of their nationality. As the Germans advanced to the west, Lisbon accelerated the rate at which it issued new instructions, seeking to limit entries and centralize decisions. On 23 April, Portuguese consuls in the Netherlands were advised to scrutinize carefully if requested visas were for Jews as "no visa could be issued in Jewish passports without the authorization of the Foreign Ministry". This met the PVDE's wish "to avoid the entry in Portugal of individuals of that quality". On 17 May, Telegraphic Circular 17 told consulates that "in no case whatsoever" could they grant visas in passports without prior authorization from the MNE. One week later, on the 24th, a new Circular explained to consuls that it was not a question of restricting the transit of foreigners returning to their country of origin, but of avoiding transit visas becoming residence permits.

The stamp seemed to be an efficient weapon in the defense of stability, necessary to pursue Salazar's work of "national restoration". However, the fall of France brought a huge wave of refugees who had taken shelter in that country and could but flee over the Pyrenees. Spain was destroyed and would let anyone through who showed a transit visa or a residence permit for Portugal. At this critical point in the war, in the paroxysm of anxiety over the possibility of safeguarding neutrality, the Portuguese government decided to impose new restrictions. On 14 June, - the day the Germans entered Paris and two days after Spain went from neutral to non-belligerent - Telegraphic Circular 23 stipulated that requests for visas should be sent directly from the consulates to the PVDE, reserving only the special cases for the MNE. Consuls were only allowed to issue transit visas without prior authorization to whoever had a visa for a third country and a ticket.

Aristides de Sousa Mendes, Portuguese Consul in Bordeaux

All these instructions embodied the Portuguese authorities' commitment to avoid evils. When Aristides de Sousa Mendes took it upon himself to save as many of the thousands fleeing the German advance in France as he could, by giving them visas to cross the Pyrenees, over and above disobeying instructions he was challenging a political concept and confronting Lisbon with the creation of that most difficult of precedents, the humanitarian one. The image of "Portugal, a safe haven" was born then in Bordeaux, and it lasts to this day.

We will never know how many visas Aristides de Sousa Mendes issued. The Bordeaux Register of Visas eloquently documents this situation. Between November

1939 and April 1940, about 20 visas were issued every month. In May 1940, this figure rose to 8 visas a day. Between 17 and 30 May the daily average rose to 160. Up to 10 June, the consulate issued 59 visas. On the 11th it issued 67; on the 12th, 47; on the 13th, 6; on the 14th, 173; on the 15th, 112 and on the 16th, 40; on the 17th, 247, on the 18th, 216; between the 19th and the 22nd, an average of 350 were written into the Register of Visas. From then on the concern for maintaining order could no longer be discharged, names were no longer mentioned and in the end no record was kept. The fall in numbers on the 13th probably shows the number of authorizations granted from Lisbon; and on the 16th it marks the moment when the consul, exhausted by circumstances, retired sick and must have taken the decision not to wait for the authorizations from Lisbon to give refugees a free passage. There is no record of the visas issued under the authority of Aristides de Sousa Mendes at the Portuguese Consulate in Bayonne, or on the street or at the border in Hendaye.

The entire episode unfolded between 17 and 24 June. On 20 June, Lisbon woke up to this problem with an aide-memoire from the British Embassy, alleging that the Portuguese Consul in Bordeaux was improperly charging money "for Portuguese charity" for visas issued outside office hours. On that day, a telegram from the MNE requested the Portuguese Minister in France to look into and take energetic measures against events in Bordeaux. That same day the Portuguese Ambassador in Madrid sent a letter to Salazar saying that he would be travelling to Bayonne on the following day to speak with the Consul. On 21 June a telegram arrived at the MNE from Bayonne, informing of the orders given by Sousa Mendes to issue visas indiscriminately, without charge. Lopo Simeao, a consular functionary on a special salvage mission, left immediately for Bayonne. On 23 June he sent a telegram to the MNE suggesting that the Portuguese government should punish the Consul in Bordeaux immediately in order "to offload its responsibility entirely". On the terrain, the Portuguese Ambassador to Madrid, Pedro Teotonio Pereira, a man of Salazar's full confidence, held endless meetings with the Spanish border authorities and the Madrid authorities, clearly demarcating the Portuguese government from the actions of its consul and annulling all visas as from 24 June. That day, orders were sent to the Portuguese Minister in France to send Aristides de Sousa Mendes back to Lisbon immediately. On 2 July Salazar informed his Ambassador in London that he had removed

the consul from his post, and on 4 July he ordered disciplinary proceedings to begin.

"Reasons of humanity do not distinguish race or nationality", said Aristides de Sousa Mendes in his defense. The Portuguese government, however, was not of the same opinion, much less in the week when Spain became non-belligerent, German divisions were massing on the Pyrenees and some could almost see the Reich in Gibraltar. Tried in administrative proceedings and denied an appeal, Aristides de Sousa Mendes was banned from public service, which in the authoritarian and corporatist State of Portugal basically meant he had been banned from active life.

By acting on the scale of reality, insofar as possible assisting the dramatic situation of thousands of endangered people, knowing that he would have to confront a hierarchy that considered diplomats as officers in plain clothing, Aristides de Sousa

Mendes was crying out to Lisbon that freedom of conscience is not a matter of convenience. His crime was to have made it clear to the regime that the political structures on which its international profile and its bureaucratic lines of defense were built were but a mere construct.

The diplomat was punished but the "crime" was hushed up. Knowing that Spain would not take them back, the PVDE allowed through most of the people who arrived on the Portuguese borders. To pretend nothing had happened was the best way to minimize the precedent and to handle the discrediting fact that neither the Ministry of the Interior nor the Ministry of Foreign Affairs had been able to avoid the turn of events. The regime's ability to transform vice into virtue can be seen in a cutting from the Lisbon daily "Diario de Noticias" of 14 August, which Aristides de Sousa Mendes sent to the MNE to be attached to his defense. A paean to Portuguese humanism, duly approved by the government censorship, it read "The services of the Ministry of the Interior - give praise where praise is due - have functioned perfectly. Praise for our actions, not only internally, but also on the borders, where it is particularly difficult, is general. All such references are addressed (it is only fair to say) to the organization of our international police and its illustrious Director, Captain Agostinho Lourenço. As a result of these directives, this superior direction and the number of activities, the Portuguese heart was shown once again to the world, to the extent permissible under the circumstances, in the fullness of its ideal grandeur - which was always the greatest of its greatness".

At about the same time, the French Minister in Portugal informed Vichy that according to reliable sources the "affluence of refugees of all nationalities to Portuguese territories is causing the Portuguese government grave concern and it has taken very severe measures regarding the Czechs and the Poles. The threat of loss of nationality, caused by the law of 23 July¹ hanging over the French, makes this situation worse - the authorities do not wish to take responsibility for potential stateless persons whom they cannot repatriate to their countries of origin". On the subject of the nearly 600 French refugees, he said:

¹ Plain's law that reviewed conditions for French naturalization since 1927 and enabled it to be taken away from all undesirables.

"most of them had entry visas issued by the Portuguese Consul in Bordeaux but as this functionary has been dismissed, the Portuguese authorities do not recognize the validity of any visas he issued. Consequently, the refugees who are considered as having entered Portugal without papers have been placed under assigned residence. Their passports are retained by the police and only returned to their bearers when they leave the country, having settled their situation". Months later, in November, in reply to a request for information from the Vichy Interior Ministry, the French Minister said that "the Portuguese government has taken no new measures to forbid the entry of Israelites but that entry visas in Portugal would not be granted to Israelites who did not have the documents needed to take them on to another country". The information was reliable: in December 1940 Telegraphic Circular 29 established that visas could only be granted by the PVDE, thus canceling the possibility that had existed until then of consuls being able without prior authorization to provide transit visas for people travelling on to other countries.

The Fortunes of War

Salazar's concern over the Iberian equilibrium, the importance of Portugal's alliance with Great Britain, and preventing Franco's regime from deviating from its traditional foreign policy to align durably with its German and Italian friends, required the joint diplomatic efforts of Portugal, Great Britain and the United States of America. These were essential maneuvers to stop Spanish vacillations in the face of growing German pressure, and defend Europe's status quo in North and Southwest Africa which was ensured by the neutrality of the Iberian Peninsula and Vichy France. Having decided to advance into the USSR, Germany was now interested in the neutrality of the Iberian states, which would be decisive to break the economic blockade and guarantee the supply of important strategic materials. On 21 June 1941, when the Axis armies marched on the USSR, the worst risks of a German offensive against the Peninsula were removed.

In 1942 Spain was slowly coming round to the idea of geometric neutrality. The Allied landing in North Africa on 8 November brought effective neutrality to the Iberian Peninsula and in December the "peninsular bloc" was created. From this moment onwards, Portugal began preparing to join the winning bloc. Geometric neutrality and the primacy of the peninsular alliance were replaced by active neutrality. By the end of 1942, British Foreign Secretary Eden told the British House of Commons the Nazis were "carrying into effect Hitler's oft repeated intention to exterminate the Jewish people of Europe", and the U.S. declared those crimes would be avenged. In April 1943 the Bermuda Conference recognized that something would have to be done about the "refugees". Mussolini fell on 25 July. Portugal then took a step forward with successive agreements with Great Britain and the USA and, in October 1943, an agreement was reached concerning the use of the Azores by the Allies.

Meanwhile, since the fall of Paris, the refugee organizations based there, in particular the American Joint Distribution Committee (JDC) had moved to Portugal where they worked from July 1940, under the institutional aegis of the Refugee Section of the

Israeli Community in Lisbon. The efficiency of such organizations in financing the cost of the transit of refugees and in guaranteeing that they would be moved on to third countries proved to be vitally important in soothing the concerns of the Portuguese and contributed decisively to the progressive flexibilization of the refugee policy.

The Case of Hungary: Carlos Sampaio Garrido and Alberto Teixeira Branquinho

When the Germans occupied Hungary in March 1944 it was already clear that Germany would lose the war and no longer possible to ignore the fate of the Jews. So, when movements began to eliminate the Hungarian Jews, several countries acted to try and stop it. Led by the recently created War Refugee Board the Americans repeatedly warned the Hungarian government not to collaborate in persecutory policies against Jews or others, and took steps with neutral countries to protect the Hungarian Jews.

Between March and December the Hungarian government, deeply divided and headed alternately by two pro-German Prime Ministers and a reluctant one, with the Russians on their borders and under great pressure from the Nazis, wavered in the zeal with which it handled "its Jewish question". Taking advantage of such wavering the diplomatic representatives of neutral countries were able to join efforts to help the Jews of Budapest and - with the aid of the Allied bombings - did much to protect them from the first wave of deportations in July. From the end of August, it being impossible to prevent the German determination to eliminate the Jews from Budapest, this effort was expressed by the issue of thousands of Swiss, Swedish, Portuguese, Spanish and Vatican documents of protection, in collaboration with the Jewish Committee "Vaa'da", under Otto Komoly.

The Portuguese government appears to have had no difficulty in authorizing its Legation in Budapest to act together with the representatives of neutral countries in protecting Hungarian Jews, granting them diplomatic asylum, as well as provisional and/or collective passports. This was done on the understanding that granting nationality was out of the question, beneficiaries undertaking not to invoke their Portuguese passport to request Portuguese citizenship and accepting that the validity of the documents expired at the end of 1944.

By this time it was a question of being on the winning side. The neutral Catholic countries - Spain, the Holy See and Portugal - toyed with the idea of an alliance under which they would convince the Allies to sign a separate peace with Germany to avoid the destruction of Germany and stop communism. Immediately after the German occupation, in response to the Allies' representation that the Sztojay government was a puppet government, Portugal downgraded its diplomatic mission to Budapest, recalling its Minister to Lisbon, and replacing him by a Charge d'Affaires "so as not to give the idea that it was breaking diplomatic ties but to mark the decreased independence of the Hungarian State".

Minister Sampaio Garrido had been in Hungary since 1939 and no doubt had seen a lot, for the persecution of Jews was not introduced to the government of Regent Horthy by the Germans. In the midst of the climate of terror caused by the Gestapo's arrival in Budapest, Sampaio Garrido had taken the initiative of sheltering a group of people who were probably friends of his in the Portuguese Legation. At the beginning of May, however, he had to inform Lisbon that the Legation had been attacked by the Gestapo and his guests taken to the Budapest Police from where he had had great difficulty in removing them. Although surprised, the government in Lisbon was not angered. Gently calling the attention of its Minister to the fact that he "should" have warned the MNE, it undertook to honor the protection granted by Garrido to his proteges.

Alberto Teixeira Branquinho took over his post as Charge d'Affaires in Budapest on 5 June and with it the responsibility of protecting "its" refugees. In August, when the situation again worsened, the new Chargé d'Affaires, invoking the actions of the Swedish Minister in Budapest (Danilsson, a personal friend of Teixeira de Sampaio, Secretary General of the MNE) obtained permission from Lisbon to widen the nature and quantity of Portuguese protection, mainly by issuing Schutzpasse. These protection papers did in fact protect many Jews until Regent Horthy's deposition by the national socialist Szalasi, Prime Minister and self-proclaimed vice-regent. At the end of October, Szalasi decided that he would only respect protection papers issued by countries that recognized his government as legitimate. At that point, the Portuguese government recalled its Charge d'Affaires.

After 29 October the Portuguese representation in Budapest was in the hands of the vice-consul, Jules Gulden, who continued to keep an eye on the Portuguese proteges. In his book *AMERICAN JEWRY AND THE HOLOCAUST, THE AMERICAN- JEWISH JOINT DISTRIBUTION COMMITTEE, 1939-1945*, Yehuda Bauer says "Jules Gulden not only offered hundreds of visas to Portugal but also issued 1200 protection papers". In a letter he wrote to the MNE on 18 December about the situation he had left behind in Budapest, Jules Gulden, now a refugee in Geneva, did not mention the subject.

After the departure of its representatives, Lisbon continued representations in Berlin to protect the refugees left behind in the Portuguese Legation and to protect the bearers of Portuguese protection papers. There could be no disrespect for the prerogatives of sovereignty. Officially, Portuguese diplomatic action in Hungary helped save about 1000 people.

Spared Lives: Three Portuguese Diplomats in the Second World War

When selecting the documents shown in this exhibition concerning the actions of three Portuguese diplomats we were guided mainly by the possibility of providing a direct reading of two revealing moments in the administration of Portuguese neutrality.

In the case of Aristides de Sousa Mendes, events moved very rapidly, positions became extreme, and the documents of the proceedings against him will show even the

most inattentive reader the moral and political framework in which events unfolded. We have restricted ourselves here to add some documents which contribute to place the case in context as to the prior attitudes of the Portuguese authorities vis-a-vis the refugee question. In conclusion we thought it interesting to show the point of view of the Portuguese Consul in Marseilles who, quite extraneous to the Sousa Mendes case, wrote to Lisbon at the end of 1940, criticizing the visa policy and requesting to be replaced.

In the case of Hungary, the correspondence exchanged between Lisbon and the Portuguese Legations in Budapest, Berlin and Bern - where Sampaio Garrido, having left Hungary, spent almost all the summer of 1944 - enables us to follow the story on a day to day basis. This was a process where the personal commitment of two diplomats galvanized by the arrogance of the German occupiers and by the terror of the persecutions against the Jews in Budapest, found an echo in an Administration that was politically oriented to transform its now uncomfortable neutrality into peace credits.

On 18 May 1945, in a speech on "Portugal, War and Peace" delivered to the National Assembly, Salazar said "History, serene and impartial, as writers say it is, will one day catalogue our acts in this war and classify our neutrality". We hope this exhibition will contribute as well.

Lisbon, 19 July 2000

Manuela Franco 2

² Manuela Franco is carrying out a research project into attitudes to the Jews in 20th century Portugal. A career diplomat, she currently holds a grant from the State and is a Junior Associate Researcher of Instituto de Ciências Sociais of Lisbon University.

ARISTIDES DE SOUSA MENDES



DIPLOMATIC CURRICULUM

SOUSA MENDES, Aristides de (Aristides de Sousa Mendes do Amaral e Abranches):

Born 19 July 1885; degree in law; following competition, appointed consul (2nd class), 12 May 1910 in Demerara; in Galicia, 19 July 1911; at the Ministry on 24 August of that same year; consul-general in Zanzibar on 26 of the same month and the same year; consul in Curitiba, 13 February 1918; Consul (1st class) 20 June of the same year; interim head of the Consulate in San Francisco, 11 June 1921; of the Consulate in Maranhao, 2 April 1924, of the Consulate in Porto Alegre, 14 November of that same year; working in Lisbon at the Directorate General of Economic and Consular Affairs, 29 January 1926; consul in Vigo, 29 March 1927; consul-general in Genoa, 2 May 1929 (did not take office); consul-general in Antwerp, 7 September of that same year; consul-general in Bordeaux, 1 August 1938; out of duty due to service reasons, 27 July 1940; disciplinary sentencing with one year's suspension on half-pay, after which to be compulsorily retired - D. G. II Series, 18/11/1940; awaiting retirement, 20 March 1941.

Grand Cross of the Order of Christ (posthumous); Officer of the Order of Liberty (posthumous); Commander of the Order of the Crown of Belgium; Officer of the Order of Leopold of Belgium; Brilliant Star of Zanzibar (2nd Class); Cross of merit of the Portuguese Red Cross.

REHABILITATION

1945- November: Aristides de Sousa Mendes presents a claim before the National Assembly against his sentence for not having obeyed instructions which he considers unconstitutional as such instructions involved violation of freedom and inviolability of beliefs guaranteed by the Constitution.

1954 - 3 April: Aristides de Sousa Mendes dies in Lisbon.

1967- 9 October: New York, the Consul-General of Israel gives Joana de Sousa Mendes (daughter) the Yad Vashem Gold Medal of the Just in memory of Aristides de Sousa Mendes, the only Portuguese to have been awarded such an honour.

- Jerusalem, the Yad Vashem Museum - Memorial to the Victims of the Holocaust paid tribute to Aristides de Sousa Mendes by planting a tree in his memory in the Forest of Martyrs.

1974 - 12 August: Joana Sousa Mendes presents a petition to rehabilitate the honoured memory of her father and for reparation for moral and material damages unjustly caused by the Foreign Ministry.

1976 - 7 May: a dispatch of the Minister for Foreign Affairs determines that the subject of the petition presented by Joana Sousa Mendes must be dealt with urgently.

- June: following said dispatch, Nuno Bessa Lopes, a diplomat working in the Legal Department of the Foreign Ministry submits a report proposing the posthumous reintegration and reclassification (promotion) of Aristides de Sousa Mendes. The heirs were to receive the benefits thereof, publication of “white papers” on the subject, a posthumous decoration and public redress following a resolution of the Assembly of the Republic. The report was only made public ten years later.

1986 - In Cabanas de Viriato, Aristides de Sousa Mendes’s home town, a “Committee of Homage to the Consul Aristides de Sousa Mendes” was created.

1987 - Washington, Portuguese Embassy, President of the Republic Mario Soares gives the Order of Liberty (Officer) to the family of Aristides de Sousa Mendes.

1988 - 19 March: the Assembly of the Republic approves a draft law submitted by

Member of parliament, Jaime Gama of the Socialist Party, officially rehabilitating Aristides de Sousa Mendes.

- 16 April: Diario da Republica (Official Government Gazette) publishes the act posthumously reintegrating Aristides de Sousa Mendes in the diplomatic career, with promotion to Ambassador.

1990 - The city of Montreal (Canada) names a park in its city center after Aristides de Sousa Mendes.

1993- 24 January: on RTP Canal 2, (a State owned TV Network) “Sinais do Tempo” program exhibits a documentary called: ‘The Wronged Consul’, about Aristides de Sousa Mendes, by Diana Andringa, Teresa Olga and Fatima Cavaco.

- 8 June: the President of the Republic, Mario Soares, unveils a plaque to Aristides de Sousa Mendes in the Lisbon Synagogue.

1994- 29 May: Bordeaux, Resistance Garden, the President of the Republic, Mario Soares, unveiled a bust of Aristides de Sousa Mendes offered by the resident Portuguese community. Bordeaux names one of its streets and a large high school after Aristides de Sousa Mendes. The French TV channel France 3 shows ‘The Wronged Consul’.

- May - Israel, Negev Desert, the “Aristides de Sousa Mendes Forest”, of 10.000 trees, was planted.

1995 - 23 March: Lisbon, the Pro Dignitate Foundation, presided by Dr. Maria de Jesus Barroso organized a National Tribute to Aristides de Sousa Mendes in the presence

of the President of the Republic, Mario Soares. During the ceremony Aristides de Sousa Mendes was posthumously awarded the Grand Cross of the Order of Christ.

- 25 March Lisbon, the Pro Dignitate Foundation and Metropolitano de Lisboa, pay tribute to Aristides de Sousa Mendes with a plaque by Joao Cutileiro, in Parque Subway Station.

