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THE SITUATION OF THE 42 PASSENGERS
ABOARD THE SS CABO DE BUENA ESPERANZA DESTINED FOR BRAZIL
(Formerly Passengers of the SS Alsina)

The 42 passengers aboard the SS Cabo de Buena Esperanza destined for Rio de Janeiro and Santos, consist of 12 Poles, 8 Belgians, 7 Czechoslovakians, 11 Frenchmen and 4 Roumanians. As a result of the refusal by Brazilian officials to permit these people to land in Brazil, they are in great need.

The passengers took ship in Marseille on January 15th, 1941 on the French steamer "Alsina", armed with Brazilian temporary visas duly issued by the Brazilian Consul in Marseille. When the ship arrived in Dakar, it could not continue its journey as a result of political and military factors. After a delay of more than four months in Dakar, the "Alsina" turned back to Casablanca with its passengers, who were disembarked and placed in a concentration camp. After they had proven that they had the possibility of continuing their journey and were therefore released, they made preparations to depart on the SS Cabo de Buena Esperanza sailing from Cadiz.

The regulations for the issuance and administration of Brazilian visas stipulate that embarkation must take place within three months of the day of their issuance. These regulations were adhered to when the passengers embarked on the "Alsina". The interruption of their voyages took place under duress and due to the above mentioned circumstances which were beyond the control of both the passengers and the steamship company. The presence of force majeure is obvious. The captain of the ship testified that the interruption of the voyage took place under duress, and this affidavit was witnessed by the Brazilian Consul in Dakar. For the same reason the French officials in Casablanca, in recognition of the circumstances, refrained from placing a landing stamp in the passports. Nevertheless, despite these queer circumstances, the visas were declared expired and the Spanish steamship company, Ybarra Y Cia, refused to sell steamship tickets without having the validity of the visas confirmed by the Brazilian Consul in Casablanca. At the same time, the granting of a Spanish

transit visa depended upon the renewal of the Brazilian visas. The Brazilian Consul in Casablanca at first refused to issue the revalidation of the visas because he said he was not empowered to do so. Not until eight days before the departure of the boat, the SS Cabo de Buena Esperanza, from Cadix, did he renew the visas on the instructions of the Brazilian diplomatic representatives in Vichy. These revalidations enabled the issuance of the Spanish transit visas and the purchase of steamship tickets from Ybarra Y Cia, and thus the journey could be continued.

The text of the revalidation is as follows: (translated from the Portuguese)
"Authorized to continue voyage to Brazil by authority of telegram from the Brazilian Embassy in Vichy on August 19th, 1941." Now the Brazilian immigration officials deny us entrance on the grounds that the text of this revalidation is now identical with the text of a visa.

The injustices which the passengers now suffer is a double edge one: In the first place, the interruption of their journey, which was beyond their control and indeed could not be predicted by anyone, resulted in the expiration of their visas. Secondly, the validity of the revalidation is not recognized because of a technical error or some form of negligence on the part of a duly accredited consul of the government, although the continuation of the journey was made possible by this revalidation.

Is it conceivable from a juridical as well as a purely humanitarian point of view that entrance to their destination will be denied these unfortunates who have endured much and have been sorely tried in a month-long journey under difficult circumstances? Can they be turned back when they are already at their goal after having covered over 25,000 kilometers on the sea? Is it just to sentence to new tribulations these passengers whose sole error lay in the fact that they took ship on a French boat which because of military and political reasons could not reach its destination? Is it just to force them to return to a concentration camp in Europe, which may mean death for them because after so many trials they are at the end of their strength.

The passengers, among whom are 15 women and 11 children, submit a fervent plea for their lives to be saved, that they be prevented from making the return voyage, and that an asylum be found for them in America.