



ASOS Research Request: If a crew member should die overseas, what are the necessary steps that should be taken for the return of the corpse? Government regulations, red tape?

ASOS Research Brief

ASOS Research Response:

The Bureau of Consular Affairs under the U.S. Department of State are the government entities responsible for handling the death of a U.S. citizen overseas. Coordination and adherence to foreign government laws apply in addition to U.S. laws. A U.S. consular officer will assist in the process of performing all the necessary steps to ensure transport of the deceased. It must also be verified the deceased did not have a quarantine-able disease. A report of the death of a U.S. citizen abroad must be completed following an issuance of a foreign death certificate. As a note, a foreign death certificate may take weeks depending on the local authorities. Following is a description of the process as stated directly by the U.S. Department of State.

Return of Remains of Deceased Americans

SUMMARY: One of the most essential tasks of the Department of State and of U.S. embassies and consulates abroad is to provide assistance to families of U.S. citizens who die abroad. The U.S. consular officer in the foreign country will assist the family in making arrangements with local authorities for preparation and disposition of the remains, following the family's instructions in accordance with local law. The authority and responsibilities of a U.S. consular officer concerning return of remains of a deceased U.S. citizen abroad are based on U.S. laws (22 U.S.C. 4196; 22 CFR 72.1), treaties and international practice. Options available to a family depend upon local law and practice in the foreign country. Certain documents are required by U.S. and foreign law before remains can be sent from one country to another. These requirements may vary depending on the circumstances of the death.

CONSULAR MORTUARY CERTIFICATE: A U.S. consular mortuary certificate is required to ensure orderly shipment of remains and to facilitate U.S. Customs clearance. The certificate is in English and confirms essential information concerning the cause of death. The U.S. consular officer will prepare the certificate and ensure that the foreign death certificate (if available), affidavit of the foreign funeral director, and transit permit, together with the consular mortuary certificate accompany the remains to the United States.

AFFIDAVIT OF FOREIGN FUNERAL DIRECTOR AND TRANSIT PERMIT: The U.S. consular officer will ensure that the required affidavit is executed by the local (foreign) funeral director. This affidavit attests to the fact that the casket contains only the remains of the deceased and the necessary clothing and packing materials. The affidavit may also state that the remains have been embalmed or otherwise prepared. In addition, the U.S. consular officer ensures that a transit permit accompanies the remains. The transit permit is issued by local health authorities at the port of embarkation.

U.S. ENTRY REQUIREMENTS FOR QUARANTINE AND CUSTOMS: In general, if remains have been embalmed, the documentation which accompanies the consular mortuary certificate will satisfy U.S. public health requirements. If the foreign death certificate is not available at the time the remains are returned, the consular mortuary certificate will include reference to the fact that the deceased did not die from a quarantenable disease and that the remains have been embalmed. The affidavit of the funeral director which is attached to the consular mortuary certificate complies with the U.S. Customs requirement that the casket and the packing container for the casket contain only the remains. If the remains are not accompanied by a passenger, a bill of lading must be issued by the airline carrier company to cover the transport. The customs house permit for entry to the United States is obtained by the airline carrier at the point of departure.

SHIPMENT OF UNEMBALMED REMAINS: If the remains are not embalmed, the U.S. consular officer should alert U.S. Customs and the U.S. Public Health Service at point of entry in advance, faxing copies of the consular mortuary certificate, local death certificate (if available), affidavit of foreign funeral director, and a formal statement from competent foreign authorities stating that the individual did not die from a communicable disease. This statement generally is required even if the exact cause of death is unknown in order for unembalmed remains to enter the United States.

ADDITIONAL INFORMATION: For additional information concerning return of remains of a diseased U.S. citizen, contact the appropriate geographic division of the Office of American Citizens Services, Department of State, Room 4817 N.S., 2201 C. Street, N.W., Washington, D.C. 20520, tel: (202) 647-5225 or (202) 647-5226 or the consular officer in the American Citizens Services Section of the U.S. embassy or consulate in the foreign country where the death occurred.
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Death of U.S. Citizens Abroad

U.S. Citizen Deaths From Non-Natural Causes, By Foreign Country
Sec. 204(c) of P.L. 107-228, the Foreign Relations Authorization Act for Fiscal Year 2003, mandates that, to the maximum extent practicable, the Department of State collect and make available on the Department's Bureau of Consular Affairs Internet web site certain information with respect to each United States citizen who dies in a foreign

country from a non-natural cause. The information required is: (1) the date of death; (2) the locality where the death occurred; and (3) the cause of death, including, if the death resulted from an act of terrorism, a statement disclosing that fact. The information on the web site must be listed on a country-by-country basis, and must cover deaths occurring since the date of enactment of the legislation on September 30, 2002, or occurring during the preceding three calendar years, whichever period is shorter. The information is updated every six months.

