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UNCLASSIFIED
MEMORANDUM

DATE: July 26, 2010
TO: Department of State (CA/OCS/ACS/WHA)
From: U.S. Embassy, Santiago, Chile
Subject: Death: Disposition of Remains Report

The following report is submitted in accordance with 7 FAM 262.

The Applicable Chilean laws and regulations are national in scope:

Penal Code, March 1, 1907

Sanitary Code, Decree No. 226 of May 22, 1931

General Regulations of Cemeteries, Decree 420 of April 14, 1932

Civil Registry law, Decree No. 4808 of February 3, 1930

Civil Registry Regulations Decree No. 2128 of August 10, 1930

- (1) **Maximum Period before Burial:** Chilean Law No. 4808, Article 46, stipulates that interment cannot take place earlier than 24 hours after death. Article 48 in General Regulations for Cemeteries by Chile's Sanitary Code stipulates that no corpse may remain unburied for more than 48 hours after death except under the following exceptions:
 1. When ordered by the judicial authority or National Public Health Service for investigation purposes;
 2. When a corpse has not been claimed and is used for scientific research in accordance with the Sanitary Code, Article 145;
 3. When the corpse has been embalmed and previous authorization was granted by the National Public Health Service;
 4. When the corpse was donated in life for scientific research.
- (2) **Embalming:** Embalming is performed by licensed physicians in Chile, though it is not a general practice in this country. In the case of remains that will be transported internationally, the corpse is treated with an injection of formalin to delay the decomposition of the remains for 90 days. This is generally done within 2 or 3 days after death.

(3) **Cremation:** Cremation is permitted by national law. There are adequate cremation facilities in Santiago and other cities in Chile. A cremation consent act must be executed in life before a notary public. In absence of this document, the following family member (in the order shown) must request cremation: 1) the surviving spouse; the majority of the adult children; surviving parent(s). In absence of a next of kin, the person responsible for the interment may request the cremation. In the case of the death of a foreign person without a next of kin in Chile, the diplomatic or consular officer may request the cremation on behalf of the next of kin in the country of origin/residence.

(4) **Caskets and Containers:** Caskets must have a metallic lining and be hermetically sealed. In addition to this requirement, the casket must be encased in a strong wooden container when the remains will be shipped out of the country. All such caskets and containers are available in Chile.

(5) **Exportation of Remains:** The following Chilean documents accompany the casket encased in a strong wooden container when shipped out of the country:

1) Chilean Official Death Certificate issued by the Civil Registry Office;

2) Burial Permit issued by the Civil Registry Office;

3) A written statement executed by the licensed physician that performed the embalming in which it is stated that the deceased did not die of a contagious disease and that the remains can be shipped to the United States without a health risk.

4) National Public Health Service Permit attesting to compliance of the casket and outer case as required for shipment of the remains; and attesting to the fact that the National Public Health Service Inspector sealed the casket containing the corpse; and ordering that seal shall not be tampered with or destroyed prior to arrival of the casket at the final destination; and authorizing the shipment of the remains out of the country.

5) Statement executed by the funeral home representative attesting to the fact that the casket and contains only the remains of the deceased and necessary clothing and packing material.

The following Chilean documents must accompany the Ashes when shipped out of the country:

1) Official Chilean Death Certificate issued by the Civil Registry Office;

2) Certificate issued by the Crematorium stating that the remains of the deceased were cremated and placed in a sealed urn.

(6) **Costs:**

Funeral Service for local Interment

\$2,000.00

Funeral Service and Cremation of the Remains

\$3,000.00

Funeral Service and Embalming for Shipment to the U.S.

\$5,000.00

Air shipment of Ashes (Miami, NY, Chicago, Los Angeles)

\$550.00

Air shipment of the Remains (Miami, NY, Chicago, Los Angeles)

\$2,500.00

Underground burial plot

\$3,000.00 - \$8,000.00

- (7) **Exhumation**: The next of kin must request disinterment of the remains. The cemetery authority must inspect the casket to determine the possibility of the exhumation depending on the state of the remains. Disinterment is not generally possible before 8 years when interment is in above-ground columbarium niche, or 5 years when buried underground. If the remains are to be removed from the cemetery to be transported within the country or out of the country, a permit must be obtained through the National Public Health Service.
- (8) **Autopsies**: Autopsies are ordered by the Prosecutor's Office in the following circumstances:
1. Violent death, either accidental or intentional. In the case of intentional death: suicide and homicide;
 2. Death occurring on the street or in a public place;
 3. Undetermined cause of death under suspicious circumstances;
 4. Any patient that is dead upon arrival at an emergency medical center or dies shortly after being admitted to the emergency medical center and the cause cannot be determined.
 5. Any patient whose death results in a legal suit even when death is due to medical cause, for example, in the case of medical liability, if at the moment of the demise it is stipulated that legal action will be taken.
 6. When the deceased cannot be identified by the fingerprints even if the death is due to medical cause.
- (9) **Remarks**: Remains may only be shipped to the United States from the Santiago International Airport. Therefore, national transport fees to Santiago must be factored in when death occurs outside of Santiago. The prices quoted above for funeral services in Chile are average costs as provided by four distinct funeral homes.