1998 - 17 November: Strasbourg, the European Parliament pays tribute to Aristides de Sousa Mendes awarding him an important medal/decoration.

1999- April, Rio de Janeiro, the Municipality awards Aristides de Sousa Mendes the City Decoration.

- May, Cabanas de Viriato, the President of the Republic, Jorge Sampaio, pays tribute to Aristides de Sousa Mendes.

18 June: Viseu, the AVIS association organizes a Conference to Honor Aristides de Sousa Mendes. In Cabanas de Viriato, next to the mausoleum where he was laid to rest, Dom Antonio Monteiro, Bishop of Viseu, publicly asks pardon in the name of the Church hierarchy for refusing to help Aristides de Sousa Mendes and his family when asked.

2000_23 February: Lisbon, notarial deed setting up the Aristides de Sousa Mendes Foundation.

- 27 March: Lisbon, Necessidades Palace, Jaime Gama, Minister of Foreign Affairs, donates 220 thousand dollars to the Aristides de Sousa Mendes Foundation.

DOCUMENTS

1. Circular n^o 14 sent to posts abroad “to avoid abuses and September 17: Fall of loose practices which the Police of Vigilance and Defense^{Poland}

of the State (henceforth PVDE) deems inconvenient or dangerous”. Establishes a list of cases where consuls cannot grant consular visas without previously consulting the Ministry of Foreign Affairs (henceforth MNE).

(reproduced in documentary annex n^o 1)

1939 November 11

(AHD - Consular Administration Department, R.C. 779).

(AHD - Consular Administration Department, R.C. - 779).

2. Copy of a visa request form filled in by the applicant
(Bordeaux Consulate).

1940 January

(AHD - Consular Administration Department, 2^s P., A. 43,
M. 79).

3. Note from the MNE to the Portuguese Consul in Bordeaux
drawing his attention to irregularities committed in issuing a
visa to Arnold Wiznitzer and reminding him of the instructions
contained in Circular n^o 14.

1940 January 16

(AHD - Disciplinary Proceedings against Aristides de Sousa
Mendes).

5. Official letter from the PVDE to the MNE noting that “requests from Dutch Jews to enter Portugal have grown considerably, and requesting that bearing in mind the convulsions in Europe, and for the good of public service, consuls in Holland should be advised before requesting authorization to grant visas to scrutinize carefully if these were for Jews, so as to avoid the entry into Portugal of “individuals of that quality”.

1940 April 22

(AHD - 2th P., A. 43, M. 49).

6. Note from the Secretary General of the MNE, Luiz Teixeira de Sampayo, to the Portuguese Consul in Bordeaux, Aristides de Sousa Mendes, again drawing his attention to the irregularities committed in issuing visas and warning him “that any new fault or infraction in this regard will be considered disobedience and give rise to disciplinary proceedings where it will have to be taken into account that you have repeatedly committed acts that merit warnings and reprimands”.

1940 April 24

(AHD_Disciplinary Proceedings against Aristides de Sousa Mendes).

7. Telegraphic circular n^s 17 from the MNE to the diplomatic missions containing instructions about issuing visas in passports, communicating that Consulates “may not in any case grant visas in passports without the prior authorization” of the MNE.

1940 May 17

(AHD - Disciplinary Proceedings against Aristides de Sousa Mendes).permits and to avoid transit visas being transformed into resident permits.

(reproduced in documentary annex n^s 2)

1940 May 24

(AHD_Consular Administration Department, R.C. - 779).

9. Official letter from the PVDE to the MNE on the entry into Portugal of 17 Belgian subjects with visas issued by the Portuguese Consul in Bordeaux without the necessary authorizations.

1940 May 28

(AHD - Disciplinary Proceedings against Aristides de Sousa Mendes).

10. Official letter from the PVDE to the MNE communicating the imprisonment of 3 Polish subjects whose passports had visas issued by the Portuguese Consul in Bordeaux against all instructions issued: “the repetition of these facts, which shows non-compliance with orders received, places the police in a difficult position as regards solving these cases as these individuals were not authorized to enter Portugal and will not be able to leave here as the other countries will not issue them with visas. We have drawn the attention of the Ministry several times concerning the behavior of this Consul, who has issued visas in passports more than once without receiving the prior authorization of the Ministry and sometimes issues them without receiving a reply to requests previously made”.

1940 June 7

(AHD - Consular Administration Department, R.C. - 779).

June 12: Spain alters its status in the War to non-belligerent

11. Telegraphic circular n° 23 from the MNE to the diplomatic Missions containing instructions on the issue of visas in passports: “as a general rule all requests should b

June 14: the Germans addressed directly by the Consulates to the PVDE”, “all enter Paris special cases” being reserved for the MNE.

1940 June 14

(AHD - Consular Administration Department, R.C. - 779).

12. Register of Visas granted by the Portuguese Consulate in Bordeaux which shows that on 15 June the entries are made with full compliance with registration rules and that after 22 June the visas no longer have names attached to them, with a note saying that “visas n° 2763 to 2850 were issued by the Consul after working hours”.

1940 June 14/21

(AHD - Bordeaux Consulate, L.2).

13. Memorandum from the British Embassy in Lisbon to the MNE casting suspicion on the Portuguese Consul in Bordeaux, Aristides de Sousa Mendes, having charged special rates “for Portuguese charity” when issuing visas. 1940 June 20

(AHD - Consular Administration Department. R.C. - 779).

14. Telegram n° 62 sent from the MNE to the Portuguese Legation in France (Bordeaux) communicating the complaint by the British Embassy in Lisbon and alluding to “violations verified against instructions sent Consul” and ordering the Portuguese

Minister in France to “call Consul, demand a complete explanation, and adopt ...prompt and energetic measures”.

1940 June 20

(AHD - Cipher, Collection of Telegrams sent France).

15. Telegram n^s 179 sent from the MNE to the Portuguese Embassy in London informing that the number of foreigners requesting entry into Portugal is growing every day and that the British Ambassador “has requested with disturbing urgency a collective visa for 2000 English who wish to leave France for Portugal to sail for England or overseas”.

1940 June 21

(AHD - Cipher, Collection of Telegrams received).

9. Telegram from the Portuguese Consul in Bayonne to the MNE informing about the orders received personally from Aristides de Sousa Mendes, Portuguese Consul in Bordeaux, to grant free transit visas in all passports.

1940 June 22

(AHD - Cipher, Collection of Telegrams received).

10. Telegram n^s 65 sent from the MNE to the Portuguese Legation in France (Bordeaux) communicating that the Consul in Bordeaux must be told that “he is strictly forbidden to issue visas or passports. Exit visas from France to Portugal to be issued by Consul in Bayonne”. 1940 June 20

(AHD - Cipher, Collection of Telegrams sent France).

11. Telegram from Lopo Simeao - special envoy to Bayonne - 'to the MNE saying in view of circumstances cannot go to

Bordeaux and informing that the Spanish Consul in [Bayonne] “said that if Portuguese Government did not punish Bordeaux Consul immediately it would not be able entirely to disclaim responsibility for these acts that should be considered abuse of power. Unusually tragic circumstances may justify act of madness of said functionary or any other”.

1940 June 23

(AHD - Cipher, Collection of Telegrams received).

12. Telegram n^o 66 sent by the Foreign Minister to the Portuguese Embassy in France, ordering the immediate return to Portugal of the Portuguese Consul in Bordeaux, Aristides de Sousa Mendes.

1940 June 24

(AHD - Cipher, Collection of Telegrams sent France).

13. Telegram n^o 101 from the Portuguese Ambassador in Madrid to the MNE recounting his mission to France (Bayonne), describing the chaotic situation of refugees at the border and informing that all visas granted by Portuguese Consul in Bordeaux had been declared invalid. 1 (reproduced in documentary annex n^o 3)

1940 June 25

(AHD - Cipher, Collection of Telegrams received Madrid). 1

14. Telegram n^o 104 from the Portuguese Ambassador in 1 Madrid to the MNE conveying a request from the British I Ambassador there to aid in the evacuation of 900 British] nationals in France via Portugal.

1940 June 26

(AHD - Cipher, Collection of Telegrams received Madrid). I

15. Telegram n^o 283 from the Portuguese Ambassador in I London to the MNE conveying the request of the Polish I Ambassador there to grant visas to about 1000 Poles “of pure race” on the French border who had asked our I Consul for visas to go to Portugal and heard that these had been declared invalid by orders from Lisbon.

1940 June 27

(AHD - Disciplinary Proceedings against Aristides de Sousa Mendes).

16. Report by the Director General of Economic and Consular Affairs, Count Tovar, on the irregularities committed by the Portuguese Consul in Bordeaux, Aristides de Sousa Mendes, when granting visas. Contains a dispatch from the Foreign Minister, Oliveira Salazar, dated 4 July 1940, ordering the initiation of disciplinary proceedings.

1940 June 30

(AHD - Disciplinary Proceedings against Aristides de Sousa Mendes).

17. Telegram n^o 17-A from the Portuguese Minister in France to the MNE on the actions of Aristides de Sousa Mendes, communicating “said Consul guaranteed that there was absolutely no foundation for the complaints submitted to you”, and requesting that he be heard on the facts.

1940 June 30

(AHD - Cipher, Collection of Telegrams received France).

18. Report by Armando Lopo Simeao on his special mission to Bayonne.

(reproduced in documentary annex n^s 4).

1940 July 1

(AHD - Disciplinary Proceedings against Aristides de Sousa Mendes).

19. Telegram n^o 19-A from the Portuguese Minister in France to the MNE informing that it was said in diplomatic circles that the German troops had reached San Sebastian and that it was estimated that five German divisions had passed through Bordeaux on the way to the border.

1940 July 2

(AHD - Cipher, Collection of Telegrams received France).

20. Telegram n^o 189 sent from the MNE to the Portuguese Minister in London on the problem of the increasing number of refugees arriving in Portugal: “The question of the foreign refugees in Portugal will easily become complicated and is already a serious problem, which cannot be allowed to get worse, despite all our good will. The entry of members of the Belgian and Luxembourg Governments was authorized with a prior declaration on arrival at the border that we were taking them in on an individual basis [...] Political and intellectual refugees [...] are among the least desirable on account of the activities they will want to carry out. Furthermore their number would require prior security and the possibility of immediate embarkation for another country, as our accommodation capacity is full. All visas granted in Bordeaux were done in strict contravention of express instructions from the MNE by a Consul whom I have already recalled”.

1940 July 2

(AHD - Cipher, Collection of Telegrams sent London).

21. Order by the Foreign Minister, Oliveira Salazar, bringing disciplinary proceedings against the Portuguese Consul in Bordeaux, Aristides de Sousa Mendes, and appointing the Consul General, Francisco de Paula Brito, as Instructor. 1940 July 4

(AHD - Disciplinary Proceedings against Aristides de Sousa Mendes).

22. Draft decree placing Aristides de Sousa Mendes out of duty due to service reasons, (published in D.G. Official Journal of 27 July 1940.

1940 July 9

(AHD - Disciplinary Proceedings against Aristides de Sousa Mendes).

23. Telegram from the Portuguese Consul in Bordeaux, Aristides de Sousa Mendes, to the MNE informing his return to Lisbon as ordered.

1940 July 5

(AHD - Cipher, Collection Telegrams received Bordeaux).

31. Statements of Count Tovar, indicating Captain Agostinho Lourenço, Director of the PVDE, Pedro Teotónio Pereira, Ambassador in Madrid, and Armando Lopo Simeão, functionary of the Consular Section, as witnesses for the prosecution.

1940 July 9

(AHD - Disciplinary Proceedings against Aristides de Sousa Mendes).

32. Deposition of the witnesses for the prosecution, Ambassador Pedro Teotónio Pereira and Captain Agostinho Lourenço.

(reproduced in documentary annexes n^o 5 and n^o 6)

1940 July 15/26

(AHD - Disciplinary Proceedings against Aristides de Sousa Mendes).

33. Letter from the PVDE concerning the arrival in Lisbon of the Luxembourgish Paul Miny and Maria da Conceição Miny and the irregularities in their respective passports (attached are the passports and a report appended to the disciplinary proceedings as constituting yet another infraction, in this case falsification of documents by unduly issuing a Portuguese passport).

1940 July 17

(AHD - Disciplinary Proceedings against Aristides de Sousa Mendes).

34. Charge note of Aristides de Sousa Mendes presented by the Instructor of the disciplinary proceedings, Francisco de Paula Brito, outlining the facts of the proceedings.

1940 August 1

(AHD - Disciplinary Proceedings against Aristides de Sousa Mendes).

July 10: Battle of Britain begins

July 29: Additional Protocol to the Luso-Spanish Treaty signed in Lisbon, reiterating the policy of Peninsular neutrality

32. Defense of Aristides de Sousa Mendes in reply to the Charge Note, indicating his witnesses, the diplomats Francisco Calheiros e Meneses, Portuguese Minister in Brussels, Agapito Pedroso Rodrigues, Consular Inspector, and Agnelo Lopes da Cunha Pessoa, Consul (1st class), (reproduced in documentary annex n^o 7)

1940 August 10

(AHD - Disciplinary Proceedings against Aristides de Sousa Mendes).

33. Letter from Gisele Quittner Allotino to Aristides de Sousa Mendes thanking him for his help in Bordeaux: "I am writing to tell you how deeply admired you are in all the countries where you were consul. You are Portugal's best propaganda and an honor to your country. All those who know you praise your courage, your great heart, your gentlemanly spirit, and say: if all Portuguese are like Consul General Mendes they are a people of gentlemen and heroes".

1940 August 12

(AHD - Disciplinary Proceedings against Aristides de Sousa Mendes).

34. Deposition of Francisco Calheiros e Meneses, Portuguese Minister in Belgium, witness for the defense in the disciplinary proceedings against Aristides de Sousa Mendes, describing the exodus of thousands of people fleeing from the German invasion and commenting on the moral fortitude required by a civil servant to obey orders instead of listening to the appeals of the victims, (reproduced in documentary annex n^o 8).

1940 August 19

(AHD - Disciplinary Proceedings against Aristides de Sousa Mendes).

35. Letter from Aristides de Sousa Mendes to the Foreign Ministry requesting that an article published in the Lisbon

daily *Diario de Noticias* be appended to his defense. The article, dated 14 August 1940 and entitled “Portugal has always been Christian”, is about “the hospitality shown by Portugal” to foreigners and highlights “the absolute impartiality that characterizes the understanding attitude that has, individually and nationally, inspired our welcome, without preferences for nationalities or reservations of opinions, to all those who harassed by panic or hardship have beaten on our door”.

1940 August 23

(AHD - Disciplinary Proceedings against Aristides de Sousa Mendes).

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| 39. Report by Francisco de Paula Brito, Instructor of the disciplinary proceedings, analyzing the possible applicable penalties and, considering the extenuating circumstances due to the “exceptional moral climate”, recommending “suspension of duties and pay ranging from more than 30 to 180 days”. | October 3: The Vichy Government publishes the Statute of the Jews and the next day a law on Jews of foreign nationality |
|---|---|

1940 August 29

(AHD - Disciplinary Proceedings against Aristides de Sousa Mendes).

40. Dispatch from the Foreign Minister, Oliveira Salazar, appointing Count Tovar as rapporteur in the disciplinary proceedings against Aristides de Sousa Mendes

1940 October 1

(AHD - Disciplinary Proceedings against Aristides de Sousa Mendes).

41. Report by Count Tovar, rapporteur of the disciplinary proceedings against Aristides de Sousa Mendes. (reproduced in documentary annex n^o 9)

1940 October 1

(AHD - Disciplinary Proceedings against Aristides de Sousa Mendes).

42. Minutes of the Disciplinary Board of the Foreign Ministry, consisting of the Secretary General of the Ministry, Luiz Teixeira de Sampayo, the Director of Political Affairs, Jose da Costa Carneiro, and Count Tovar, rapporteur of the disciplinary proceedings against Aristides de Sousa Mendes, proposing a penalty of “demotion to the preceding rank”.

1940 October 29 (AHD - Disciplinary Proceedings against Aristides de Sousa Mendes).

43. Dispatch of the Foreign Minister, Oliveira Salazar, condemning Aristides de Sousa Mendes to one year’s suspension on half-pay, followed by compulsory retirement (published in official journal D.G., II Series, 18/11/1940). 1940 October 30 (AHD - Disciplinary Proceedings against Aristides de Sousa Mendes).

44. Personal telegram from Aristides de Sousa Mendes to Salazar requesting payment of monies outstanding and stating that he is totally without funds.

1940 December [?]

(AHD -Aristides de Sousa Mendes, individual file).

45. Telegraphic circular n² 29 sent by the MNE with instructions for the issue of visas according to which transit visas through Portugal must be previously agreed by the PVDE.

1940 December 14 (AHD-2P, A44, M150).

46. Official letter n^s 180 from the Portuguese Consul in Marseilles, Jose Augusto de Magalhaes, to the MNE, criticizing the restrictions to people’s right of free transit introduced by Circular n^s 29, and asking to be replaced as

he did not wish to act in accordance with same, (reproduced in documentary annex n^o 10)

1940 December 31 (AHD -2P, A44, M152).

47. Decree of 17 March 1941 suspending Aristides de Sousa Mendes on half-pay for one year, after which he must be compulsorily retired (Official Journal D.G. n^o 65, series II, of 20/03/41).

PHOTOGRAPHS

48. The Sousa Mendes family, 1929 (AHD - Photograph Collection)
49. Aristides de Sousa Mendes [around 1940]
50. The building that housed the Portuguese Consulate in Bordeaux in 1940.
January 22: War Refugee Board created in Washington
51. Aristides de Sousa Mendes and his wife, Angelina, 1947
- 51 .A Aristides de Sousa Mendes' house in Cabanas de Viriato, undated
52. Photographs of refugees in Lisbon taken from a photographic report by Roger Kahan, of "Cine-Monde" dated late 1940/early 1941, to accompany an article by the reporter Cesar dos Santos. The contents and captions were cut by the Censor Board.

(Lent by Moises Fernandes).

**SAMPAIO GARRIDO AND
TEIXEIRA BRANQUINHO**



DIPLOMATIC CURRICULUM

GARRIDO (Carlos de Almeida Afonseca de Sampaio), born 5 April 1883, Graduated in Economics and Finance, legation aide on 24 December 1901; with the Directorate General of Commercial and Consular Affairs, 17 February 1902; consular chancellor within the same Directorate, 17 October 1904; appointed, following competition, consul (2nd class) and placed in the Rio Grande do Sul Consulate on 19 May 1910; consul in Porto Alegre, 10 March 1911; consul in Bahia, 25 May 1912; interim administrator of the Consulate General in Rio de Janeiro, 19 June 1913; consul in Sao Paulo, 4 July of the same year; consul (1st class), 30 June 1918; consul general in Rio de Janeiro, 15 November 1921; consul general in Paris, 13 December 1930; minister plenipotentiary (2nd class) and consular inspector, 25 July 1933; extraordinary envoy and minister plenipotentiary to Stockholm, 7 February 1933 (did not present credentials); extraordinary envoy and minister plenipotentiary to Buenos Aires, 28 March 1935; extraordinary envoy and minister plenipotentiary to Budapest, 27 July 1939; extraordinary envoy and minister plenipotentiary to Stockholm, 5 December 1945.

Grand Officer of the Military Order of Christ, 5 October 1934; Officer of the Military Order of S. Tiago da Espada, 27 October 1934; Knight of the Orders of Isabel the Catholic of Spain, Gustav Wasa of Sweden and Crown of Prussia.



DIPLOMATIC CURRICULUM

BRANQUINHO (Alberto Carlos de Lis-Teixeira), born 27 January 1902 in Viseu; graduated in Economics and Finance, Universidade Tecnica de Lisboa; admitted to the diplomatic and consular service on 28 February 1930; legation third secretary at the Secretariat of State, 14 March of the same year; second secretary at the Rio de Janeiro Embassy, 24 November 1933; in Lisbon, 14 June 1936; Peking Legation, 12 April 1937; Shanghai Legation, 12 November 1937; interim charge d'affaires from 7 February to 13 October 1938; in Lisbon, 26 April 1942; passed the examinations for legation first secretary on 8 April 1943; at the Budapest Legation, 25 April 1944; interim charge d'affaires from 5 June to 29 October 1944; recalled to Lisbon on 30 October; secretary in the diplomatic section of the International Commission on Boundaries between Portugal and Spain, 31 March 1945; at the Embassy in Washington, 19 October 1945; interim charge d'affaires at the Caracas Legation, 17 October 1946; in Lisbon, 15 September 1949; councilor, 13 May 1950; at the Jakarta Legation as charge d'affaires on the same date; Consulate General in Madrid, 7 September 1951; legation councilor at the Paris Embassy, 25 January 1955; minister plenipotentiary, 2nd class, 25 January 1956; extraordinary envoy and minister plenipotentiary to Caracas, 14 February 1956; extraordinary envoy and minister plenipotentiary to the Dominican Republic, resident in Caracas, 12 September 1957; at the Ankara Embassy with Ambassador's credentials, 3 January 1960; extraordinary envoy and minister plenipotentiary to Baghdad, resident in Ankara, 9 July 1960; minister plenipotentiary, 1st class, 16 August 1961; extraordinary envoy and minister plenipotentiary to Teheran, resident in Ankara, 9 October 1961; at the Hague Embassy, with Ambassador's credentials, 23 July 1964; retired, 31 December 1966.

