**STANDARD OPERATING PROCEDURE FOR DEALING WITH DEATH OF FOREIGN NATIONAL IN BHUTAN, 2016**

**Title**

1. This procedure shall be called the Standard Operating Procedure (SOP) for Dealing with Death of Foreign National in Bhutan, 2016, hereinafter referred to as the SOP.

**Rationale**

1. This SOP is being adopted as an administrative coordination mechanism, to deal with deaths of foreign nationals in the country.

**Objective:**

1. Objective of this SOP is to consolidate functions of all relevant agencies and streamline the process of administrative coordination among the agencies involved in dealing with deaths of foreign nationals.

**Effective Date**

1. This SOP shall come into effect from 20th September 2016

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## Issuance of Medical Certificate of Cause of Death, Post Mortem Report and No Objection Letter for Transport of Body of Deceased

1. Medical Certificate of Cause of Death shall be issued by the concerned hospital in the event of natural death as per existing norms.
2. In the event of unnatural/unexplained death, due investigation procedure shall be jointly completed by the concerned medical official and Royal Bhutan Police. Post Mortem Report shall be issued by the concerned hospital upon completion of investigation as per existing norms. RBP shall issue No Objection Letterfor Transport of Body of Deceased as per existing norms, after completing due process.
3. In the case of unnatural/unexplained death in prison/detention, it shall be dealt as per the Prison Act of Bhutan, 2009 and in compliance with the existing norms. Post Mortem Report and No Objection Letterfor Transport of Body of Deceased shall be issued as per para 6.

**Communication procedure, cremation and evacuation of body of deceased pertaining to death of official guest/diplomat**

1. The concerned host agency shall notify the death of the said official guest/diplomat to the Ministry of Foreign Affairs (MFA) for further communication to the Government concerned and family member(s) through diplomatic channel. Simultaneously, a copy of the same shall be provided to the Ministry of Home and Cultural Affairs MoHCA). In the case of countries that have their Diplomatic Missions in Thimphu, the Ministry of Foreign Affairs shall immediately communicate the information to them.
2. With regard to the evacuation of the body of the deceased, the host agency, in consultation with MoHCA and MFA, shall facilitate the process, in coordination with the concerned Diplomatic Mission/Family Member(s).
3. In the event a request is received for the cremation to be carried out in Bhutan, the host agency, in consultation with MoHCA and MFA, may facilitate the cremation, in coordination with the concerned Diplomatic Mission/Family Member(s).

**Communication procedure, cremation and evacuation of body of deceased pertaining to death of expatriate employee/tourist**

1. The Employing Agency (for expatriate employee), Travel Agent (for tourist) in coordination with TCB, Foreign Workers Recruitment Agency/Employer (for foreign worker) in coordination with MoLHR shall communicate information about the death to the authority concerned or family member(s) or both with prior intimation to the MoHCA and MFA.

The information on death may also be communicated by diplomatic channel through MFA as the case may warrant, under intimation to the MoHCA. In the case of countries that have their Diplomatic Missions in Thimphu, the afore-mentioned agencies shall communicate the information to them through the MFA, under intimation to the MoHCA.

1. The evacuation of the body of the deceased shall be facilitated as below:
2. The Employing Agency (for expatriate employee) in coordination with MoLHR and MoHCA
3. Travel Agent (for tourist) in coordination with the TCB and MoHCA
4. Foreign Workers Recruitment Agency/Employer (for foreign worker) in coordination with the MoLHR and MoHCA
5. In the event a request is received for the cremation to be performed in Bhutan, it shall be facilitated as below:
6. The Employing Agency (for expatriate employee) in coordination with MoLHR and MoHCA
7. Travel Agent (for tourist) in coordination with TCB and MoHCA with intimation to MFA
8. Foreign Workers Recruitment Agency/Employer (for foreign worker) in coordination with the MoLHR and MoHCA

## Communication procedure, cremation and evacuation of body of deceased pertaining to death of other categories

## The MoHCA, in consultation with MFA, shall coordinate communication of death, evacuation and cremation of body of deceased in the case of deaths of foreign nationals that are not covered under any of the categories mentioned above.

