



British Embassy
Buenos Aires

Information sheet relating to deaths in Argentina

The death of a relative or a friend can be a traumatic experience. When the death occurs overseas, family and friends in the UK can feel additional distress as you are unfamiliar with foreign procedures and perhaps are unable to communicate in the language of the country where the death occurred. Consular Directorate of the Foreign and Commonwealth Office and our Consulate in Buenos Aires are ready to help as far as we can. You may be uncertain about what to do next or who to contact for advice. These notes are designed to help you through the practical arrangements you will need to make.

You should be aware that Argentine procedures differ significantly to those in the United Kingdom and that, while we understand your need for arrangements to be made quickly, this is not always possible.

The information contained in this document is not meant to be a definitive statement of the law, nor is it to be taken as a substitute for independent legal advice.

Next of kin and representatives

In cases of death abroad, we will normally only be able to deal with the next of kin or the person nominated to act on their behalf.

Deaths abroad from natural causes

If the person who died was travelling with a tour company, the company will often contact you, as the next of kin, themselves. If the death of a British national abroad is reported to us, and you are not present, we will ask the UK police to tell you as soon as possible. If you are not in the UK, we will ask our consular staff in the country where you are to do this. We will do everything we can to make sure that, as next of kin, you do not hear about the death first from the media, although we cannot always influence this. In exceptional circumstances, this may mean having to tell you about the death over the phone. We do not release the name of someone who has died to the media without the permission of the next of kin.

Consular staff in London can pass on to our staff overseas your wishes about dealing with the body. We will do our best to make sure that these wishes are carried out. However, in Argentina, post-mortem examinations are normally carried out and organs may be removed and kept during these procedures without you being informed or consulted.

Death of a British national abroad in suspicious circumstances

As well as the support we can offer if someone dies from natural causes, where there is evidence of suspicious circumstances we can suggest the best way to raise concerns with the local authorities.

We can also offer basic information about the local police system and legal system, including any legal aid that is available. We can provide lists of local lawyers and local interpreters (although we do not pay for either) and, where possible, details of support groups. In all cases where you, as next of kin, have concerns about the circumstances surrounding the death, we suggest you get professional legal advice.

We cannot investigate deaths ourselves and, in many countries, investigating authorities and the courts may refuse to answer enquiries, including from British consular staff. In these circumstances, it is very important to consider appointing a local lawyer who can look after your interests in court and follow any trial for you.

We will consider making appropriate representations to the local authorities if there are concerns that the investigation is not being carried out in line with local procedures; if there are justified complaints about discrimination against the person who has died or their family; or where we judge that a local delay or decision creates significant distress for the bereaved, ensuring that we do not interfere in the investigation or judicial processes in Argentina.

Autopsies will be carried out in all cases of uncertain, violent or suspicious death, or when requested by a judge.

In these cases and following local law, the body may not be released for repatriation until the judge is satisfied that all local procedures have been carried out and that no further tests on the body will be necessary for the investigation.

In circumstances where the judge authorises the early release of a body following a request from the family, affected organs can be retained to enable forensic doctors to carry out further tests if needed.

The Consular Team can try and request a copy of the report from the court on behalf of the family, but there are instances in which the judge will only give copies or any other information relating to the case to the family's appointed lawyer.

If the police apprehend a person suspected of being guilty of the death and the State decides to prosecute, the procedure would be as follows:

- The detainee will hire a private lawyer or if not a public defender will be appointed to defend him.
- The penal procedure has two stages:

- 1) Investigation Stage (Período de Instrucción) during which the prosecutor and the public defender investigate the case. It should take a maximum of four months, unless there are special reasons to extend this period.
- 2) The Oral Trial (Juicio Oral). The detainee will be given an oral trial date. There are three judges in each case. Anybody can attend the hearing. The judges will give their sentence, at the end of the trial, which usually happens the same day.

Mortuary facilities

Most of the morgues in Argentina have cold storage facilities. Each funeral home has its own cold storage facilities and also a room for the wake.

Repatriation and Burial

While we cannot pay any burial, cremation or repatriation expenses ourselves or settle any debts, we can advise on how to transfer money from friends and relatives in the UK to pay any necessary costs depending on your circumstances.

In order to repatriate the body, you (as next of kin) should appoint an international funeral director, who will in turn appoint a local undertaker to act on your behalf. When a Court is involved, the acceptance of this representation would be up to the judge and he may also request that the family appoints a lawyer. A written authorisation and other original documents may be requested for this purpose. If the family is in the UK, they can have their British documents legalised at the [Legalisation Office](#) and make an affidavit at the Argentine Consulate in London to nominate a funeral director or lawyer to represent them in Argentina if they are not able to travel.

If the deceased had insurance the relevant insurance company should be notified immediately as they will be able to help with the arrangements the next of kin decides upon and will appoint a local funeral director on their behalf. We can get in touch with the court to offer our support for the process of the repatriation to take place as soon as possible, but we won't necessarily be able to speed up the process. The process can normally take from one to two weeks in straight forward cases.

There are local cremation facilities in Buenos Aires. Normally, you will be asked to identify the body prior to cremation either through physical inspection or a photograph. If you appoint someone to do this for you, let the funeral director know in writing the name of this individual and their relationship to the deceased.

Following the identification, you or your representative will most likely be asked to sign an identification form or a letter of consent. However, when post-mortem examinations are being carried out by the local authorities, the cremation has to be authorised by the judge. Not every judge will allow for a cremation to take place.

Registration of the death

A local death certificate will be issued in Spanish. This is likely to take 1 to 3 days, depending on the city. The local death certificate will normally show the cause of death. The funeral home will do all the necessary paperwork in order to obtain this certificate. You may need to obtain a [certified translation](#) of the document once in the UK.

You can also apply to register the death with the UK authorities. You don't have to do this, but it means:

- the death will be recorded with the General Register Offices (for England, Wales and Northern Ireland) and the National Records Office of Scotland
- you can order a consular death registration certificate

Information on how to register the death with the UK authorities can be found at www.gov.uk/register-a-death

A consular death registration cannot take the place of the locally issued death certificate. You'll need to register the death with the foreign civil authorities and obtain a full foreign death certificate before you can apply for consular death registration. The consular death registration document will not include a cause of death as many foreign death certificates do not include this detail.

Return of Personal Effects

The British Embassy in Buenos Aires can only store the deceased's personal effects in very exceptional circumstances. In such cases we would return personal effects by courier, paid for by the family. Ordinary personal belongings can be repatriated with the body. The local funeral director can help you with that, subject to your authorisation. Local funeral directors are generally able to send valuables and other luggage along with the body, but this might not always be possible.

Legal Aid

There is legal aid in very exceptional cases for Argentine nationals of very low income. We are not aware of a case where this has been granted to foreign nationals.