Officer of the Military Order of Christ; Cross of benefaction of the Portuguese Red Cross, Grand Cross of the Order of Orange-Nassau, the Netherlands; Grand Officer of the Order of Isabel the Catholic, Spain, Grand Officer of Civil Merit, Spain; Commander of the Order of the Southern Cross, Brazil; Commander of the Order of the Liberator, Venezuela.

DOCUMENTS

- 53 Telegram n^s 17 from the Portuguese Legation in Budapest informing of the German occupation of Hungary: "...German contingent encountered no resistance crossed Hungarian border to Budapest. Horthy to Germany".

1944 March 20

(AHD - Cipher, Collection of Telegrams from Budapest).

54. Telegram n^e 19 from the Portuguese Legation in Budapest informing on the constitution of the new Hungarian Government headed by Sztojay, former Hungarian Ambassador to Berlin, pro-German, with members of the far right and National Socialists, saying that the "Gestapo are involved in political persecutions arresting people of repute and even Members Parliament".

1944 March 24

(AHD - Cipher, Collection of Telegrams from Budapest).

55. Telegrams n^s 8 and 9 sent from the MNE to the Portuguese Legation in Budapest asking: 1. whether the new government was constitutionally appointed by the Regent; 2. on the impressions and attitudes of neutral diplomatic representatives; and 3. ordering the Portuguese Minister to "act with the maximum prudence and reserve vis-a-vis the new government until we can judge if its a lawful or merely a de facto government".

1944 March 24

(AHD - Cipher, Collection of Telegrams to Budapest).

56. Telegram n^s 20 from the Portuguese Legation in Budapest to the MNE explaining that constitutional deficiencies of new government may be overcome by manipulation of

24 March: Public declaration by Roosevelt warning the Hungarian government not to persecute Jews and others

13 April: In Lisbon Salazar receives the American Representative and expresses his displeasure at Cordell Hull's speech on the "position of fearful neutrals and the supply of strategic materials to Germany"

exceptional laws applicable in times of war, namely as regards the Jewish question.

1944 March 28

(AHD - Cipher, Collection of Telegrams from Budapest).

57. Telegram n^Q 10 from the MNE to the Portuguese Legation in Budapest recalling the Portuguese Minister to Portugal without delay.

1944 March 28

(AHD - Cipher, Collection of Telegrams to Budapest).

58. Telegram n^e 24 from the Portuguese Legation in Budapest informing

about air raids on the capital and the publication of "decrees under which individuals of the Jewish race shall be harassed, persecuted and stripped of their property".

1944 April 5

(AHD - Cipher, Collection of Telegrams from Budapest).

59. Telegram n^Q 27 from the Portuguese Legation in Budapest communicating rental of a house for the Legation in Galgagyork, 50 km from Budapest and informing that "hundreds of people from countries not represented here come to the Consulate every day requesting our Consul's protection. I will continue to refuse it unless otherwise instructed by you... All this and the political persecution and the Jewish question seriously worsens the situation. I know from people at the Foreign Ministry to whom I said I was going to Lisbon for talks and leave have interpreted this as a sign of a break in diplomatic relations with the current government, if I am not replaced by a Secretary. As I am sure you do not wish this impression to continue I have stated that I will await arrival of Secretary with the position of Charge d'affaires".

1944 April 11

(AHD - Cipher, Collection of Telegrams to Budapest).

gO Report from the Hungarian Legation in Lisbon about events that took place in Hungary between 19 and 23 March 1944, describing in detail the meeting between Horthy and Hitler and a note from the same Legation contesting the legality of the Sztojay Government installed by the Germans.

1944 April 15/17 (AHD_2P, A47, M157).

28 April: The first trainload of Hungarian Jews leaves for Auschwitz

61. Telegram n° 14 from the MNE to the Portuguese Legation in Budapest assessing the political and military situation in Hungary and theorizing on diplomatic reciprocity in general and on the Hungarian case, “in any case unfolding of events arrival German troops constitution new Government do not appear to have obeyed any rules and so we maintain our decision to recall you to Lisbon to inform Government, sending Secretary to remain in charge of Legation... Representation by a Secretary Charge d’affaires marks the current reduction in independence Hungarian state” and indicating the intention to maintain Hungarian representation in Lisbon equally on the level of Charge d’affaires.

1944 April 23

(AHD - Cipher, Collection of Telegrams to Budapest).

62. Telegram n° 44 from the Portuguese Legation in Budapest recounting “serious occurrence: Gestapo agents or Hungarian police broke in five a.m. 28 April country house where Legation recently installed on account of air raids... gang purported criminals took prisoner guests of Legation and when these said... they wished to return Legation were not allowed and forced to go to central police station Budapest. I strongly opposed such detention and after a few hours managed to have some of the people released.

27 April: The Papal Nuncio lodges a protest with the Hungarian Foreign Ministry against the Government’s anti-Jewish policy

Same day occurrence sent Prime Minister a solemn indignant protest revolting attempt principle extraterritoriality”.

1944 May 6

(AHD - Cipher, Collection of Telegrams from Budapest).

63. Telegram n° 20 from the MNE to the Portuguese Legation in Budapest saying that “the Government regrets disturbances Legation about which it cannot in any case judge correctly without knowing what appears not to have been said by you concerning category and other identifying characteristics of persons guests or refugees Legation. Possibly disrespect connected with such fact...Current conditions recall determination no visa be granted without authorization Ministry”.

1944 May 6

(AHD - Collection of Telegrams to Budapest).

64. Telegram n° 46 from the Portuguese Legation in Budapest communicating that an insulting note against Minister Sampaio Garrido had been published on the press, motivated by the note of protest presented following the invasion of the Legation; the telegram suggests that the German Minister in Lisbon be apprised of the assault against the Portuguese Legation in Hungary and ends with the information that “under the terms of anti-Semite measures increasingly more horrendous atrocities are being committed. Crimes multiply every day against Jews, against noblemen and Christians”.

1944 May 10

(AHD - Cipher, Collection of Telegrams from Budapest).

65. Telegram n° 49 from the Portuguese Legation in Budapest with information about the “12 persons lodged in Legation

house Galgagyork are all Catholic although some of Jewish extraction. Of these people who have taken refuge on account of air raids and political persecution are one member Hungarian High Chamber, one Hungarian Minister Plenipotentiary, one nephew Hungarian Minister in Japan and one sister-in-law Baron Rothschild from London. You should know that other Legations neutral countries are proceeding in like fashion”.

1944 May 10

(AHD - Cipher, Collection of Telegrams from Budapest).

¹⁵ May: New protest against deportations lodged by the Papal Nuncio

66. Telegram n^o 22 from the MNE to the Portuguese Legation in Budapest saying “if for humanitarian reasons which the Portuguese Government has no wish to ignore asylum was given to political refugees or those in danger due to racial motives you should have requested instructions from the Ministry concerning a fact that involves responsibilities for the Portuguese government and to enable us to act if necessary. [Telegram] n^o 49 implies that there are people under such conditions and others possibly guests only of the Legation. Distinction between them must be clearly made. Charge d’affaires shall maintain asylum of real political refugees until government fully aware of the case can give precise and definite instructions”.

1944 May 11

(AHD_ Collection of Telegrams to Budapest).

67. Report on the Birkenau and Auschwitz concentration camps. (Document delivered personally by Teixeira Branquinho, Portuguese Charge d’affaires in Budapest, to the Secretary General of the Foreign Ministry in November 1944).

May/June ? 1944

(AHD - 2^o P., A. 49, M. 112).

- ¹⁴ May: Start of large- scale deportations

4 June: Rome liberated by the Allied forces

6 June: Allied Landing in Normandy

7 June: 437.000 Hungarian Jews sent to Auschwitz. Only 250.000 Jews left in Budapest, plus the men in labor battalions and the converted trying to escape deportation

8 June: Official note communicating that Portugal will suspend all supplies of wolfram to the belligerent parties

68. Telegram n^s 62 from the Portuguese Legation in Budapest informing the departure of Minister Sampaio Garrido to Portugal via Switzerland. (From that date onwards the Charge d'affaires, Teixeira Branquinho, takes over at the Legation).

1944 June 5

(AHD - Cipher, Collection of Telegrams from Budapest).

69. Telegram n^o 29 from the MNE to the Portuguese Legation in Budapest authorizing the concession of asylum to new Jewish refugees in the Legation house in Galgagyoerk, and ordering a full list of refugees, nationality and quality | to be sent by telegram to the MNE.

1944 June 15

(AHD - R.N.P., 2^o P., A. 49, M. 112).

70. Confidential telegram n^o 69 from the Portuguese Legation in Budapest to the MNE informing of the worsening situation of Jewish persecution, in particular in the countryside and the inhuman way Jews are deported to Germany.

1944 May 16

(AHD - Cipher, Collection of Telegrams from Budapest). I

71. Telegram n^s 73 from the Portuguese Legation in Budapest j to the MNE on the possibility of some of the refugees under the protection of the Legation leaving as part of the scheduled evacuation of the Argentine mission and I pondering on the convenience of granting consular passports “with the exclusive aim of helping refugees to leave Hungary, validity of passports expiring immediately on arrival in Portugal”.

1944 June 19

(AHD - Cipher, Collection of Telegrams from Budapest).

66. Telegram n^s 31 from the MNE to the Portuguese Legation in Budapest: “our guideline continues to be to save people who for reasons of political persecution took refuge in Portuguese Legation... [if] at all possible obtain departure refugees with group Argentine mission I authorize issue of collective or individual consular passports to enter Portugal, without nevertheless attributing Portuguese nationality in such documents”.

1944 June 20

(AHD - R.N.P., 2⁹ P., A. 49, M. 112).

67. Personal telegram from the Secretary General of the MNE to the Portuguese Minister in Bern requesting him to tell Minister Sampaio Garrido that the Portuguese Charge d'affaires in Budapest has instructions to protect and facilitate in so far as possible the departure of the refugees in the Legation in Hungary.

1944 June 21

(AHD - Cipher, Collection of Telegrams to Bern).

68. Personal telegram from the Portuguese Minister in Bern conveying the following telegram from Sampaio Garrido to the Secretary General of the MNE: “I appeal to your kindness requesting issue of consular passports refugees Legation who have necessary means for upkeep in Portugal. Warm regards”.

1944 June 21

(AHD - Cipher, Collection of Telegrams from Bern).

69. Confidential telegram n⁹ 79 from the Portuguese Legation in Budapest to the MNE communicating that the Papal Nuncio informed he had handed in to the Hungarian

Government “with absolutely no result, two notes of protest against inhuman persecution of Jews”.

1944 June 24

(AHD - Cipher, Collection of Telegrams from Budapest).

25 June: The Pope asks Horthy to spare the Jews

76. Telegram n° 82 from the Portuguese Legation in Budapest to the MNE referring to a note from the Hungarian Foreign Ministry inviting the Legation to repatriate all Portuguese Jews before the end of the month; the telegram also says that none is registered at the Portuguese Consulate in Budapest and proposes treating some of the proteges at the Legation as Portuguese Jews.

1944 June 25

(AHD_R.N.P., 2° P., A. 49, M. 112).

26 June: The Hungarian Council of Ministers approves the departure of 7.800 Jews from Hungary. 7000 had papers for Palestine, obtained through Swiss mediation and others had Swedish, Portuguese or other protection papers. The Palestine Office persuades the Swiss vice-consul to issue protection papers; these were later copied by Wallenberg and other neutrals. The Swiss Ambassador conveys the Americans' grave warning against deportations to the Hungarian Government.

77. Confidential telegram n° 35 from the MNE to the Portuguese Legation in Budapest with additional general instructions about refugees: “one point you must not forget is that although we desire to save as many lives as possible and ease the suffering people guilty only of racial or political charges, we must not extend our protection to such an extent that instead of benefiting some with will endanger others and the very principle of diplomatic asylum and the protection we have granted”.

1944 June 26

(AHD - Cipher, Collection of Telegrams to Budapest).

78. Telegram n° 23 from Sampaio Garrido in Bern to the Secretary General of the MNE saying that he awaits German authorization to cross France to return to Portugal and about the situation in Hungary: “I am sure Charge d'affaires has already informed you good will Hungarian Prime Minister but I doubt successful outcome without intervention of Portuguese government with the German government...The lives of refugees whose situation is

becoming increasingly tormented depends on your good will and decisive influence”.

1944 June 27

(AHD - Cipher, Collection of Telegrams from Bern).

79. Telegram n^s 88 from the Portuguese Legation in Budapest to the MNE communicating reactivation of American air raids, interpreted by Hungarian government as reprisals for deportation of Jews “now under full preparation in this capital”.

1944 June 28

(AHD - Cipher, Collection of Telegrams from Budapest).

80. Telegram n^s 93 from the Portuguese Legation in Budapest with details of the Hungarian Government’s anti-Jewish activities, ending: “these humiliations are followed by deportation extermination place unknown already made provinces and suburbs Budapest, it being said that before end of current month deportation this capital will be completed”.

1944 July 5

(AHD - Cipher, Collection of Telegrams from Budapest).

81. Personal telegram from the Secretary General of the MNE to Minister Sampaio Garrido (in Bern) informing him that the instructions he is sending directly to the Legation in Budapest will only “disturb procedure Charge d’affaires who has shown zeal and must execute direct instructions Government”.

1944 July 7

(AHD - Cipher, Collection of Telegrams to Bern).

82. Telegram n⁹ 38 from the MNE to the Portuguese Legation in Budapest informing that the Hungarian Charge

30 June: King Gustav V of Sweden sends a telegram to Regent Horthy asking him to save the rest of the Jews in the name of mankind and Hungary’s good name

7 July: Convinced that the American bombings were a result of the deportations Regent Horthy orders them suspended

9 July: Raoul Wallenberg arrives in Budapest

d'affaires in Lisbon had been called to the MNE and that the Secretary General had told him that the steps taken by the Portuguese Charge d'affaires in Budapest on behalf of the refugees "represented not only the Portuguese Legation's personal interest but also that of the Portuguese government in a matter it is thus supporting". 1944 July 12

(AHD - Cipher, Collection of Telegrams to Budapest).

70. Telegram n° 39 from the MNE to the Portuguese Legation in Budapest authorizing the concession of asylum to Madame Kende, grandmother of the wife of an American senator, on the recommendation of Minister Sampaio Garrido.

1944 July 12

(AHD - R.N.P., 2^s P., A. 49, M. 112).

71. Telegram n° 42 from the MNE to the Portuguese Legation in Budapest authorizing the concession of Portuguese consular passports to the refugees who sought the protection of the Portuguese government and recommending that any document addressed to the German Minister "should carefully avoid naming nationalities and any allusion to refuge Legation which must be replaced by a vaguer formula such as "requested protection Portuguese Government to go to Portuguese territory"; this telegram also orders that the Charge d'affaires "should not imply that we have undertaken to accept new [Hungarian] Minister [in Lisbon] in exchange departure refugees, totally separate issues".

1944 July 15

(AHD - Cipher, Collection of Telegrams to Budapest).

72. Personal telegram from the Secretary General of the MNE to the Portuguese Minister in Bern asking him to speak with Minister Sampaio Garrido to remind him "concessions to many refugees made without previous consultation or later communication to Portuguese government, thus made responsible by Minister. Only after incident violation of his house did we know here what really happened. Nevertheless this Ministry has from the beginning endeavored to the utmost to obtain exit refugees and Charge d'affaires has instructions accordingly and has taken proper steps which I have supported with Hungarian representative Lisbon. However it is inconvenient and impossible for actions Portuguese Legation Budapest to be directed by instructions or suggestions from Bern... if he has any he should send them here".

1944 July 25

(AHD - Cipher, Collection of Telegrams to Bern).

73. Letter from Andre Wadianer, former Hungarian Minister in Lisbon, communicating a protest made by the Committee of Hungarian Ministers against the illegal government in Budapest and the persecution of the Jews.

1944 July 26

(AHD -2^Q P, A. 47, M. 157).

74. Telegram n^s 116 from the Portuguese Legation in Budapest concerning the circular note distributed by the Hungarian Foreign Ministry informing that at the request of the Swedish Red Cross, the Palestine Emigration Board and the War Refugee Board, the Hungarian government had taken several measures to reduce the number or soften the treatment of Jews covered by anti-Jewish legislation, ending “according reserved information collected in official circles about 10.000 Jews will benefit. There are 300.000 Jews in Budapest. There are no signs of any in the provinces and it is said that the Jewish cleansing in this capital, provisionally suspended, or at least abated, will recommence shortly”.

1944 July 28

(AHD - Cipher, Collection of Telegrams from Budapest).

75. Telegram n² 117 from the Portuguese Legation in Budapest on the difficulties raised by the Hungarian and German authorities concerning the departure of refugees sheltered at the Legation.

1944 July 30

(AHD - R.N.P, 2^e P., A. 49, M. 112).

76. Confidential information on the situation of the Jews in Hungary at the start of August 1944; and note on the situation of the Jews in Hungary before 19 March 1944; and Memorandum addressed to the Portuguese Legation in Budapest on the situation of the Jews in Hungary, telling of the actions of the diplomatic representatives of the other neutral countries and of the International Red Cross to protect Jews, suggesting a number of concrete measures and assuring that rescue expenses would be borne by the Jewish community.

(Documents delivered personally by Teixeira Branquinho, Portuguese Charge d'affaires in Budapest, to the Secretary General of the MNE in November 1944; it is believed that these documents were part of an awareness campaign carried out by the Jewish organization led by Otto Komoly, for the representatives of neutral countries and the International Red Cross in Budapest).

(undated)

(AHD -2^a P., A. 49, M. 112).

77. Telegram n^o 125 from the Portuguese Legation in Budapest to the MNE saying “racial problem reached critical stage. German authorities will only allow departure Hungary Semites benefited by measures mentioned in my

116, if Hungarian Government encourages deportation of remainder to labor camp in Germany. Such imposition led

Hungarian Government to greatly multiply number of benefited persons, some of whom will emigrate mainly to Palestine and another part will form part of concentration camp in Hungary”.

1944 August 6

(AHD - R.N.P., 2^e P., A. 49, M. 112).

78. Telegram n^o 126 from the Portuguese Legation in Budapest informing that Swedish Minister “is attempting to save great number of Hungarian Semites who are in any way connected with Sweden, that is with family, relations or intellectual or commercial interests their country. Has already presented ... about 700 Swedish passports without indication of nationality and explained to me that only 100 persons will actually be going to Sweden. Remainder, whose number he intends to raise even further will be interned in different houses which will figure not as outposts of the Swedish Legation but as being under its protection... I believe that this Legation should act similarly as in current circumstances only diplomatic asylum is efficient protection”. He makes it clear that all costs will be borne by the benefited people.

1944 August 7

(AHD - R.N.P., 2^e P., A. 49, M. 112).

79. Telegram n^s 58 from the MNE to the Portuguese Legation in Budapest supporting the suggestion of the Portuguese Legation to follow the Swedish Minister and emphasizing that efforts must be made to save as many refugees as possible, saying that “in a situation such as you describe our effort must be to save as many as possible of those who took refuge with us as possible”...

1944 August 7

(AHD - R.N.P., 2^a P., A. 49, M. 112).

80. Confidential telegram n^o 129 from the Portuguese Legation in Budapest, reporting conversation with Councilor of the German Legation in which latter suggested that all

matters pertaining to Jews should be handled by him and not by the Hungarian government; following this the Portuguese Charge d'affaires requested Lisbon to support his efforts with representations in Berlin.

1944 August 10

(AHD - Cipher, Collection Telegrams from Budapest).

81. Confidential telegram n° 131 from the Legation in Budapest in which the Charge d'affaires requests permission to grant diplomatic asylum in his private residence to some people "of category" who had begged him and Telegram n^Q 62 from the MNE (in reply) to the Legation in Budapest saying "We wish to be magnanimous but not to the extent where excessive magnanimity may endanger cause of those already at issue", and considering that it is not advisable to increase the number of immune apartments.

1944 August 12

(AHD - Cipher, Collection Telegrams to and from Budapest).