## Unclaimed/unidentified body of deceased shall be preserved for 15 days by the Morgue, following issuance of notification through print and broadcast media. Thereafter, a committee comprising of members from MoHCA, RBP and MoH shall decide the mode of disposal of remains of the deceased, under intimation to the MFA.

## The information on deaths specified under 14 and 15 above shall be communicated to the MoHCA by the concerned hospitals/agencies/RBP.

## Communication procedure, cremation and evacuation of body of deceased pertaining to unnatural death occurring in the border districts

1. The concerned Dzongkhag/Dungkhag Administration shall communicate information about the death to the concerned police authority of the counterpart district with prior intimation to the MoHCA and MFA, in the event of death of Indian nationals.

The information on death may also be communicated by diplomatic channel through MFA as the case may warrant, under intimation to the MoHCA. In the case of countries that have their Diplomatic Missions in Thimphu, the concerned Dzongkhag/Dungkhag Administration shall communicate the information to MFA through MoHCA.

1. With regard to the evacuation of the body of the deceased, the concerned Dzongkhag/Dungkhag Administration shall facilitate the process in consultation with MoHCA and MFA and in coordination with the agency involved, concerned Diplomatic Mission/Local Counterpart District Authority/Family Member(s).
2. In the event a request is received for the cremation to be carried out in Bhutan, the concerned Dzongkhag/Dungkhag Administration may facilitate the cremation in consultation with MoHCA and MFA and in coordination with the agency involved, the concerned Diplomatic Mission/Local Counterpart District Authority/Family Member(s).
3. Unclaimed/unidentified body of deceased shall be preserved for 15 days, by the morgue, following issuance of notification through print and broadcast media. Thereafter, a committee comprising of members from concerned Dzongkhag Administration, RBP and hospital shall decide the mode of disposal of remains of the deceased, under intimation to the MFA.

## Communication procedure, cremation and evacuation of body of deceased pertaining to death occurring in the prison/detention

1. The RBP shall communicate information about the death to the authority concerned or family member(s) or both with prior intimation to the MoHCA and MFA.

The information on death may also be communicated by diplomatic channel through MFA as the case may warrant, under intimation to the MoHCA. In the case of countries that have their Diplomatic Missions in Thimphu, the afore-mentioned agencies shall communicate the information to them through the MFA, under intimation to the MoHCA.

1. If the death occurring in the prison/detention is in the border districts, para 17 shall be followed.
2. With regard to the evacuation of the body of the deceased, the RBP shall facilitate the process in consultation with MoHCA and MFA and in coordination with the concerned Diplomatic Mission/Family Member(s).
3. In the event a request is received for the cremation to be carried out in Bhutan, the RBP may facilitate the cremation in consultation with MoHCA and MFA and in coordination the concerned Diplomatic Mission/Family Member(s).
4. Unclaimed body of deceased shall be dealt as per the Prison Act of Bhutan, 2009.

## Expenses for carrying out evacuation and cremation of body

## Expenses for carrying out evacuation of body and cremation shall be borne as follows:

## Expenses for expatriate and other categories of employees may be borne as per the terms and condition entered into between the employee and the employer.

## Expenses for tourists may be borne as per the terms and condition entered into between the tour agent and the tourist.

1. If the employment agreement does not cover the expenses on evacuation or cremation, the expenses may be borne at the discretion of the management of the concerned agency.

## In other cases, family member(s) of the deceased shall bear the expenses.

**Handing-taking of bodies of deceased**

1. Body of the deceased shall be handed over to the family members and/or concerned authorities or Governments by the concerned responsible agencies in the presence of witness and/or representative from the concerned diplomatic mission and/or representative from the police authority of the concerned counterpart districts.
2. A handing-taking note prepared by the concerned agencies shall be duly signed by the family members or representative from the concerned diplomatic mission or representative from the police authority of the concerned counterpart districts