Important Issues on Persons Deceased Abroad: Transport, Burial and Inheritance

Description

By Mahlet Mesganaw

The Ethiopian Ministry of Foreign Affairs (hereafter MoFA) on its Registered Directive No 523/2013 (hereafter the Directive) has provided the procedure how bodies of those who deceased abroad will be brought to Ethiopian or buried where they passed away and how inheritance issues are resolved.

The Directive states details on the requirements to be fulfilled to send deceased bodies for burial to Ethiopia from abroad. The requirements are include the applicant who is seeking the service has to apply, fill the form and provide necessary documentations. Full name of the deceased, passport number and his/her nationality, residence or work address(if known) and where the deceased body is found. Full name, phone number, valid passport copy or Woreda Id/Kebele Id of the relative or proxy or concerned party who wish to transport the deceased body to Ethiopia. Also a support letter attesting being relative;-if there is no relative or proxy or concerned party, the Ethiopian Consulate shall appoint a person from its staff to follow up the matter or follow up the rules of procedure of the country where the deceased has died, to finally transport the body for burial in Ethiopia. Evidence should be brought to the Consulate by the relative or successor of the deceased as to being the successor of the deceased. And costs and expenses for transport of the deceased shall be borne by the relatives of the deceased. If the relatives cannot cover the costs, then the employer of the deceased shall cover the expenses. If this cannot happen, then a call for support for Ethiopian Community or Ngo's or individual sponsors shall be sought.

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When an Ethiopian national residing abroad is going to be buried at the place of death, in addition to the above requirements the applicant has to produce succession court papers from the First Instance Courts attested by Supreme Court, authenticated by MoFA and a video or photograph that shows the burial or funeral.

The Directive also gives directions as to what happens when there is no relative coming forward for a deceased Ethiopian National abroad. The Directive also forwards to the law to mediate the dispute among relatives as to sending the deceased body to Ethiopia for burial or not.

Concerning inheritance of the deceased's property, salary, insurance or money in the country where he/she dies, those who claim as successors should produce court declaration of succession, translated into the working language of the country where he died, authenticated by MoFA in two copies. A power of attorney to the consulate or third party translated in the working language of the country where he/she died, authenticated by MoFA in two copies should be presented. Details about the deceased and the applicant need to be indicated. The deceased's property lists, where it is found and name of the authority to be requested should be included. And the deceased's passport copies of the first three pages in two copies and the applicant's ID or passport copy of the first three pages need to be

attached.

The property, salary or insurance money shall be sent to the successors once the successors produce court papers on the liquidation of the deceased's property.

The Directive has been registered by the Federal Attorney General as per Federal Administrative Procedure Proclamation No 1183/2020 which makes it valid and effective.

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Date Created
March 10, 2021
Author
dmethiol_admin

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