82. Telegram n° 243 from the MNE to the Portuguese Legation in Berlin with instructions that the German government should be asked to convey to its Minister in Budapest all necessary instructions to grant facilities to our Charge d'affaires in that city "regarding the protection of certain people of Semite origin in whom we have taken an interest ... they are refugees at the Legation".

1944 August 12

(AHD - Cipher, Collection Telegrams to Berlin).

96. Confidential telegram n^s 132 from the Legation in Budapest on the situation of the Jews under foreign protection: "Currently Hungarian authorities only accept foreign protection Hungarian Semites on exhibition of any type of passport protector country ... Problem therefore implies responsibility whose future consequences cannot be foreseen and which admit possibility of Hungarian government justly demanding one day to next that such Semites depart for protector country. Swedish Minister does not believe that German authorities will allow them to leave ...he received instructions to maintain attitude so far. Has even raised the number of people protected by his Legation from 700 to 3000 ... Swiss Minister preparing departure of about 30.000 Semites to Palestine Switzerland and other countries. Nunciature has worked to ensure that baptized are not deported Germany promising German authorities to consent to intern in Hungarian camps those baptized before August 1941. All neutral Legations have taken in exiles".

1944 August 14

(AHD - Cipher, Collection Telegrams from Budapest).

97. Telegram n^s ,64 to the Portuguese Legation in Budapest authorizing the concession of provisional Portuguese passports on humanitarian grounds with the reservation that "it does not appear that we should accept numbers on the lines mentioned by you regarding other countries as in addition refugees our Legation certainly only a very small number may legitimately claim direct links Portugal and Brazil".

1944 August 15

(AHD_R.N.P, 2^B P., A. 49, M. 112).

98. Letter from the "Federation of Hungarian Jews" signed Otto Komoly, appealing for help from the Portuguese

14 August: The German Ambassador in Budapest informs Berlin that the Hungarians were restarting deportations on 25 August

Government by authorizing the entry into Portugal of the Jews resident in Hungary who can be channeled to Palestine. Attached is a telegram from the Jewish Agency in Lisbon to Otto Komoly and its translation.

1944 August 15

(AHD - 2^s P., A. 49, M. 112).

99. American Note to the MNE requesting the support of neutral countries for refugees in Hungary and stating that the US will be responsible for their destination.

1944 August 19

(AHD-2^s P., A. 49, M. 112).

100. Copy of Note from the representatives of the neutral countries in Budapest to the Royal Hungarian Ministry of Foreign Affairs protesting against the deportation of Jews from Hungary, saying that said representatives have been informed - from absolutely reliable sources - of the meaning of the deportation in most cases, even if disguised under the name of labor camp abroad, adding that further deportations would be the finishing stroke against Hungary's reputation in those countries.

1944 August 21

(AHD - 2⁹ P., A. 49, M. 112).

101. Confidential telegram n^s 137 from the Portuguese Legation in Budapest on the situation in Hungary namely the siege of Budapest by German troops and forecast of the start of Jewish deportations.

1944 August 23

(AHD - Cipher, Collection Telegrams from Budapest).

24 August: The Government of General Geza Lakatos, anti-German, takes office

102. Telegram n⁹ 138 from the Portuguese Legation in Budapest in which the Charge d'affaires informs that he

issued 200 passports without mentioning nationality and requesting permission to issue a further 400 provisional Portuguese passports to about 400 Jewish families (1200 people) going to Palestine; the Charge d'affaires highlights: "all protected persons signed undertaking of honor filed in Legation Archives where they acknowledge they have no rights Portuguese nationality and undertake never to invoke said protection from the Portuguese Government to request it".

25 August: The Portuguese Government announces that it has broken diplomatic relations with Petain. French troops under de Gaulle enter Paris.

1944 August 26

(AHD - Cipher, Collection Telegrams from Budapest).

103. Telegram n° 143 from the Portuguese Legation in Budapest on the differences between the Hungarian and the German authorities regarding persecution of the Jews and the threat of total extermination by the Germans before they retreat from the country "by shooting them if necessary".

1944 September 5

(AHD - Cipher, Collection Telegrams from Budapest).

104. Note from the Jews of Budapest addressed to the Portuguese Legation and the other representations of neutral countries, except Turkey, and also to the Committee of the International Red Cross calling attention to the Hungarian program to transfer Jews from Budapest to labor camps.

(Document delivered personally by Teixeira Branquinho, Portuguese Charge d'affaires in Budapest, to the Secretary General of the Foreign Ministry in November 1944). 1944 September 5 (AHD - 2°- P., A. 49, M. 112).

105. Telegram n° 176 from the Portuguese Legation in Budapest to the MNE about the German authorities'

15 October: Regent Horthy announces on the radio that he will reach an understanding with the Soviets. Coup by Szalasi, a Hungarian Nazi, who takes over the Government disregard for "provisional foreign passports, mainly Swedish and Portuguese", granted to Hungarian Jews and requesting steps to be taken in Berlin.

1944 October 18

(AHD - Cipher, Collection Telegrams from Budapest).

106. Telegram n° 283 from the MNE to the Portuguese Legation in Berlin informing that the German Legation in Budapest does not recognize the protection of Portuguese passports granted to Jews in Hungary and saying that steps should be taken with the

German government to change this attitude.

1944 October 18

(AHD - 2^s P., A. 49, M. 112; Cipher, Collection Telegrams from Berlin).

107. Telegram n° 178 from the Portuguese Legation in Budapest on appointment of new government and situation of Jews; the new Prime Minister Szalasi declared on the radio that no type of foreign protection of Jews would be tolerated and that passports already granted would not be respected.

1944 October 20

(AHD - 2^{fi} P., A. 49, M. 112).

108. Telegram n° 84 from the MNE to the Portuguese Legation in Budapest instructing the Charge d'affaires "to leave without delay for Portugal communicating only to that government that had been recalled by own government to inform of events occurred. Better to make clear as has already been said there and we have said in Berlin that we wish to believe that due protection of bearers Portuguese passports and persons sheltered in Portuguese Legation house will be assured".

1944 October 22

(AHD - Cipher, Collection Telegrams to Budapest).

83. Cutting from the Lisbon daily *Diario da Manhã* of a note from the Hungarian Legation declaring that it remains loyal to Regent Horthy. (enlarged)

1944 October 22

(AHD -2^s P., A. 47, M. 112)

84. Telegram n^o 85 from the MNE to the Portuguese Legation in Budapest authorizing its request for creation of a Portuguese Red Cross Section in the Legation to “ensure insofar as possible assistance our proteges following your departure”.

1944 October 22

(AHD-2^s P., A. 49, M. 112).

85. Telegram n^s 187 from the Portuguese Legation in Budapest on the question of the recognition of the new Hungarian government which the Charge d'affaires considers of dubious legitimacy but with whom he is forced to deal “to try and save the lives of a few hundred Jews bearers of provisional Portuguese passports).

1944 October 24

(AHD -2⁹ P., A. 49, M. 112).

86. Confidential telegram n^s 286 from the MNE to the Portuguese Legation in Berlin conveying instructions that legal arguments should not be used in representations to the German government to ensure that Portuguese passports granted to the Jews in Hungary should be respected: “persecution Semite elements Hungary has obeyed political purposes and hatred that only concern for subsequent reaction may possibly alter slightly. This is what appears to have happened perhaps following protests by neutrals and forceful note written by Apostolic

Nuncio and representatives neutral powers... Our aim to lessen as we cannot prevent consequences persecution regarding all those chose Portuguese shelter. The desire that this be expressed to occupying power is all the greater as our Charge d'affaires Budapest has been recalled to Lisbon to inform situation in that country where from here it looks as if any government with constitutional or even national characteristics seems to have disappeared”.

1944 October 23

(AHD_Cipher, Collection Telegrams to Berlin).

87. Telegram n^s 188 from the Portuguese Legation in Budapest reporting conversation with Hungarian Foreign Minister on persecuted refugees bearers of Portuguese passports, during which the latter had declared that concessions in this regards were linked to recognition of the new Hungarian government.

1944 October 24

(AHD - Cipher, Collection Telegrams from Budapest).

88. Telegram n^e 191 from the Portuguese Legation in Budapest communicating the imminent deportation of thousands of Jews in forced marches to Vienna, and informing that among the condemned are some bearing provisional Portuguese passports.

1944 October 25

(AHD - 2^s P., A. 49, M. 112).

89. Telegram n^e 198 from the Portuguese Legation in Budapest communicating that German visas were obtained in the Portuguese passports of nine refugees living in the Portuguese Legation since June.

1944 October 26 (see doc. n^s 65)

(AHD - 2^e P., A. 49, M. 112).

90. Telegram n^o 68 from the MNE to the Portuguese Legation in Bern instructing the Minister in that capital to act so that German visas are granted for transit to the Swiss border for group of refugees sheltered in Budapest Legation. 1944 October 27

(AHD - 2^o P., A. 49, M. 112).

91. *Aide Memoire* from the Royal Ministry of Foreign Affairs of Hungary releasing the 698 Jews bearing provisional Portuguese passports and detailing the conditions of their emigration.

1944 October 27

(AHD - 2^s P., A. 49, M. 112).

92. Telegram n^p 204 from the Portuguese Legation in Budapest to the MNE in which the Charge d'affaires communicates his departure from Budapest "in two diplomatic vehicles to Bregenz, Swiss border, with my wife, Mr. and Mrs. Gabor, Mrs. Tillmann

and her daughter Agnes, Mr. Paulo Szasz and the driver, Victor Smick... please inform the Portuguese Minister in Bern of this telegram and say that Dr. Egry did not need a Swiss visa, Mr. Wertheimstein will await said visa in Buchs and the remaining refugees, Oscar, Rudolf and Rosa Guttmann hope that granting of transit visa Switzerland will be telegraphed urgently Swiss Legation Budapest".

1944 October 29

(AHD - Collection Telegrams from Budapest).

93. Telegram n^s 295 from the MNE to the Portuguese Legation in Berlin communicating the departure from Budapest of the Portuguese Charge d'affaires and instructing Legation to reiterate need to ensure respect for Portuguese passports issued to Jews in Budapest and accentuate repercussions "on Luso-German relations any persecution our protected persons as we will hold occupying power responsible for all measures taken".

1944 October 30

(AHD_Cipher, Collection Telegrams to Berlin).

94. Telegram n^o 342 from the Portuguese Legation in Berlin confirming the terms of the representations to be made to the German government and suggesting acting in harmony with the representatives of other neutral countries.

1944 October 31

(AHD - Cipher, Collection Telegrams from Berlin).

95. Confidential telegram n^o 298 from the MNE to the Portuguese Legation in Berlin clarifying that although steps had been taken in Budapest regarding procedures vis-a-vis Jews in general "together with the Nuncio and other neutrals", "steps taken by each on behalf of its proteges and passports have been on an individual basis. Joint action step recommended in mine 295 would not suit us as some might exceed the limits of prudence and others fall short".

1944 October 31

(AHD - Cipher, Collection Telegrams to Berlin).

96. Telegram n^o 347 from the Portuguese Legation in Berlin communicating start of talks with the German Foreign Ministry on the situation of the Hungarian Jews protected by the Portuguese Legation in Budapest, revealing German counter-information and

unawareness of Count Tovar, Portuguese Minister in Berlin, (reproduced in documentary annex n^s 11)

1944 November 4

(AHD_Cipher, Collection Telegrams from Berlin).

123. Confidential telegram n^e 299 from the MNE to the Portuguese Legation in Berlin explaining the real situation.

(reproduced in documentary annex n^o 12)

1944 November 4

(AHD - Cipher, Collection Telegrams to Berlin).

27 November: Deportations
are suspended

124. Telegram n^s 321 from the MNE to the Portuguese Legation in Berlin saying that two Jewish children bearing Portuguese passports, children of a Legation employee, had been arrested and giving instructions to obtain from the German Foreign Ministry the assurance of the interest of the German Minister in Budapest in this case.

1944 December 12

(AHD - Cipher, Collection Telegrams to Berlin).

125. Letter from Jules Gulden, former vice-consul of Portugal in Budapest, in charge of daily affairs at the Portuguese Legation in Hungary, addressed from Geneva, recounting his departure from Hungary and the situation of the Jews protected by the Portuguese government, (reproduced in documentary annex n^s 13)

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1944 December 18 (AHD - 2^e P., A. 49, M. 112)

126. "Mission to Budapest", a report by Teixeira Branquinho, describing the situation on the date of his departure from Budapest (excerpt reproduced in annex n^e 14).

1944

(AHD - Collection of Reports and Monographs).

127. Translation of a few excerpts from a letter received from Count Poncgraz to whom Jules Gulden entrusted the

Portuguese Legation in Budapest, recounting the attack on the Legation by the SS on 1 January 1945 and the kidnapping of the Jewish refugees.

1945

(AHD-2° P., A. 47, M .157)

97. Information/Summary by Teixeira Branquinho describing the procedures and organization set up in Budapest to support Portugal's protection of the Jews in Hungary, (reproduced in documentary annex n° 15)

1944 April 20

(AHD -2^s P., A. 47, M .157)

PHOTOGRAPHS

98. Sampaio Garrido wearing a Minister's uniform. Undated
99. Teixeira Branquinho 1940. Undated

DOCUMENTARY ANNEXES

Circular N^o 14 Proc. 552

DOC. 1 - CIRCULAR N^o 14, DATED 11 NOVEMBER 1939

Lisbon, 11 November 1939

To the Portuguese Minister

I have the honor to send you the following instructions on the concession of passports, visas and consular registrations, and ask you to convey these to the consular posts subordinated to your Mission.

Under the current unusual circumstances certain measures must be taken and norms defined, albeit provisionally, to avoid insofar as possible abuses and loose practices when issuing Portuguese consular passports and consular visas which the Police of Vigilance and

Defense of the State deem inconvenient or dangerous, without nevertheless excessively delaying the dispatch of said matters, some of which (such as the case of foreigners in transit through Lisbon on their way to America) we have no wish to obstruct.

Accordingly, the following is determined:

1 - Under the terms of the provisions of article 701 of the Consular Regulations consuls (4th class) are forbidden to grant consular passports or visas without previously consulting the Secretariat of State.

Sole §. The exception to this rule are all consuls (4th class) who have received special authorization from the Ministry, said consuls to be governed by the following provisions pertaining to career consuls (Orense, Ayamonte, Tuy, Casablanca).

2 - Career consuls may not grant consular visas to the following without previously consulting the Ministry of Foreign Affairs:

a) - foreigners of undefined, contested or disputed nationality, stateless persons, bearers of Nansen passports and Russians;

b) - foreigners who do not explain their reasons for coming to Portugal to the consul's satisfaction, and those bearing in their passport a declaration or sign that they may not freely return to the country whence they come; consuls should endeavor to find out from all foreigners whether they have any means of subsistence.

c) - Jews expelled from the countries of their nationality or from whence they come;

d) - those alleging that they will be embarking from a Portuguese port but have no consular visa in their passports for their country of destination, or air or sea tickets, or an

embarkation guarantee from the respective Companies. Consuls will nevertheless take care not to obstruct the arrival in Lisbon of passengers on their way to other countries, and especially to the transatlantic air routes or the East.

3 - As regards Portuguese political emigres:

a) _ Their registration may take the form of a certificate of nationality, although this will not grant them consular protection or passport, such restriction to be mentioned in their registration and in the certificates issued therefrom. Civil registration and notarial deeds may be made on their behalf.

b) - When the consul is in doubt as to the type of political emigre he shall consult the Secretariat of State before making the registration.

4 - When in doubt, and whenever registrations are made under the terms of subparagraph a), consuls may not issue passports without previously consulting the Secretariat of State.

5 - The provisions hereunder regarding political emigres do not cover simple workers who emigrated clandestinely to France or who took part in the Spanish war. Consuls may, if they see fit, issue passports exclusively for Portugal to both categories, expressly mentioning that they do not grant them the right to obtain a Portuguese consular visa to any other place. Such passports should preferably be issued for sea travel and when issued the Police of Vigilance and Defense of the State must immediately be informed by telegraph, notwithstanding usual communications to the Secretariat of State.

At the Service of the Nation

For and on behalf of the Minister

s/ Luiz de Sampayo

VISAS IN FOREIGN PASSPORTS

As a result of events unfolding in Europe, Portuguese consulates have received many applications for visas from foreign subjects wishing to enter Portugal for a more or less extended stay (residence permits) or simply to cross our country on their way to another country (transit visa).

To simplify the paperwork caused by such an extraordinary number of applications and reduce to a minimum delays and losses therein resulting for the applicants, Portuguese consular agents should in their dealings with said applicants and in their correspondence with this Ministry proceed strictly in accordance with the following instructions.

1. - Residence Permits

The competent Portuguese posts have decided to restrict as much as possible the immigration of foreigners coming here permanently or temporarily to live. From the start consuls should make an effort to dissuade applicants from making such applications, even if only for temporary residence.

Applicants must make their applications on special forms, copies of which are enclosed. Each form may only be used by one person.

The forms must be sent in duplicate to this Secretariat.

All clarifications must be made on the form (on the reverse side if necessary). In the official letter accompanying the forms no further clarification should be added.

All applications will be examined individually here, but will only be granted in exceptional cases, when so justified under special circumstances. Quick replies are not to be expected and insistence by telegraph is totally out of the question.

We do not wish to restrict the transit of foreigners wishing to cross our territory to return to their countries of origin. Nevertheless we must avoid transit visas becoming transformed into residence permits.

Portuguese consular agents shall only accept applications for transit visas if the applicant can prove the following:

- a) _ that his passport already has a visa for his country of destination, and any other visas that may be required;
- b) - that he has bought or at least booked an air or sea passage.

Applications that do not comply with the above should not even be sent to this

Secretariat.

Applications for transit visas may be sent to this Secretariat by telegraph, the cost paid by the applicants.

The telegram must mention:

name and nationality of the applicant

other foreign transit visas already issued in his passport.

Should applicants wish to receive their reply by telegram they must also pay for this, with a minimum of ten words.

Each telegram may only contain one application.

Applications by telegram must not be repeated by mail.

Applications for transit visas shall be assessed and resolved here as urgently as is compatible with the workload and the staff available, regardless of any new telegraphic insistence.

Lisbon, 24 May 1940

s/ Tovar

101. Just returned Madrid. As I have already had the honor of telling you I found situation at Franco-Spanish border chaotic and likely to involve us in several complications. All mass foreigners resident in France pushed by German advance fled to southern cities wishing to obtain visas for Portugal. These foreigners include large numbers of Jews and people originating in countries absorbed or conquered by Germany who, with or without reason, were trying to flee France at all costs. Our viceconsulates southern France appear to be disorientated with situation made worse by fact Portuguese Consul Bordeaux, out of his mind due events, has started giving out large number of visas and instructed Portuguese Consul Bayonne to adopt same procedure. This disorientation has made a great impression on the Spanish side with a political campaign against Portugal being created immediately accusing our country of giving shelter to the scum of the democratic regimes and defeated elements fleeing before the German victory. My arrival and measures I saw fit to apply along the lines suggested by you have avoided things going any further. I spent time today in San Sebastian watching the border crossing closely and ensure that Spanish authorities are quite clear as to our government's intentions. It is understood that we have declared visas issued by Portuguese Consul in Bordeaux as being null and void. I have duly instructed the functionary sent by our Foreign Ministry. The press published an item trying to undo the harm done concerning our position subject refugees.

s) Ambassador

DOC. 4-REPORT BY ARMANDO LOPO SIMEAO ON HIS SPECIAL MISSION
TO BAYONNE ON 1 JULY 1940

CONFIDENTIAL

To the Minister of Foreign Affairs

Lisbon

Excellency,

I left Lisbon for Bayonne with no instructions other than to comply with those given to me by the Portuguese Ambassador in Madrid. I did nothing here in this consulate until I had the honor that night of having a meeting with H.E. at the residence of the Portuguese Consul in Bayonne. The latter told me, later confirmed by H.E., that on 18th or 19th June at the chancery of the Portuguese Consulate in Bayonne, the consul (1st Class) in Bordeaux, Mr. Aristides Mendes, on his superior authority, began issuing visas to all those who applied, apparently alleging that all these people had to be saved. There was a large crowd in the streets around the consulate and it was only possible to get through with the help of the public force who attempted at great cost to control the traffic. I arrived in Bayonne on the afternoon of the 22nd and when I arrived at the consulate I found it extremely difficult to get into the chancery although accompanied by the consul. The consular offices are located on the third floor. All the corridors and stairs giving access to the chancery were crammed with people. By then, however, the employees had stopped stamping visas having received instructions over the telephone from the consul as soon as I arrived to suspend this inglorious task. All visas, therefore, were immediately suspended until I could confer with H.E. the Portuguese Ambassador in Madrid. H.E. arrived here in the evening and gave the following instructions: VISAS on Nansen passports only with boat tickets. English, American, South American, French (clean people) and Belgians (personalities), also all others recommended by Embassies and Legations.