Important Note: The table below should not be considered a statistically complete account of U.S. citizen deaths in foreign countries during the reporting period. The table includes only those deaths reported to the Department of State and for which information available to the Department establishes the death was by a non-natural cause. Most American citizens who die abroad were resident abroad. In some instances, it does not occur to surviving family members to inform the nearest U.S. embassy or consulate of the death. The report may not include some deaths of U.S. military or U.S. government officials. To accommodate privacy concerns the table omits identifying information.

[The table excludes countries where, during the reporting period, no deaths met the above criteria. Click here](#) to see the report.

Foreign Death Certificate:

Foreign death certificates are issued by the local registrar of deaths or similar local authority. The certificates are written in the language of the foreign country and prepared in accordance with the laws of the foreign country. Although authenticated copies of the foreign death certificate can be obtained, since the documents are written in the language of the foreign country they are sometimes unacceptable in the United States for insurance and estate purposes. In the United States, a Report of Death of an American Citizen Abroad issued by the U.S. consular officer is generally used in lieu of a foreign death certificate as proof of death.

Report Of Death Of A U.S. Citizen Abroad:

The consular Report of Death of an American Citizen Abroad is a report that provides the essential facts concerning the death of a U.S. citizen, disposition of remains, and custody of the personal effects of a deceased citizen. This form is generally used in legal proceedings in the United States in lieu of the foreign death certificate. The Report of Death is based on the foreign death certificate, and cannot be completed until the foreign death certificate has been issued. This can sometimes take from four to six weeks or longer after the date of the death, depending on how long it takes local authorities to complete the local form. U.S. Embassies and Consulates work with local authorities to see that this time is as short as possible.

Copies Of The Report Of Death:

The U.S. consular officer will send the family up to 20 certified copies of the Report of Death at the time the initial report is issued. These are provided at no fee. Additional

copies can be obtained subsequently by contacting the Department of State, Passport Services, Correspondence Branch, 1111 19th Street, N.W., Suite 510, Washington, D.C. 20522-1705, tel (202) 955-0307. Submit a signed, written request including all pertinent facts along with requester's return address and telephone number. Effective June 1, 2002, there is a \$30 fee for a certified copy of Reports of Death, and a \$20 fee for each additional copy provided at the same time. See Federal Register, May 16, 2002, Volume 67, Number 95, Rules and Regulations, Page 34831-34838; 22 CFR 22.1, Item 43 (a) and 43(f). Fees are payable to the Department of State. See also the Department of State, Consular Affairs home page on the Internet at under "Passport Services" for further information about obtaining copies of Reports of Death.

Legal Authority:

U.S. insurance companies and other agencies sometimes inquire regarding the authority for issuance of Reports of Death. See 22 U.S. Code 4196; 22 Code of Federal Regulations 72.1.

Additional Information:

For additional information concerning Reports of Death, contact the appropriate geographic division of the Office of American Citizens Services and Crisis Management, Department of State, 2201 C Street N.W., Room 4817 N.S., Washington, D.C. 20520, tel: (202) 647-5225 or (202) 647-5226.

Death Notification

When an American dies abroad, the Bureau of Consular Affairs must locate and inform the next-of-kin. Sometimes discovering the next-of-kin is difficult. If the American's name is known, the Bureau's Office of Passport Services will search for his or her passport application. However, the information there may not be current.

We provide guidance to grieving family members on how to make arrangements for local burial or return of the remains to the U.S. The disposition of remains is affected by local laws, customs, and facilities, which are often vastly different from those in the U.S.

The Bureau of Consular Affairs relays the family's instructions and necessary private funds to cover the costs involved to the embassy or consulate. The Department of State has no funds to assist in the return of remains or ashes of American citizens who die abroad. Upon completion of all formalities, the consular officer abroad prepares an official Foreign Service Report of Death, based upon the local death certificate, and sends it to the next-of-kin or legal representative for use in U.S. courts to settle estate matters.

A U.S. consular officer overseas has statutory responsibility for the personal estate of an American who dies abroad if the deceased has no legal representative in the country where the death occurred. The consular officer takes possession of personal ef-

fects, such as convertible assets, apparel, jewelry, personal documents and papers. The officer prepares an inventory and then carries out instructions from members of the deceased's family concerning the effects. A final statement of the account is then sent to the next-of-kin. The Diplomatic Pouch cannot be used to ship personal items, including valuables, but legal documents and correspondence relating to the estate can be transmitted by pouch. In Washington, the Bureau of Consular Affairs gives next-of-kin guidance on procedures to follow in preparing Letters Testamentary, Letters of Administration, and Affidavits of Next-of-Kin as acceptable evidence of legal claim of an estate.

For further information, go to:

<http://travel.state.gov/index.html>