I promised H.E. that I would obey his instructions and objected only that I thought my presence here unnecessary as the consul was in good health and able to manage the consulate himself, and that he was justly deserving of H.E.'s trust, and that I would not be able to exercise any sort of control over the visas as they continued to be issued without registration or emoluments. H.E. ordered me to remain as adviser to the consul as I was of a higher category and as the head of mission was absent, notwithstanding which I sent you my telegram n° 1. Visas, however, were practically suspended, only a few specially approved by H.E. the Ambassador having been issued, until I received an answer to my telegram with clearer instructions, particularly regarding the payment of emoluments and I repeat, failing which I considered my visit to this post to have been quite useless. These instructions only arrived later although I insisted with H.E. that no more visas should be

issued without registration and payment of emoluments, not only because the State was losing money but also because of the immorality represented by such lack of control; it was said that the consul in Bordeaux issued visas even outside the chancery and it was impossible to supervise the staff at the consulate in Bayonne who, truth be told, appeared to be worthy of the highest praise. H.E. finally agreed with me and it was decided that from that moment onwards visas should be registered and emoluments charged. It is true that for a while emoluments were suspended in the Spanish consulate due to service urgency and need. As Dr. Faria Machado argued that he did not have sufficient stamps it was agreed that said service would be provided without stamps, which would then be canceled and sent to the Ministry; this would considerably reduce the work and allow for control and collection of emoluments. Besides, delays in the service could favor us, avoiding the entry into Portugal of a base mass, mostly undesirable from a social point of view. I went that Sunday with H.E. the Ambassador to San Sebastian to define the instructions from the Ministry and to decide what to do about consul Aristides Mendes. We found him by chance at the Hendaye-Irun border and H.E. ordered him to accompany us to the consulate in San Sebastian. Having spoken with him in private H.E. telephoned Lisbon after which he told the consul and me that he would drive with us to Bayonne from where he would be sent on to Bordeaux. However, as we were very late arriving in Bayonne given the difficulties of driving on roads crowded with refugees, Mr. Mendes said that he would not be able to return to Bordeaux that evening and stayed overnight at the house of Mr. Faria Machado. The next day he said goodbye to us and promised to go to Bordeaux; we later found out that he had not gone and we know that he only returned there on the 26th. The following day, the 24th, business returned to normal at the Bayonne consulate, all visas being issued under the terms indicated in my telegram n^o 2 of that same date. Applications were analyzed one by one and only granted to those authorized by the Portuguese authorities in Lisbon. To provide further information to the applicants a list was drawn up with these names and fixed to the chancery doors, such people to have preference in being granted visas. With regard to all other visa applications or to revalidate or confirm visas issued by the Spanish border authorities, we began demanding to see the visa for the country of destination and ticket or guarantee thereof. All visas issued by the Portuguese consulate in Bordeaux that could be renewed under the conditions indicated, were renewed against payment of the emoluments due - if not already paid. Everything thus returned to normal, back to how it was, as far as I know, before the arrival of Mr. Mendes in Bayonne. In all the above I did nothing more than lend my support to consul Faria Machado who continued directing and signing the consular services with all legality and correctness despite the unusualness of this truly tragic and exceptional situation. It behooves me here to speak of the services rendered by the consul, the vice-consul who came on duty on 1 June, Mr. A. de Castro, who with great dedication agreed to take over the duties of chancellor, in charge of the difficult question of repatriations, the consul's secretary, Mile. Mocosant (who has performed these duties for eight years and who owing to the amount of work at the consulate was released from the Argentine consulate where she worked after hours), by Mile. Diharce, granddaughter of the former consul of that name, who was also a great help. Given the unusual amount of work the consul was forced to hire an extra employee, Mile. Henriette. Despite the amount of work, the Portuguese refugees were installed in the house

of the Duke of Cadaval obtained by the consul expressly for that purpose. I must add that by the consul and his aides have spent enormous amounts of money on gas with trips to Hendaye, Irun Border Command and San Sebastian, Pau Prefecture, etc.. due to consular services that could not be handled over the telephone as the lines had been cut, and that this represents an enormous increase in expenses at the chancery and at the residence. Consular services, therefore, returned to normal on the 24th. The pressure of refugees continued however under growing tension during the days preceding the Germans' arrival which occurred on the 27th. The tension was such that when told they would not get visas, some threatened to commit suicide, some offered exorbitant sums of money to obtain one, some used cunning, some threats, others attempted bribery. I have the honor to inform you, however, that I do not believe that any of the functionaries, full or part-time, had their honorability tainted by such slime and I therefore believe they are deserving of some gratuity or recompense. We have only to regret the attitude of the consul in Bordeaux who has really placed us in a discreditable situation that is not above suspicion. Had it not been for the patriotic and zealous intervention of H.E. the Portuguese Ambassador in Madrid it is difficult to foresee how far the dishonorability of this situation would have dragged us. Happily, H.E. intervened in time to safeguard part of that prestige. When the German forces arrived on the Spanish border I happened to be in the Border Command and spoke with the Military Attache of the German Embassy in Madrid, so was able to see the good impression caused by the Portuguese Government having taken the proper attitude, strictly screening the precipitous torrent of emigrants.

I have not sufficient praise for the attitude of H.E. the Portuguese Ambassador in Madrid and the situation of consul Faria Machado, both before and after the organization of these services that you decided I should handle although being the person less indicated, which I was only able to accomplish with the help of these persons and with great sang-froid. As proof of our current situation I will mention the following cases: some German soldiers moved into the house of Mr. Bleck, in this region, in the absence of the person to whom it had been entrusted. When the latter returned she told the soldiers it belonged to a Portuguese and they decided to leave the house. Other soldiers boarded the Portuguese vessel 'Maria-Joana' moored at Bayonne port and seemingly, bunked down amicably with the crew.

I will be able to inform you orally of other cases, both on the part of the French, the Spanish and the German authorities.

I am honored to attach copies of my telegrams and documents pertaining to correspondence at the consulate that proves the statements made in this report.

At the Service of the Nation
Bayonne, 1 July 1940 s/ Armando
Lopo Simeao

DOC. 5-DEPOSITION OF CAPTAIN AGOSTINHO LOURENÇO, HEAD OF THE
PVDE, WITNESS FOR THE PROSECUTION IN THE DISCIPLINARY
PROCEEDINGS OF ARISTIDES DE SOUSA MENDES, ON 15 JULY 1940

Concerning the facts of the matter he said: Having been informed of the complaint.... [by Count Tovar] he confirms the facts therein contained with the exception of the communication made by the British Embassy to the Secretariat of State, about which he knows nothing. He added that having been in Vilar Formoso during the last days of June of the current year to control the arrival of the refugees, he noted that most of the foreigners coming into Portugal had visas issued by our Consulate in Bordeaux; many of these foreigners were of nationalities which by determination of the Foreign Ministry were forbidden to be granted visas but who had to be interned in this country as the Spanish authorities would not consent to their return alleging that they had been allowed into Spain as their visa was valid for Portugal issued by a Portuguese consulate. Many of the visas had been issued on documents that were not even passports: simple identity documents, valid for local authorities served the Consul in Bordeaux as valid travel documents. He said nothing further...

DOC. 6 - DEPOSITION OF AMBASSADOR PEDRO TEOTONIO PEREIRA,
WITNESS FOR THE PROSECUTION IN THE DISCIPLINARY PROCEEDINGS OF
ARISTIDES DE SOUSA MENDES, ON 26 JULY 1940

Madrid, 26 July 1940

To

Dr. Francisco de Paula Brito Junior

Ministry of Foreign Affairs

LISBON

In reply to your confidential letter n^o 2 of 10th inst., I hereby present my deposition in the disciplinary proceedings brought against the Portuguese Consul in Bordeaux, Mr. Aristides de Sousa Mendes.

From the moment when the defeat of the French army was accentuated by the German advance, I was surprised to notice the entry into Spain of a large number of different nationalities whose passports had the competent visa for Portugal. The situation grew worse on 19th and 20th June and the Spanish authorities were very surprised at so many facilities for entry granted by our country to the refugees, complaining that the fact of so many people in transit created delicate material and even political problems for Spain.

Surprised by such facts which are in total opposition to the instructions I knew had been sent by the Foreign Ministry to our Consul I decided to travel to the border at Irun to

discover what was happening and take the appropriate measures.

Once in Irun I saw that the situation was worsening by the hour and that a conflict with the Spanish authorities was imminent on account of the large mass of people wishing to travel to Portugal. I also saw that most of the visas had been issued by the Consul in Bordeaux.

I then went to Bayonne where I was told by the Consul, Mr. Faria Machado, that Consul Aristides de Sousa Mendes had arrived in Bayonne two days previously and had continued to issue visas, ordering him, Faria Machado, to do the same without restrictions of any kind. Faria Machado had had the good sense to send a telegram to the Ministry communicating these instructions from a functionary of a higher category and was already proceeding accordingly.

I immediately put a stop to this order and placed things on their proper track again in accordance with the government's orders.

I encountered Consul Aristides de Sousa Mendes only on the following day and asked him to explain his extraordinary behavior. All I heard, coupled with his disheveled aspect, gave me the idea that this man was disturbed and not in his right mind. He appeared not to have the slightest idea of the acts committed and said he had no instructions contradicting the procedure he had followed.

I immediately observed that his actions would certainly be reprimanded and possibly even hierarchically disciplined and agreed that he should go to Bordeaux to change clothes, see his family and await orders from the Government.

The behavior of Mr. Aristides de Sousa Mendes implied such confusion that I immediately informed the Spanish authorities that the visas granted by the Bordeaux consulate to a large number of people still in France were null and void, and I had no doubt in stating my conviction that said Consul had lost the use of his faculties.

At the Service of the Nation

s/ Pedro Teotdnio Pereira

DOC. 7 - DEFENSE OF ARISTIDES DE SOUSA MENDES IN THE DISCIPLINARY
PROCEEDINGS BROUGHT AGAINST HIM, 10 AUGUST 1940

Lisbon, 10 August 1940

To

the Minister of Foreign Affairs

Excellency,

Having been notified to reply to the charge note delivered to me by Dr. Francisco de Paula Brito Junior, Legation Councilor and Head of the Economic Affairs Department, on 3 August inst., I have the honor to say the following:

As regards the fact mentioned in n° 1 of said charge note - visa in the passport of Dr. Arnold Wiznitzer, Professor of International Law in Vienna, and his family, issued without the prior authorization of the Ministry of Foreign Affairs, on 21 and not 2 November 1939 as mentioned in the charge note, which led to a Dispatch from the Ministry querying my procedure - I have nothing further to add to what I wrote in my official letter n° 216 dated 22 January 1940 (pp. 74 of the proceedings).

As I said at the time, Dr. Wiznitzer was about to be interned in a concentration camp which would leave his wife and respective family without the assistance of husband and father in a strange land whose language they did not speak.

I considered it a duty of elementary humanity to avoid such a serious contingency. Although sent six days after I had issued the visa, having found it impossible to send before, my request for authorization shows nothing more than my wish to comply insofar as possible with the instructions in force and make good the irregularity I had been forced to commit.

Harmonizing these instructions with the extraordinary and sometimes imperative circumstances of each concrete case was the wish of this functionary who only wishes to do right.

As regards the visa in the passport of Dr. Laporte, Professor of Medicine in Barcelona, and his family, I have nothing further to add to the explanation set out in my official letter n° 1093 dated 6 May 1940 (pp. 68 of the Proceedings).

As I said, the Professor was in possession of all the documentation required to depart for Bolivia at the invitation of the Bolivian Government and had paid for tickets on the only steamer leaving La Rochelle which connected in Lisbon with the steamer to Panama. Furthermore, as he had the best references from the French authorities as contained in the proceedings, pp. 69, it seemed to me shocking to deny him the visa on the eve of the day when he should embark at La Rochelle.

Besides, I had requested the necessary authorization from the Ministry and seeing no reason to the contrary was convinced that the reply from the Ministry could be none other than affirmative given the grounds presented by me.

The fact that Dr. Laporte's voyage was not cut short in Lisbon by the Portuguese police I interpret as tacit ratification of my procedure by said authorities and their acknowledgment that there would be no inconvenience arising out of my act.

As regards article 3 of the charge note, the proceedings do not mention either the names or the identity of the three Poles mentioned. Therefore I cannot shed any light on this matter. It is a gratuitous statement made by the police and accordingly has no legal value.

In any case I can assure you that I granted no visa after 29 May which had not been previously authorized or in any way justified in view of the Ministry's instructions.

As regards article 4 of the charge note, I have no doubt in declaring that these are frivolous statements.

I have never issued visas or effected any other service outside consular hours. Since the increase in visa applications started, however (a few hundred per day) nothing else was dealt with in the Chancery. Work began at 9 in the morning, sometimes earlier, and often continued until 1 or 2 in the morning. The applicants had to wait for a reply to the telegrams applying for their visas to the Ministry. Hence their unease and impatience and the pressure exerted on me, as the German troops drew closer.

The imputation that I was levying extraordinary rates must be due to a misunderstanding on the part of the informer at the British Embassy. I never levied any rate improperly. According to the table of consular emoluments, I was allowed personal compensation for each service provided outside working hours but despite this I did not make use of this advantage as I thought that the fact that I was issuing visas outside regular office hours was not because the applicants came at those times but because service was piling up as I had never seen before.

I recall only one Sunday when I thought it fair to receive some of these compensations, and remember that one of them was paid by Robert Rothschild who, coming for the first time that day, did not wish to wait until the following day.

I never demanded contributions to Portuguese charities at any time, this would be absurd, and I do not think that anyone in the Consulate would have done so.

I heard, however, that a certain Englishwoman, tired of waiting for her visa, became impatient and on exchanging a few ill-humored words with one of the Consular employees, said that she would be lodging a complaint. Might this not be the person who so thoughtlessly informed the British Embassy? In any case I regret that the Embassy was not informed of the manner in which I treated (with great pleasure, in fact), the many British subjects who passed through the Consulate at that time, some of whom later sent me letters of thanks.

The affirmations contained in the Verbal Note from the British Embassy, unaccompanied by any proof, are devoid of all probative significance.

As regards n° 5 and 6, I must explain the reason why I was in Bayonne:

For some days, Mr. Faria Machado, the Consul in that town, had been telephoning me with news of the difficult situation he was in, as thousands of people hounded the Chancery under his charge waiting for their visas. He mainly insisted that it was impossible to attend such a large crowd and provide a solution for all the cases. He was endeavoring to obey all instructions to the letter. He sent telegram after telegram to the Ministry requesting authorization to issue visas and as replies were not immediately forthcoming, this being naturally impossible, appealed in distress for my intervention, requesting urgent instructions that would resolve the situation.

As panic had reached the entire south of France, expressed by pathetic scenes on the news of the defeat of the French troops and the rapid advance of the German troops, at one point telegraph and telephone communications between Bordeaux and other French cities being cut, I thought it my strict duty at that exceptionally serious moment to travel in person to Bayonne to respond to my colleague's appeal.

On my arrival where there were so many thousands of people - about 5.000 in the street, day and night, without moving, waiting their turn, about 20.000 all told the city, waiting to get to the Consulate, I suggested to my colleague Faria Machado that the only way to resolve the momentary difficulties would be to give them the visas they so desired and as it was materially impossible to charge emoluments and make the respective registrations, the former should be charged by the police on the Portuguese border on the refugees' arrival.

Mr. Faria Machado accepted my suggestion and as Mr. Calheiros e Menezes, our Minister in Brussels, was also there on his way back to Portugal, he also agreed and himself began issuing visas.

It was my intention to return to my post but as the French police had cut off communications with Bordeaux I was forced to remain in Bayonne where I also started issuing visas.

This was the extent of my action at the Chancery of the Bayonne Consulate where as you can clearly see there was no usurpation of functions, but only collaboration imposed by circumstances in a post under my jurisdiction.

On my return to Bordeaux the city was already occupied by German troops and road communications were restored.

It was indeed my aim to "save all those people", whose suffering was indescribable: some had lost their spouses, others had no news of missing children, others had seen their loved ones succumb to the German bombings which occurred every day and did not spare the terrified refugees. How many must have had to bury them before continuing their frenzied flight!

In addition to this extremely emotional aspect, however, which filled me with commiseration for so much misfortune, there was another aspect which should not be

overlooked, the fate of so many people if they fell into the hands of the enemy. Indeed, in the midst of these refugees were officers from the armies of countries that had already been occupied, Austrians, Czechs and Poles, who would be shot as rebels; there were also many Belgians, Dutch, French, Luxemburgers and even English, who would be subject to the harsh regime of the German concentration camps; there were eminent intellectuals, famous artists, statesmen, diplomats, of the highest category, major industrialists and businessmen, etc. who would suffer the same fate.

Many were Jews who were already persecuted and sought to escape the horror of further persecution, finally an endless number of women from all the invaded countries attempting to avoid being at the mercy of brutal Teutonic sensuality.

Add to this spectacle hundreds of children who were with their parents and shared their suffering and anguish, needing cares they often were unable to provide. Moreover, because of the lack of accommodation this multitude slept in the streets and public squares in all weathers.

How many suicides and how many acts of despair must have taken place, I myself witnessed several acts of madness!

All this could not fail to impress me vividly, I who am the head of a numerous family and better than none I understand what it means not to be able to protect one's family.

Hence my attitude, inspired solely and exclusively by the feelings of altruism and generosity which in eight centuries of history have been eloquently proved by the Portuguese and amply illustrated by our historic feats.

As regards n^s 7 of the charge note, I must inform that as the vice-consul in Toulouse had requested authorization over the telephone to issue visas without consulting the Foreign Ministry, I said it was vital that the applicants present themselves at the Bordeaux or Bayonne consulates, the only ones allowed to issue visas.

Later, however, the same functionary telephoned again to say that there were no communications, either by train or car, from that city. People were only allowed to leave to go south and allowed to arrive from the northern regions. I therefore authorized said functionary to issue transit visas only, and only to those people who already had visas for any American country.

It would obviously be impossible to consult the Foreign Ministry in view of the urgency and the pressure of events, as all telegraphic correspondence took two or three days, there being even no guarantee that it would reach its destination, as I was able to see for myself.

As regards n^s 8, I must say, with all due respect for the testimony of my illustrious colleague Dr. Simeao, that it is not altogether true to say that I had come to Bayonne to

accompany whoever it may have been. It is true that with me to Bayonne went a French personality who is well-known for his activities in connection with the propaganda of Portugal and of Your Excellency's work, the eminent Doctor of Letters and writer, Charles Oulmont, who had been invited to pay an official visit to Lisbon to attend the centenary celebrations. I owed him every attention and would willingly have accompanied him to the border. However, that was not the reason that took me from Bordeaux. I went only because of the reasons explained above in reply to n^s 5 and 6 of the charge note: to help my colleague in Bayonne.

As for the discredit mentioned in n^o 9 it is obvious that the attitude I took could not fail to cause strangeness. However, it should be noted that everything was strange at the time. My attitude was in fact a result of the totally abnormal and insuperable circumstances, of force majeure, and therefore that same attitude could only be evaluated in all fairness by those who were entirely apprised of all the facts.

I regret that certain people should have believed in the idea of discredit. The fact is that, as all the visas were transit visas, I am pleased to record that there was no damaging consequence for Spain, either material or political.

Regarding any discredit that could have arisen before the German authorities, as said also in n^a 9, it should be noted that they had not even reached Bordeaux at the time of these events.

It all appears to have consisted of momentary impressions, surprise and apprehension on the part of the Spanish due to the possibility of material and political complications. Events, whoever, were fully understood by the French authorities who, two days prior to the German troops' arrival, had decided to abolish exit visas from French territory to ease the passage at the border of the refugees (many of them French) who had visas for Portugal.

If I may focus on one aspect that personally concerns me, I would like to say that as I was crossing the square on which stands the Bayonne Prefecture, my consular actions having been made public (the same actions that are considered a discredit to Portugal in n^o 9 to which I am now replying) I was cheered by many hundreds of people who also cheered Portugal and Your Excellency.

As regards n^s 10, I must note that most of the foreigners who reached the Portuguese frontier had visas issued by me for the simple reason that in their flight they went to the Consulates nearest the border.

As regards the facts of n^s 11, I could not differentiate between nationalities as I was obeying reasons of humanity that distinguish neither race nor nationality.

As regards n^o 12, I must explain that not all refugees were able to procure the documents the law requires for travel purposes. They did what they could to save themselves, some had had no time to obtain a passport, others had lost theirs, others had

left them behind in the haste of the flight in the public departments, consulates or prefectures, through which they had rushed and where these were retained for examination. Once the tragedy ended, many passports were found in the Bordeaux and Bayonne consulates and even on the streets.

As for the case mentioned in n^B 13, 14 and 15, I would like to say the following:

I did in fact issue a visa in the Luxemburger passports of Mr. and Mrs. Miny. For the same reasons and under the same terms of all the rest. Later, this couple asked me for a Portuguese passport, where they would figure as brother and sister, for fear that the husband, who was still of military age, would be detained on passing the French border and incorporated in the Luxemburger army then being organized in France.

Mrs. Miny was Portuguese by birth and had occupied positions of representation whilst married to a Portuguese diplomat; her husband was weakened by surgery he had undergone recently and the couple had no money, so that in all conscience I thought I would help them by complying with their request.

The fact that I recommended that they should return their passport to me as soon as they reached Portugal shows that my concession complied with the aboveindicated aim and was not to grant them the quality of Portuguese citizens.

I only knew of the erasure noted in said passport from the charge note to which I am replying, and know nothing about it.

There was another case in which I had to act outside the legislative rules. I will expound it to you in order to document and confirm my good faith: an Austrian, Albert Jacobi, came to me requesting a visa. He was accompanied by his mother, a sick and elderly lady with no documents to prove her identity, and who could not remain in France on her own, where they had neither family nor relatives. In view of these circumstances, I declared in the visa I affixed to his passport that the bearer was accompanied by his mother. I do not see that this act, determined by exceptional reasons which weighed considerably on me, should merit a reprimand.

I see also that two annexes containing disciplinary material are attached to the proceedings. As these facts occurred previously and I have already replied to them, I would ask you to consult the replies I gave the Disciplinary Board.

In conclusion, I request permission to state, once again, that all I did was motivated by the circumstances which acted on my spirit as reasons of force majeure.

I sought to honor the mission entrusted to me and to defend our good name and prestige. As Portugal's representative I was sought out by eminent people of many countries with whom we have always been on excellent terms: statesmen, Ambassadors and Ministers, generals and other high officers, Professors, men of letters, academics, famous artists, journalists, some of whom had served Portugal, university students, people

from various Red Cross organizations, members of ruling families, princes of the blood, soldiers of all ranks and posts, industrials and businessmen, priests and nuns, women and children in need of protection. In general they spoke words of esteem and consideration for Portugal, a hospitable, welcoming country, unique in Europe, where they might find peace and quiet after so much suffering and pain.

My conscience considers these words the most precious reward for all I did for them. I am particularly consoled now to see in the Portuguese newspapers that these foreigners are enjoying their stay here and how grateful to and worthy of Portuguese hospitality they are.

To my knowledge none of them so far has disturbed the public peace or in any way abused this hospitality.

I may have erred but if so I did it unintentionally, having followed the voice of my conscience which, despite the nervous breakdown I am still experiencing due to the workload, during which I spent weeks with practically no sleep, never failed to guide me in the fulfillment of my duties, and in full awareness of my responsibilities.

I submit as witnesses for the defense Dr. Francisco de Calheiros e Menezes, Portuguese Minister in Brussels;

Dr. Agapito Pedroso Rodrigues, Consular Inspector;

Dr. Agnelo Lopes da Cunha Pessoa, Consul (1st Class)

s/ Aristides de Sousa Mendes

D0C.8 - DEPOSITION OF THE DEFENSE WITNESS, FRANCISCO DE CALHEIROS E MENEZES, PORTUGUESE MINISTER IN BRUSSELS, IN THE DISCIPLINARY PROCEEDINGS OF ARISTIDES DE SOUSA MENDES, DATED 19 AUGUST 1940

... On this matter he said that he arrived on the morning of the sixteenth June of this year in Margaux which is about twenty-five kilometers north of Bordeaux. The situation had deteriorated to the point where the French Government was considering retreating rapidly to the south and the Belgian Government was thinking of leaving for England. He had left at dawn from Poitiers with the Canadian Minister to avoid the inevitable agglomeration of French refugees from all the departments of the north of France who were fleeing from the invader and making the traffic on the roads dangerous and difficult. The Canadian Minister was the last head of mission accredited in Brussels with whom the witness was still traveling. All the others he had encountered in Ostend had left for other destinations. On the afternoon of that day the witness had gone to Bordeaux to gather information, find his luggage which had been sent by rail when the Spanish mission, in whose truck it was traveling, had retreated to Spain and abandoned it somewhere near Poitiers. It was on that afternoon that the witness first visited the Portuguese consulate in

Bordeaux, located in one of the streets near the docks, in an ordinary apartment, where once again he was able to see how inconvenient it was for the chancery of the consulate to function in the consul's residence. The witness had been kindly received by the chancellor or vice-consul (he is not sure of his grade) who had explained that since the previous evening the consul, defendant in these proceedings, had been extremely fatigued and had repaired to his bed. The number of people requesting information or visas not very large. All was running normally without conflict or difficulties. The witness got the impression that all existing orders were being perfectly obeyed. Meanwhile Consul Dr. Mendes had asked that if he did not mind he would receive the witness in his bedroom, although he was lying down. The witness went to greet him but stayed only a few moments as the defendant was in fact very tired. Consul Dr. Mendes had then told the witness that in the last days he had had exhausting work. Bordeaux presented on a large scale, as it was a larger city, the same heartbreaking aspect of all the other French towns through which the witness had traveled. There were thousands and thousands of refugees, seeking shelter to no avail. In the streets, traffic as never seen before. In a word: once again the same impression of collective panic with the fixed idea of fleeing. On the following morning the witness returned to Bordeaux to help the Canadian Legation which required visas in their diplomatic passports for Spain and Portugal and also because the witness needed to be forearmed with a Spanish visa. The witness had met his Canadian colleague at the Portuguese consulate in Bordeaux. Mr. Aristides Mendes, who was already up and appeared to have recovered, received the witness and his Canadian colleague very kindly and complied with their request for visas without delay. The witness even remembers that when they left the Canadian Minister wished, as he had done in the Spanish Consulate, to leave a donation in money for "les bonnes oeuvres du consulat" ["for the good works of the consulate"]. Mendes summoned an employee and giving him the small amount repeated the words of the Canadian Minister. The witness did not return to the consulate. The tasks that had taken him to Bordeaux did not permit this. He does not know, therefore, if there were any later alterations to the conditions mentioned, both as regards applications for visas and the service. Some days later the witness left for the Pyrenees when the Belgian Government released its functionaries and it was no longer possible to contact any of its members. The witness was alone at this time. As he represented a belligerent country and fearing that the armistice might find him in France the Canadian Minister had left for Portugal. The witness left Margaux one morning at dawn and after a tiring journey reached the house near St. Jean de Luz which had been kindly lent by a friend. On the following morning he went to Bayonne to look for his luggage which he knew was at the consulate. In this town, the same desolate spectacle, worsened if possible in contrast with Biarritz where it seemed that people did not really understand the significance of events. The Portuguese consulate was located on a horrible third floor to which access was made by crossing a narrow street in the center of town and which was reached by a difficult, rickety and detestable wooden staircase. The consul told him, however, that it was the best he could find with the money available. The spectacle that greeted him when he tried to reach the front door was such that he wondered whether it would not be preferable to carry on, leave his luggage in the care of the consul and desist from this visit. Penetrating on his own into the building appeared impossible and possibly even dangerous given the number of

people and their attitude. He then decided to call the consul and ask him to come with some of his staff to collect him which was done, the witness having practically been hoisted up to that hideous third floor. The noise and confusion were indescribable and he confesses that having discovered where his luggage was kept and sent a telegram to the ministry announcing his arrival in Bayonne, which telegram he later saw the consul had never sent, he decided to face the crowd again and descend by the stairs. It was at that precise moment that the Portuguese consul to Bordeaux arrived. Dr. Aristides Mendes appeared to the witness to be quite excited but as everyone else was also and the noise was extraordinary he was unable to determine if it had merely been an impression. He had, he said, come expressly from Bordeaux to convey the instructions received which were that all passports to Portugal should receive a visa. The witness cannot be sure that the defendant actually said that he had received these orders directly from the Ministry but he remembers perfectly that he quoted the name of the Portuguese Minister in Paris, adding that the consulate in Bayonne would receive them shortly. Mr. Faria Machado strongly resisted these instructions which seemed to him to be contrary to all those he had received thus far but on Mr. Aristides Mendes' formal orders, he gave in and telegraphed the Ministry to recount what had happened. The consul in Bordeaux even wished the witness to intervene, not remembering so upset was he, that the witness was not competent in this matter. The witness nevertheless confesses that it did not even cross his mind that a functionary who had been in the foreign service for so many years would say that he had received instructions when he had not, or that they had not been given him by our Minister in Paris. The witness firmly believed they were true and for reasons unknown to him, refugees would be allowed into Portugal until further orders. The fact that the defendant had traveled to Bayonne from Bordeaux, more than two hundred kilometers away (whence he would have to return, a difficult and even perilous journey), to convey these instructions, further convinced the witness. The witness never returned to the consulate in Bayonne but went often to Mr. Faria Machado's house in Anglet. He never saw Dr. Aristides Mendes again, then or later. These are exactly the facts as the witness saw them. Having been informed of the defense presented by the defendant on pp. 101 et. sq. of the proceedings, where it says that the defendant had made a suggestion to Mr. Faria Machado in Bayonne which had been accepted by the latter and ratified by the witness, and that the witness "himself began issuing visas", the witness declares that there was no suggestion but as mentioned above a formal order from Dr. Aristides Mendes to Consul Faria Machado to issue visas on all passports to Portugal. Indeed, even if such a suggestion had been made, which it was not, the witness would not be competent to ratify it, as he was accredited with the Belgian Government and not with the French authorities. There is no truth in the fact that the witness issued visas in passports at that consulate, and it is easy to prove. The witness would like to add some remarks to his deposition owing to the fact that the defendant Dr. Sousa Mendes indicated him as a witness for the defense. As the witness has said above he did not see the Consul to Bordeaux again, but he supposes that the defendant believes that more than anyone else at the Ministry the witness may judge of his torment, hounded as he must have been by the many people who implored his pity and protection. The witness is not attempting to excuse any fault or prevarication, if any; he would merely like to explain to himself what gave rise to the defendant's conduct. The witness is well

aware that a functionary has no need to be human when it is a question of obeying orders, whatever they may be. Not all people, however, have the same moral resistance that enables them to confront situations such as the one experienced by the witness and the defendant. From the very beginning, day by day, the former witnessed the immense tragedy of the invasion which began on 10 May and ended forty five days later at the Spanish border. He can guarantee that it would require unusual courage to resist the pleas and imploration of so many unfortunate people, terrified at the approach of the invader and the justified fear of the concentration camp or, worse, the firing squad. These were no isolated cases in a tranquil environment. There were thousands of tormented persons who had been machine-gunned or strafed when fleeing, in cities that were sometimes subject to daily air raids and air raid warnings. Panic is contagious, even physically, and since the witness left Brussels and even since the first day of the bombings all he saw was people who were totally lacking in serenity. First the Belgians: politicians, diplomats, civilian and military authorities; then the French. All overcome by events and incapable of reacting or setting any sort of discipline or attempt at order. Is there any other way to explain the disorderly flight of two and a half million Belgians along the roads of their country and of France, hindering the passage of troops, preventing supplies from reaching civilians and leaving the towns and cities through which they passed without food or gas? The witness has already said here in his testimony that there was only one idea: flight. Possibly the French authorities behaved better at the start; they were certainly more serene. But after the fall of Paris and the advance on the Loire, the spectacle was identical or even more alarming as the territory to which they were running was gradually shrinking. It was then the French people's turn to flee, despite the appeals and even orders by the Government for no-one to leave the places where they were, which no-one obeyed. Flight continued to be the only objective. The witness believes that it is in the light of this environment that the defendant's attitude must be viewed and judged. Others, possibly less impressionable or physically and morally stronger, might have withstood the torment and resisted the vehement and anguished pleas they heard. The witness believes that the Consul to Bordeaux allowed himself, as so many others, to be overcome by the horror of the tragedy he was witnessing. He said nothing further and having read his deposition found it in accordance and will now sign it together with the Instructor and myself, Manuel Anselmo, Consul (3rd Class), serving as secretary, who wrote the above.

DOC. 9-REPORT BY COUNT TOVAR, RAPPORTEUR OF THE DISCIPLINARY
PROCEEDINGS OF ARISTIDES DE SOUSA MENDES, DATED 19
OCTOBER 1940

DISCIPLINARY PROCEEDINGS AGAINST

CONSUL (1ST CLASS) ARISTIDES DE SOUSA MENDES

The faults imputable under these proceedings to Consul (1st Class) Mr. Aristides de Sousa Mendes, come under four headings:

disobedience falsifying documents desertion of post graft

The last of these imputations was made by the British Embassy in its Memorandum of 20 June last (see pp. 3). The Defendant has contested it and alleges that “ The affirmations contained in the Verbal Note from the British Embassy, unaccompanied by any proof, are devoid of all probative significance” (pp. 102v.-103v.). In fact, I can find nothing in the proceedings to prove this charge. Neither do I see that the Instructor of the proceedings made any particular attempt to verify its veracity. The British Embassy does not appear to have been invited to submit any evidence it may have on this matter.

The disobedience imputed to the Defendant is based on a series of facts which took place between November 1939 and the end of June 1940, which are documented in the proceedings:

1st) On 21 November 1939 the Defendant issues a visa in the passport of the Austrian Wiznitzer - without effecting the previous consultation imposed by instructions received from this Ministry. The consultation was made on 27 November - six days after the visa was issued. He was reprimanded by dispatch of 16 January to which he replies on 22 January.

2nd) On 3 February 1940 he sends an application by ordinary mail for a visa in the passport of the Spaniard Laporte. Without waiting for a reply he issues the visa on 1 March. He was again reprimanded, in particularly strong terms, in a dispatch of 24 April.

3rd) On 16 May another case: without prior authorization he issues a visa to the Luxemburgers, Mr. and Mrs. Miny.

4th) On 29 May, yet again, issuing visas without prior authorization to three Poles.

5th) On 30 May he gives the Minys a Portuguese passport in which he falsely ascribes Portuguese nationality to them, and indicates that Paul Miny is his wife's brother.

6th) On 18 or 19 June the Defendant appears at the Bayonne Consulate (in his charge) and orders Consul Faria Machado to issue all transit visas or residence permits for Portugal without prior authorization and without charging emoluments, to whoever applies for them (pp. 18, 31 and 87). Consul Faria Machado objects that this order contradicts instructions received from Lisbon but the Defendant firmly insists that he has received instructions accordingly - which is false - and that he has come expressly to Bayonne to pass them on (pp. 123v.-125).

The Defendant does not contest the above mentioned facts under n^B 1-5. As regards n⁹ 4 he observes that the Police of Vigilance and Defense of the State mentions neither the names nor the identity of the three Poles and says that “it is a gratuitous statement made by the police and accordingly has no legal value”.

As regards his behavior in the Consulate in Bayonne (fact n^o 6) the Defendant states that he merely made a “suggestion” to Mr. Faria Machado which the latter accepted. However, the depositions of Mr. Faria Machado (on pp. 83 and 135), Mr. Lopo Simeao (on pp. 18 and 31), Pedro Teotonio Pereira (on pp. 87) and Francisco de Oliveira Calheiros (pp. 125) are unanimous in stating that the Defendant gave his subordinate Faria Machado express orders, contrary to instructions received from the Ministry and from our Minister in France (see pp. 139). It therefore seems that all the facts mentioned in n^o 1 to 6 should be considered true and proven.

To justify these repeated acts of disobedience the Defendant invariably invokes sentimental and humanitarian reasons. - He did this in January 1940 when wishing to justify the infraction committed in November 1939. - Despite new reprimands received, he now wishes to contest the charge note formulated by the instructor in the proceedings: “I considered it a duty of elementary humanity...” (pp. 101v.). “It was indeed my aim to save all those people, whose suffering was indescribable” (on pp. 104v.). - “Hence my attitude, inspired solely and exclusively by the feelings of altruism and generosity which in eight centuries of history have been eloquently proved by the Portuguese and amply illustrated by our historic feats” (pp. 105v.).

The Defendant therefore wishes us to understand his conduct as follows: when asked to issue visas for Portugal there was a conflict in his conscience between “a duty of elementary humanity” which compelled him to do everything he could to save those people, and his duty as a functionary which compelled him not to issue visas. The duty of humanity triumphed in this conflict and he issued visas: “I acted compelled by circumstances which acted on my spirit as reasons of force majeure” (pp. 109). And he did not restrict himself to act thus in the cases that came to his consulate in Bordeaux. He went to Bayonne and with false allegations (special instructions he had received) forced a consul of lower category to act in a similar fashion.

The Defendant’s construction, however, in my view raises two considerable objections:

- the first is that this irresistible impulse of Mr. Aristides de Sousa Mendes’ humanitarian feelings did not only occur in June 1940 with the arrival of the refugees from northern France. In November 1939 the Defendant was already issuing visas with total disregard for the Ministry’s instructions, excusing himself in his letter of 22 January (on pp. 74) by saying: “I hope that you will forgive the irregularity I have committed which was inspired by humanitarian feelings”.

- the second is that, if the Defendant’s conscience was in fact repeatedly assaulted by conflicts of duty (November 1939 to the end of June 1940) he should in that time have tried to solve his painful dilemma by sending a report to the Ministry setting down with all sincerity the moral situation in which he found himself, and seeking to induce the Ministry either to make its instructions more humanitarian or to agree to transfer him to another posting where he would not be subject to this moral torture. I find nothing in the

documents to indicate that the Defendant requested either of these two things. In his letter of 22 January he acknowledges that he made a mistake and seems determined not to repeat it. But he does repeat it and submits the same justification.

In pp. 120 of his deposition Mr. Francisco de Oliveira Calheiros very realistically invokes the tragedy of the exodus of refugees before the invading army, and judiciously ponders that “it would require unusual courage to resist the pleas and imploration of so many unfortunate people, terrified at the approach of the invader and the justified fear of the concentration camp or, worse, the firing squad” (pp. 126).

This atmosphere of panic does in fact provide an extenuating circumstance for the acts committed by the Defendant during the month of June and possibly even for those committed in the second half of the month of May. - Unfortunately, however, the acts committed during that period are no more than a repetition or extension of a procedure that already existed, for which the same extenuating circumstance cannot be invoked. There had been infractions and repetitions long before 15 May.

Whatever the intentions attributable to the Defendant and the extenuating circumstances allowed him, the fact is that when the Ministry's instructions did not match his personal criterion, Mr. Aristides de Sousa Mendes invariably placed his personal criterion before the Ministry's. I believe this is serious.

No less serious is the falsification made on 30 May 1940 to benefit Mr. and Mrs. Miny. The Defendant does not contest the act and wishes to justify it, as all his acts of disobedience, with considerations of humanitarianism.

The Board of the Ministry is not competent to assess the degree of culpability involved in an act of this nature. But it would like to register the following:

1) Mr. Aristides de Sousa Mendes' sentimental impulses are such that they “acted on [his] spirit as reasons of force majeure” and lead him not only to disobey express orders from this Ministry but to practice acts that fall within the scope of the criminal code;

2) the Defendant is so wanting in judgment that months later, having been removed from the influence of the environment in which he committed the act, he does not hesitate to sustain (see his defense on pp. 108 et. seq.) that given the circumstances in which it was committed his act is not guilty but rather deserving of merit and praise.

I must now judge the last argument in the documents: desertion of his post.

It has been proved that on 18 or 19 June the Defendant appeared unexpectedly in the Consulate in Bayonne - more than 200 kilometers away. To explain this journey he

states that during the previous days Mr. Faria Machado had requested his intervention and that he “thought it my strict duty at that exceptionally serious moment to travel in personal to Bayonne to respond to my colleague’s appeal” (pp. 104). However, the depositions of the witnesses are unanimous in saying that when he arrived at the

Consulate in Bayonne the Defendant said he had come to inform Mr. Faria Machado of new instructions he had received regarding visas.

Whatever the Defendant’s real intention in going to Bayonne, I consider that he acted wrongly by leaving the Consulate in Bordeaux which was in his charge “at a particularly serious time”, to interfere in the work of another consulate under someone else’s charge. - I do not, however, consider that the journey should be looked on as desertion of his post as the Defendant never deserted his work and however wrongly inspired, went on work-related matters to Bayonne.

The act of leaving the Consulate in Bordeaux is in my view a fault which discredits the professional competence of the functionary and merits a reprimand but is not actually a fault deserving a heavy punishment.

To summarize my judgment of the various charges formulated against the Defendant, I will say:

I do not consider that the charge of graft is proven

I consider that the fact that the Defendant left the Consulate in Bordeaux is to be censored but I do not consider that it was desertion of his post.

I consider that the various acts of disobedience that took place between November 1939 and the end of June 1940, despite successive reprimands, are very serious

In my view the falsification of documents committed on 30 May does not fall within the scope of this Board.

In his report the instructor of the proceedings considers two aggravating circumstances to be proven: premeditation and accumulation of infractions, but is of the opinion that these aggravating circumstances are compensated by three extenuating circumstances: previous good professional conduct, spontaneous confession of the infractions, and the services for which he received praise by Dispatch of 14 July 1935.

I disagree with the Instructor with regard to the extenuating circumstances.

As regards his previous good professional conduct, it should be noted that this is the 4th case of disciplinary proceedings brought against the Defendant: one in July 1935

following certain statements made in public on the occasion of the inauguration of the Portuguese Pavilion at the Brussels Exposition (attached although truncated); another brought by dispatch of 26-7-1935 owing to irregularities in the consular accounts. In the second case the accusations were considered proven and led the Instructor of the Proceedings to propose a penalty of a reprimand.

A third case of disciplinary proceedings was brought by dispatch of 5 August 1938 because he left his post (Antwerp) and came to Portugal without leave and without the knowledge of this Ministry or of the Legation in Brussels. The charge was considered proven.

There is another case in which the instructor was Dr. Francisco Antonio Correia. It is not attached but it figures in the proceedings (on. pp. 91).

The proceedings also contain quite a long list of reprimands and censures against him between 1937 and 1939.

On the other hand the proceedings only contain one praise "for services rendered on the occasion of the Antwerp International Exposition".

In these conditions I do not think that the Defendant can benefit either from previous good conduct or "relevant services".

As for "spontaneous confession of infractions", I do not see that the Defendant even acknowledges that there were any infractions. He denies all charges that are not proven by documents and as regards those which are irrefutably documented he denies that they are punishable infractions and even transforms them into acts that are highly to the credit of his character and his moral personality.

Consider the conclusion to his defense against the charges (on pp. 109 and 109v.). He glories in having acted the way he did. Consider, too, the documents attached, at his request, to the proceedings (on pp. 115 and 141). Mr. Aristides de Sousa Mendes does not confess to infractions: he boasts of services that have made him worthy of praise.

The Defendant's lack of sense, his lack of judgment, his failure to grasp his responsibilities in public service and his very *raison d'être* as a functionary is what in my view constitute the most impressive and distressing aspect of these disciplinary proceedings.

The Defendant is 50 years old and has spent 30 years in the foreign service. It will not be at this age and after so many years' service that he will change his mentality or his behavior.

When studying the proceedings I was particularly struck when noting (on pp. 90) that already in 1907 the Defendant had been reprimanded for having left his posting (Zanzibar) without the knowledge of the Secretariat or of the Legation in London; and that

21 years later, in January 1938, disciplinary proceedings were brought against him for precisely the same reasons: having left his posting (Antwerp) without the knowledge of the Secretariat or of the Legation in London.

In his present defense the Defendant shows neither repentance nor the intention to mend his ways: merely bafflement and boasting. Whatever punishment he is given I am convinced that Mr. Aristides de Sousa Mendes will consider it undeserved and will continue to act as he has always acted and be what he has always been. Having carefully examined the proceedings I believe that the Defendant is unlikely to grasp that the acceptance of a post and of a salary by the State gives him the ineluctable duty strictly to obey any orders he receives.

With this conviction and in view of the Defendant's professional incapacity, it will be difficult for me as member of the Board of this Ministry to support any future proposal to post him to a consulate general or even to a first class consulate.

Accordingly, and restricting myself to the disciplinary infractions:

Considering that Article 18 of the Disciplinary Regulations of 22 February 1933 establishes that penalties 5 to 8 of Article 6 shall be applicable to the act of "disobeying higher orders during service".

considering that article 21 of the same Regulations establishes that the accumulation of infractions and repetition thereof determine the application of a penalty higher than that of the most serious infraction",

I am of the opinion that all acts of disobedience mentioned under n^B 2, 3 and 4 (on pp. 2 of this Report) are punishable with the penalty foreseen in n^e 8 of the aforementioned article 18 of the Disciplinary Regulations;

and as a result of the accumulation of infractions and repetition thereof the Defendant subject to the penalty set out in n^s 9 of that article: demotion to the category immediately below.

Lisbon, 19 October 1940

s/ Tovar

DOC. 10 - LETTER N^e 180 FROM JOSE AUGUSTO DE MAGALHAES,
PORTUGUESE CONSUL IN MARSEILLES, TO THE FOREIGN
MINISTRY, DATED 31 DECEMBER 1940

Marseilles, 31 December 1940

Dr. Antdnio de Oliveira Salazar

President of the Council and

Minister of Foreign Affairs

Lisbon

Excellency,

1) - In compliance with Your Excellency's orders, conveyed through the Vichy Legation, I was quick to transmit to the various dependent posts, as well as to those of Lyon and Pau, a Circular with the instructions therein contained. I attach a copy of this Circular in duplicate, under Annex n^s 1.

2) - My aim in sending that Circular was to ensure the best possible organization of the visa service whilst nevertheless permitting visas already granted, which for reasons beyond their bearers' control had not been used within their period of validity, to be renewed.

3) - It is possible that the Police of Vigilance and Defense of the State (PVDE)' have overwhelming reasons to restrict the free movement of people, whilst still allowing the free movement of goods, but there is no doubt that the revocation, pure and simple, of sub-paragraph 3 of the instructions dated 13 June 1940, strips consular functionaries of the right to evaluate certain cases which, in the interest of our own country, should sometimes be judged from a more liberal, less police-oriented point of view.

4) - In many cases the applicant for a transit visa cannot receive, here, the funds he may have, there, to buy his passage.

5) - In others, such as that mentioned in Annex n^s 2, applicants will only be able to buy their definitive passage overseas once they have obtained the necessary consular visas.

6) - The Spanish Consulate, which until recently granted no visas without lengthy "demarches" in Madrid, has just granted all facilities to the nationals of neutral countries returning to their homes.

7) - In Annex n^s 3 I enclose a problem which cannot be solved by the Consulate and which appears to me to involve the good name of Portuguese administration. I appeal to Your Excellency to find a solution, as my appeal of 8 November last to the PVDE went unanswered.

8) - I submit said Annexes for Your Excellency's perusal and dare to hope that the restrictions now imposed will be lightened and greater facilities granted for those who, whilst having sufficient funds to travel to their countries of destination, are locked in a vicious circle from which it is difficult to emerge: Consular Visas required for definitive

purchase of passage; passage to be shown when obtaining a transit visa.

9) - Would not a declaration from the Shipping lines to the effect that they have received a deposit on account for a ticket to be issued, suffice for the concession of a transit visa? Could we not grant similar facilities to Pan-American Airways and the Rockefeller Foundation?

10) - To ensure proper efficiency of their delicate mission the diplomatic bags of friendly nations cannot be delayed by one hour, much less by the several days now needed for telegraphic consultations and decisions. Telegrams sent between the 21st and the 23rd have only just arrived.

11) - Our ancestors carved out our homeland on a strip of Europe facing the Atlantic which today, as the result of Your Excellency's wise and clairvoyant government, is the only door left open to the rest of the world through which victims of political and religious persecution can escape. Can we, should we, betraying the mission entrusted to us by this position and by the providential government that has made Portugal happy at this difficult moment in history that humanity is now undergoing, obstruct the route and prevent the salvation of those needing to leave this Old World in turmoil?

12) - An incorrigible dreamer, through my spirit of hard work and organization, I considered the needs of our industry and of our colonies, and aspired to see the bearers of vast fortunes, honestly come by, and proven technical skills who seek us out, settle in our homeland or in our Colonial Empire, thus becoming a decisive factor in the progress of these places. The negativist mission imposed by these latest instructions is therefore most unpleasant for me. I have always found it hard to say No, today more than ever.

I would ask therefore to be replaced as soon as possible, preferably by a colleague who takes pleasure in pronouncing that word and in creating difficulties even for the most legitimate of requests.

13) - Some creatures are born to do evil and others feeling only pleasure from doing good: many consider the former to be strong and the latter weak. Out of a sense of loyalty I must declare that I belong to the latter group and on the threshold of a new year, express ardent hopes for the happiness of Your Excellency, which is as if to say for the happiness of our beloved Nation, which I wish neither to damage nor embarrass by my weaknesses born of a character which given my age will not change.

I take this opportunity to reiterate to Your Excellency the protestations of my highest consideration.

AT THE SERVICE OF THE NATION

I

s/ Dr. Jose Augusto de Magalhaes

Consul

Nº 347

Telegram from the Portuguese Legation in Berlin

347 - Have initiated essential preparatory talks in Foreign Ministry here to clarify situation Hungarian Jews protected our Legation Budapest. This Ministry has no knowledge of Jewish proteges Portugal except for a certain Israelite family authorized on account special interest shown Minister (?) Sampaio Garrido. Business pending with Sweden who has granted protection numerous Jews and given many passports of convenience. Switzerland has granted neither passports nor protection to Jews -?- but submitted International Red Cross project wishing for its approval. Tomorrow I will meet with the Swedish Minister. Foreign Minister promised telegraph German Legation in Budapest to find out more about Portuguese proteges. Generally, the issue is the following: all Jews resident Hungary without distinction of nationality (?) must work in the arms factories and are subject to a special exception regime. Hungarian government places no difficulty departure foreign Jews and appears also to have agreed departure limited number Hungarian Jews protected by Sweden. Transit through Reich territory depends however special authorization German Government. Neither Hungarian nor German governments admit possibility of Hungarian or foreign Jews remaining in Hungary benefiting from privileged regime due to protection passports or letters issued by any foreign government. Situation is identical to one occurred recently with Jews resident in the Reich: they either left the country or were subject to the regime established for Israelites. To continue my X (?) matter first point to clarify is whether Portuguese government is willing to receive (?) on Portuguese territory Jews under its protection Hungary. I beg (?) Your Excellency (?) enable me take a position on this point in my next meeting - coded, 2 November.

s/ Tovar

DOC. 12 - CONFIDENTIAL TELEGRAM N^s 299 TO THE LEGATION IN BERLIN

DATED 4 NOVEMBER 1944

299 _ Confidential - Received your telegram n^o 347 which must have been sent before you received my n^o 298. Position which you say in last part of your telegram must be clarified has already been so several days ago in Budapest where our Charge d'affaires told the Foreign Minister himself that we were willing to welcome to Portugal all bearers Portuguese passports. I insist that manner of handling this question there must be as indicated my previous telegrams. In the absence of details Budapest and impossibility of accepting those gathered there as being trustworthy we must not discuss them and place issue purely from a general political point of view. Have no exact number bearers Portuguese passports but know they are many and some already on list of condemned for deportation under particularly cruel conditions.

s/ Minister

DOC. 13 - LETTER FROM JULES GULDEN, PORTUGUESE VICE-CONSUL IN BUDAPEST, IN CHARGE OF DAY-TO-DAY BUSINESS AT THE PORTUGUESE LEGATION IN HUNGARY, WRITTEN FROM GENEVA ON 18 DECEMBER 1944

Geneva, 18 December 1944

To H.E.

Mr. Antonio de Oliveira Salazar

Minister of Foreign Affairs

Lisbon

Excellency,

I have the honor of announcing my arrival in Switzerland. The cause of my precipitous journey was the following:

The Hungarian Foreign Minister summoned me urgently on the evening of the 8th inst. Having announced that he would be leaving Budapest the following morning he asked if I had already received a reply concerning the recognition of the new Hungarian Government and whether I would accompany this government to its new residence. He added that Charge d'affaires Carlos Branquinho must have arrived by now in Lisbon and thus must have had the opportunity of informing the Portuguese government.

When I replied that I had not yet received instructions he declared that if I remained

in Budapest he would consider it an unfriendly act. As a consequence the Hungarian government will immediately withdraw all protection afforded to the Jews under the protection of the Portuguese government. Furthermore, the Head of State - Mr. Szalasi - will take whatever decisions he thinks appropriate.

I asked him for time to inform you of this situation. He has only given me 2-3 days, the time required to send a telegram and receive a reply.

I could therefore no longer remain in Budapest without in a few days endangering our proteges even further nor could I accompany the government to Szombathely without acting against your instructions. Faced with this impasse I sought a third way. The following day I announced to the Government that in view of the complex situation I could not provide such detailed explanations by telegram. Consequently I was forced to travel to Switzerland to achieve contact the Portuguese government more directly. This will naturally take more than three days but this longer delay is all the more necessary considering that withdrawal of our proteges' protection will inevitably be interpreted by the Portuguese government as being an unfriendly act. The Minister having already departed, his replacement, Mr. Bagossy, took note of my declaration and I hastened to leave that very day to show my good will in resolving this issue.

My only means of transport was by car. I left in my car by the only exit still open from Budapest. After a journey full of adventures I arrived in Bern on the 16th inst., from where I sent a telegram to the Hungarian government saying that the Portuguese Government had asked me for a detailed report and earnestly begging the Foreign Minister not to allow anything to happen in the meantime to our proteges that might worsen the situation.

I hope that by acting thus I may have gained precious time for our unfortunate Jewish proteges, without going against your intentions.

Should the situation in Hungary remain unchanged I intend, after 10-14 days, to send another telegram saying that the Portuguese government is studying my report but that it has asked me to finalize it. I hope thus to gain more time which is so important for our proteges.

At the time of my departure the Hungarian government was intending to convey all Jews - our proteges included - to the west of the country (to the town of Komaron) because of the danger of the Russian occupation. Naturally this plan in no way deprives our proteges of our protection.

As for the value of our protection I can inform Your Excellency that the Portuguese protection was judged, by the Hungarian authorities also, as being the most trustworthy. This is due to the fact that our Legation has always been careful not to overstep the limits of the arrangements made with the Hungarian government, something that was not always the case with the other legations.

As I found out later, the representatives of the two other neutral countries who have yet to recognize the present government, that is to say Switzerland and Sweden, were also summoned that same evening by the Foreign Minister. They were also unable to provide an answer to the question asked, with the difference that they were able to announce that they would be sending a delegate to the new government residence.

The Nunciature is still in Budapest. They had intended sending a delegate to the government, but in view of its latest acts against the interests of the Holy See (arrest of the bishop of Veszprem, contempt for the Holy See's protection of many converts, etc.) this intention is hardly likely to materialize.

The Spanish representative left Budapest for Switzerland two days before I did.

As for me, I had hoped that my connections with the Portuguese legation would have made it easier for me to remain in Budapest, eventually even under Russian occupation. In the meantime my work protecting Jews has seriously compromised me in the eyes of the country's dominant party. My case is all the more serious, and could be considered a "crime of treason", because I am Hungarian: others employed in this activity were all foreign diplomats. I have been getting threats, in the form of warnings, almost every day. On the 7th inst., in fact, a functionary of the Foreign Ministry - well- liked also by H.E. the Minister Sampayo-Garrido and by the Charge d'affaires, Mr. Branquinho, also told me that I should disappear as soon as possible, as the situation had become very dangerous for me following the Government's departure.

These warnings were proved by a verbal note from the Foreign Ministry declining all responsibility for legations remaining in Budapest after its departure. I have already had occasion to inform you of the plans of the extreme faction of the party for the interval between the government's departure and the arrival of the Russian army of occupation. These plans were already so well known, in fact, that the Swedish Minister was forced to speak about this with the Head of State, who, was unable to give him any assurances except during the time when he, Mr. Szalasi, remained in Budapest.

Unfortunately we have well-founded suspicions that the two Legation employees, Peter Pajzs and Thomas Herzog (of whose disappearance I have already informed you) were executed by members of the extreme faction of the party. This proves that the present government no longer controls the situation.

As a result of all this I am thinking of staying on here in Geneva. However, should it be in Portugal's interest and also technically possible, I am ready to return to Budapest under another regime, possibly even under Russian occupation.

The offices of the legation and the consulate are still functioning under count Francois Pongracz, an able and educated man who studied at the diplomats' school in

Vienna. He has already served under Mr. Branquinho who also liked him. I have total

confidence in him and hope that he will be able to carry out his job even in these difficult times; given the absence of the government our protective actions are in any case reaching an end. Count Pongracz is perfectly aware of your instructions. In case of danger the Swedish Legation has said it will take under its protection our offices, employees and proteges.

In the hope that your will approve my attitude in this situation I ask you to accept the expression of my highest consideration

s/ Dr. Jules Gulden Vice-Consul of Portugal
in Budapest In charge of day-to-day business
at the Portuguese Legation in Budapest

DOC. 14 - EXCERPT FROM THE REPORT ENTITLED "MISSION TO BUDAPEST"
BY ALBERTO CARLOS DE LIZ TEIXEIRA BRANQUINHO DESCRIBING
THE SITUATION ON HIS DEPARTURE FROM BUDAPEST. 1944

FOREWORD

In the period during which I temporarily held the position of Portuguese Charge d'affaires in Hungary, the racial problem surpassed all others in the sphere of action of the Legations of the neutral countries accredited to Budapest. These were: the Holy See, headed by the prestigious doyen of the diplomatic corps, Monsignor Angelo Rota, assisted by Monsignor Verolino, an intelligent coadjutor of the highest moral character; Sweden, under the former Minister in Lisbon, Mr. Dannielson, whose wise counsel I had been advised to seek by Ambassador Teixeira de Sampayo when giving me the instructions I should abide by in my new position; Portugal, whose reaction to the Nazi's anti-Semite policy had, prior to my arrival in Budapest, inspired the anti-Nazi elements' trust, as a result of the Lusitanian gallantry shown by Minister Sampayo Garrido when members of the German and Hungarian police, in ridiculous disguise, attacked and robbed the Portuguese Legation and arrested some Semites who had taken refuge there; Switzerland, Spain and Turkey.

To my first attempts to obtain from the Hungarian government all respect for the protection granted by the Portuguese Legation in Budapest to Hungarian Jews under the terms of the instructions I had received from the Portuguese government, the Hungarian Minister of Foreign Affairs immediately replied that the Hungarian government was prepared:

1 - not to acknowledge the political nature of the racial problem, it having been considered scientifically proven that the latter had to be imperatively resolved by processes which were part of the internal legislation of the countries so afflicted.

2 - not to respect the right of asylum the foreign Legations accredited to Budapest

wished to apply to protect the Jews.

3 - not to grant any type of privilege or immunity or exceptional treatment to the Jews employed in said Legations or at the service thereof.

I replied that I disagreed that the racial problem did not have a political nature and that its study should remain outside the scope of international law; that the right of asylum had suffered other restrictions in addition to those set out in the treaties to which Hungary was a signatory; and whilst I thought it immoral that the foreign Legations should at this point abandon to their sorry fate the Jewish employees who had served them well for so many years, that if accomplished I could not but consider this attitude of the Hungarian government as an important limitation to the exercise of my functions. Indeed, all the employees of the Portuguese Legation were Jewish, had worked there since the Legation had opened years before, were the only people in Hungary who knew any Portuguese and their replacement would imply serious difficulties to normal working conditions.

I immediately attempted to gather together legal data and opinions from learned persons to enable me to refute the three theses presented by the Hungarian Government.

That is the content of this report.

It was in such an environment of fundamentally opposed views (about which the Foreign Ministry has been informed in detail at all times in official telegrams), that the negotiations proceeded. Already of a very delicate nature, they suffered the effects of the vicissitudes of war and of the local atmosphere inhaled during long months of hard work, with the drawback that susceptibilities were extreme. Nevertheless, as a result of my superior orders, the fact is that the day I left Budapest for Lisbon - 29 October 1944 - the Hungarian Government and the German Minister in Hungary had undertaken to respect:

1 - Jews sheltered in the Portuguese Legation building in Budapest, a total of thirty;

2 - Jews sheltered in the Portuguese Consulate building in Budapest (where a "Protection Section" of the Portuguese Legation had been created), a total of twenty;

3 - Jews employed at the Portuguese Legation and at the Portuguese Consulate, whose number we had managed to increase to thirty-five;

4 - The families of the Jews employed at the Portuguese Legation and at the Portuguese Consulate, a total of approximately two hundred;

5 - Hungarian Jews bearing provisional Portuguese passports (documents which as indicated to me by H.E. the Minister to which the Hungarian government had finally agreed, contained no mention of nationality), a total of seven hundred.

A complete list of the proteges of the Portuguese government was handed in to the Hungarian Government.

Altogether about one thousand Semites who were saved will owe their lives to the generous actions of the Portuguese government.

DOC. 15 - INFORMATION/SUMMARY BY TEIXEIRA BRANQUINHO DESCRIBING PROCEDURES AND ORGANIZATION SET UP IN BUDAPEST TO AID PORTUGUESE PROTECTION OF JEWS IN HUNGARY, DATED 20 APRIL 1945

On the subject of telegram n^o 18 from the Portuguese Legation in Bucarest please note the following:

In order to save the lives of Hungarian Semites threatened with persecution or death on account of the racial measures adopted by the Hungarian Government under Mr. Stoya, H.E. the Minister instructed the Portuguese Legation in Budapest to attempt to save as many people under threat as possible.

Along the lines of the system adopted by the legations of neutral countries in Hungary, namely Sweden, on the instructions of H.E. the Minister the Portuguese Legation authorized the Portuguese Consulate in Budapest to issue "provisional Portuguese passports" to all Hungarian Semites who could provide unmistakable evidence that in the last years they had had any type of moral, intellectual or commercial ties with Portugal or Brazil (Brazilian interests were looked after by the Portuguese Legation and the Brazilian Government followed the same criterion on the racial issue).

The applications from the interested parties were submitted exclusively to the Consulate where an individual file was organized on each one, properly documented and informed by a committee expressly set up for this purpose, consisting of the Portuguese Consul, Dr. Jules Gulden, doctor of law and permanent government adviser, a Hungarian Semite from the Brazilian Legation, Dr. Ferenc Barta, a lawyer, and a member appointed by the Hungarian National Jewish Committee, based in Budapest.

The Committee worked non-stop in a room at the Portuguese Consulate.

Once each individual file was completed it was submitted by the Consul for approval by the Legation who was thus able to supervise the concession of passports within the limits established. The process then returned to the Consulate, to be treated as indicated in the dispatch, none of which was favorable unless the applicant had signed a document undertaking never to invoke the passport to request from the Portuguese government Portuguese nationality or any protection other than that provisionally afforded on a purely humanitarian basis by that document.

On the date when the Portuguese Legation in Budapest was handed over to the Consul (29 October 1944), with the exception of the political part with this Foreign

Ministry and with the Royal Hungarian Ministry of Foreign Affairs, all work relating to the protection of Jews was up to date and exemplarily filed in the chancery of the Portuguese Consulate.

As for actually deserving these passports which purposely did not mention the nationality of the bearers, the Hungarian government was told by the Portuguese government that although its bearers would never be given Portuguese nationality, the Portuguese government was willing to welcome them on Portuguese territory as soon as the Hungarian and German governments consented to the journey. The Portuguese Legation's conviction, which was later proved right, was that for various reasons this journey would prove technically impossible.

A model of a "provisional passport" was created at the Consulate to avoid any abuses by the benefited people, justifiably anxious to escape from Hungary. It was explained to the Hungarian authorities that at the time of the journey the passports would be collected and replaced by one definitive group passport.

The Portuguese Consulate in Budapest granted approximately 800 provisional passports valid until 31 December 1944. A complete list of the benefited people was sent in a Note from the Portuguese Legation to the Royal Hungarian Ministry of Foreign Affairs, dated 20 October 1944 under the terms of an undertaking to respect Portuguese protection in Hungary given the previous day by the Hungarian government under Mr. Salcsy.

With the current Soviet occupation of Hungary I do not think there is any need to renew the validity of said passports particularly as their bearers, having been previously condemned by the Nazi authorities, will not be suspect by the occupying power. Be that as it may, there appears to be no need to maintain this Portuguese protection in Hungary particularly as there is no lawfully constituted national Government or diplomatic relations resumed with other countries. On the other hand, for administrative reasons and to measure the extent of Portuguese protection in Hungary it would be better to seize any provisional passports presented at Portuguese departments for renewal, and send them to the Portuguese Consulate in Budapest.

Lisbon, 20 April 1945

s/Branquinho

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Consulate against instructions issued by the PVDE.

1940 March 18

8. Circular n^o 12 from the Directorate General of Economic and Consular Affairs containing instructions for the issue of visas in passports, in order to avoid granting residence

**CENSURED ARTICLE BY
CESAR DOS SANTOS**

AND

**PHOTOGRAPHS OF
REFUGEES IN LISBON -
1940/1941 BY ROGER
KAHAN**

(catalogue entry n.² 52)



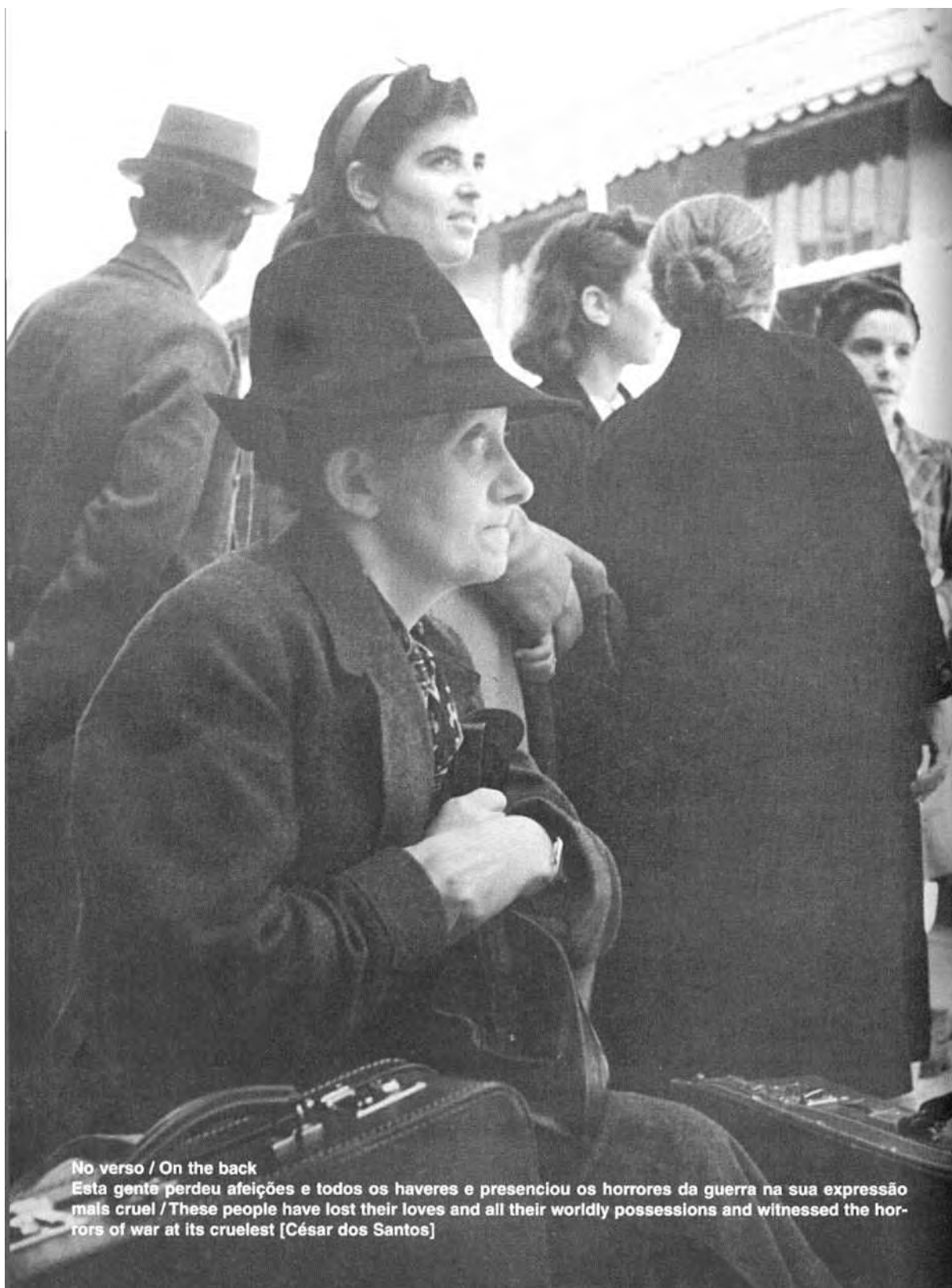
No verso / On the back

Onde irá repousar das suas aflições este judeu anónimo que leva toda a sua fortuna num pequeno saco e a alma a transbordar de melancolia? / Where will this anonymous Jew, with his entire fortune in a small bag and his soul overflowing with melancholy, rest from his worries? [César dos Santos]



No verso / On the back

Ela um símbolo de desgarradora tristeza – a vida errante pelo mundo, sem lar, sem poiso certo, sempre perseguida pela torturante nostalgia da pátria que não existe / Here is a symbol of haunting sadness – a life spent wandering the world without home or fixed abode, pursued always by the tormenting nostalgia of the non-existent homeland [César dos Santos]



No verso / On the back

Esta gente perdeu afeições e todos os haveres e presenciou os horrores da guerra na sua expressão mais cruel / These people have lost their loves and all their worldly possessions and witnessed the horrors of war at its cruelest [César dos Santos]



No verso / On the back

A Cozinha Económica Israelita, refúgio e lar acolhedor dos judeus e refugiados pobres / The Israelite Economic Kitchen, refuge and welcome hearth of poor Jews and refugees [César dos Santos]



No verso / On the back

Cada judeu traz na alma, com a crença messiânica, um sonho, uma ambição feita de esperanças e ilusões / Every Jew carries within his soul a Messianic belief, a dream, an ambition made of hope and illusions [César dos Santos]



No verso / On the back

Como seria bom possuir um lar, poder esquecer a grande tragédia, na tranquilidade de algum recanto humilde, ignorado, cheio de luz e de paz! / Would it not be wonderful to have our own home, forget this great tragedy in the peace of some humble, forgotten corner, filled with light and peace? [César dos Santos]

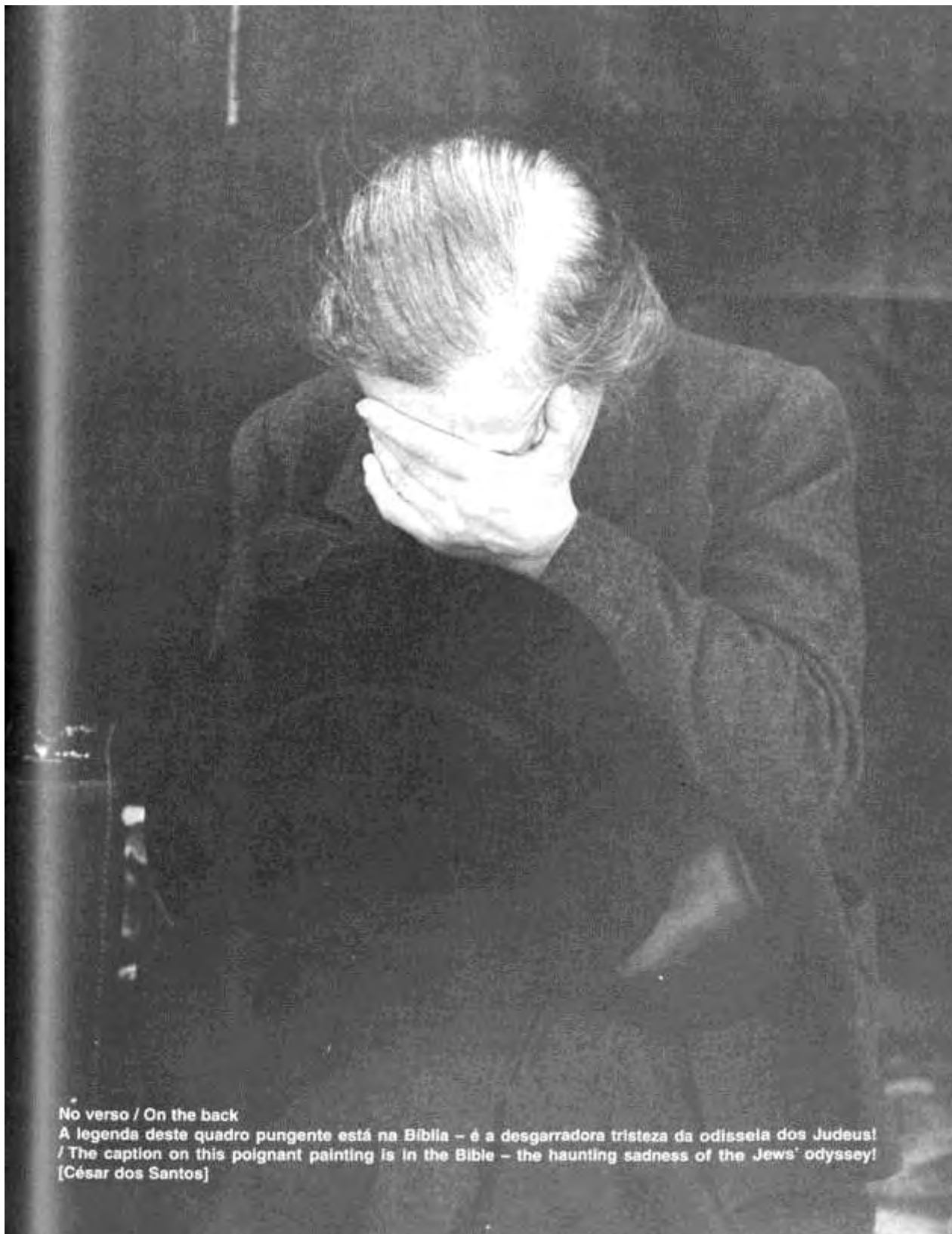




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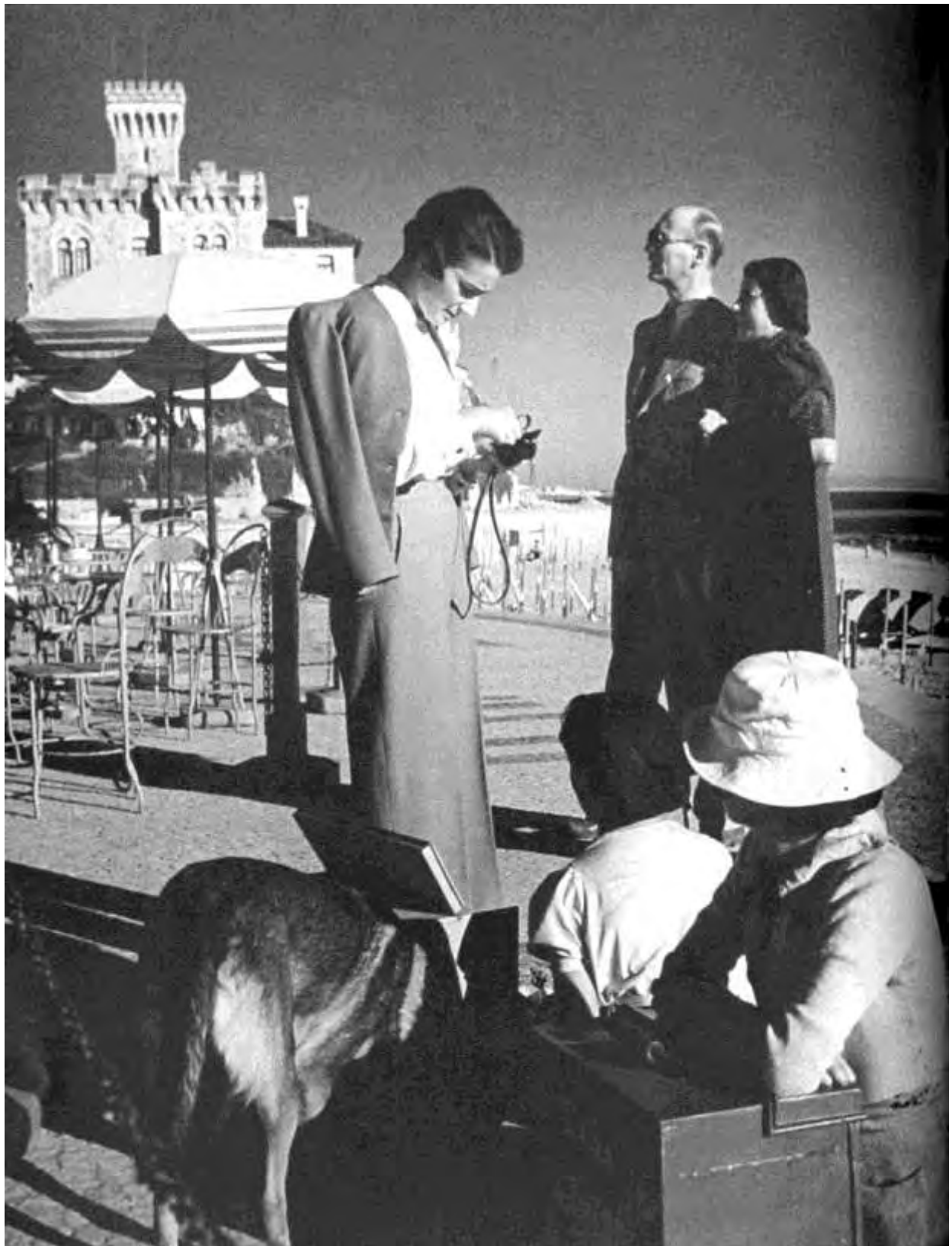
A primeira refeição, num ambiente de paz, em terra amiga / The first meal, in peaceful surroundings in a friendly land [César dos Santos]





No verso / On the back

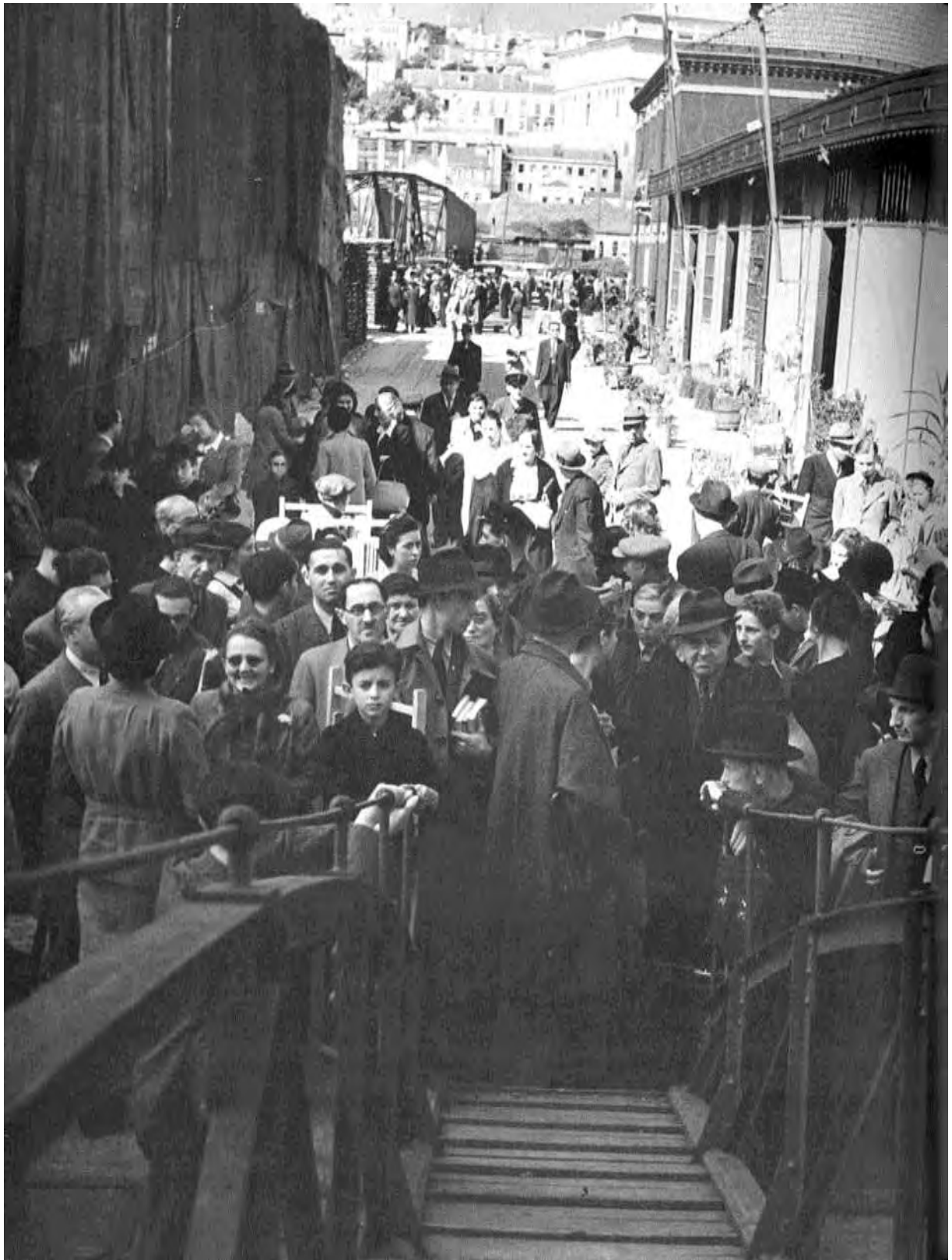
A legenda deste quadro pungente está na Bíblia – é a desgarradora tristeza da odissela dos Judeus!
/ The caption on this poignant painting is in the Bible – the haunting sadness of the Jews' odyssey!
[César dos Santos]











Spared Lives
the actions of
three portuguese
diplomats in **II**
world war

Documentary Exhibition | Catalogue } September 2000