

Assets in another country

Many families here own a house, a plot or a bank account in the country their parents came from. When the owner dies, that property is dealt with under the other country's rules and in its offices. This guide covers the first months, and what to do now so your heirs are not left guessing.

- 1** Do the US side first, and order extra copies
Order several certified copies of the death certificate. Most offices abroad want their own original, and many want it apostilled or legalised and translated. Whether you need an apostille or a longer legalisation depends on the country (see the table below).
HCCH, Apostille Convention status table
- 2** Gather what exists, and do not sign quickly
Find the deeds, account numbers, branch names, national ID numbers of the deceased and of every heir, and marriage and birth records. Relatives abroad may be holding some of it. Do not sign a paper that sells, gifts or gives up a share until a lawyer has read it. Anyone who offers to “settle everything” for a fee, or says only one heir needs to sign, should be checked against the heirs' certificate.
- 3** Hire a lawyer in the country where the property is
Local rules decide who inherits what and which office issues the proof. One Egyptian firm puts it plainly: without the inheritance declaration, no bank releases funds and no property can be transferred. Ask for fees and steps in writing.
Alzayat Law Firm (Egypt), Inheriting property in Egypt from abroad
- 4** Get the heirs' document first
Every country in the table has a document, from a court or an office, that names the heirs and their shares. Banks and land offices act on it. In Pakistan it is a succession certificate or letter of administration from NADRA, issued after a public notice, and a dispute among heirs sends it to court.
Letters of Administration and Succession Certificates Act 2020 (Pakistan), Gazette of Pakistan
- 5** Heirs in the US can act through a power of attorney
You usually do not have to travel. A power of attorney, signed before a notary or at the country's consulate, lets a lawyer or relative act for you. Pakistan runs an online service through NADRA and its missions. India asks for attestation by an Indian consulate. Remember that a power of attorney ends at the owner's death, so it helps with filing the case, not with a sale the owner never finished.

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Expect the shares to differ from a calculator

Some countries add rules on top of the classical shares. In Pakistan and Bangladesh, section 4 of the Muslim Family Laws Ordinance 1961 gives the children of a son or daughter who died first the share that parent would have had. In Pakistan the Federal Shariat Court struck this down, but the appeal is pending and a Sindh High Court judgment treats the section as still operating. Egypt, the West Bank and Syria have an obligatory bequest (*wasiyyah wājibah*) of up to a third for such grandchildren. Our inheritance calculator uses the classical shares; the local result may be different.

High Court of Sindh, Civil Rev. Application S-105 of 2023, quoting Muslim Family Laws Ordinance 1961 s. 4 • The Daily Star (Bangladesh), Daughter's share in succession: Law Commission's report revisited, 3 June 2012 • Dar al-Ifta al-Misriyyah, fatwa on the heirs of a son who died before his parent (Law 71 of 1946) • Personal Status Law of 1976, article 182 (An-Najah Maqam legislation database) • Chatham House, New amendments to personal status law offer small gains for women's rights (Syria, 2019)

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Bank accounts: a nominee is not the owner

Courts in Pakistan and India have said that naming a nominee does not make that person the owner. The nominee collects the money and then has to hand it to the heirs. If an account names one child as nominee, expect the bank to ask for the succession certificate anyway.

High Court of Sindh, Naz Bibi v. Wahid Bux, Second Appeal 85 of 2019 • SCC Online, Rampali v. State Govt. of NCT of Delhi (Delhi High Court, 2017), applying Sarbati Devi v. Usha Devi (1984) 1 SCC 424

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Check the US tax side

A US citizen's or resident's estate counts property abroad. Most estates are far below the federal threshold, but the foreign house is part of the total, and a foreign death tax paid may earn a credit. Heirs who receive foreign accounts should ask a tax professional about reporting them.

IRS, Instructions for Form 706

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Plan now: write down what you own there

Make a one-page list for your family: each property with its deed or plot number, each bank and branch, who holds the originals, the name of a lawyer you trust there, and which relative is most reliable. Update it each year. This one page saves months.

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Plan now: a will that covers foreign property

A US will may not be accepted for land abroad. Lebanon, for example, requires a court's approval of a foreign will, and one Egyptian firm says a foreign will cannot override the mandatory rules. Many people ask a lawyer in that country about a short local will for the property there, and have it made so the two wills do not cancel each other. In the Sunni schools a bequest can pass at most a third, and not to someone who is already an heir, unless the other heirs agree after the death.

PBL Law Group, International estate planning in Lebanon • Ṣaḥīḥ al-Bukhārī 2742 • Sunan Abī Dāwūd 2870 (ḥasan ṣaḥīḥ)

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Plan now: joint accounts and gifts need care

A joint account or a nominee may not do what people expect, and in an Islamic-law country it does not replace the heirs' shares. A gift during life is a real transfer of ownership, may carry local taxes, and may be unfair to other children. Ask a scholar and a lawyer in that country before you move property.

NOT LEGAL ADVICE

This guide is not legal advice. Laws change and families' facts differ. Check with a lawyer in the country where the property is.

HOW WE CHECKED

Each fact below is linked to its source. Where we could not verify a point it says so. Please tell us if a rule has changed.

IF THE OWNER DIED ABROAD

When someone dies abroad

Country by country

The document heirs need and where to start. "Apostille" says whether the country accepts the apostille (checked on the HCCH table); if it does not, US documents usually need the longer legalisation by its embassy or consulate. Check with the embassy.

COUNTRY	DOCUMENT HEIRS NEED	WHERE TO START	APOSTILLE
Pakistan	Succession certificate (movable property) or letter of administration (immovable), issued by NADRA's Succession Facilitation Unit. If an heir objects, or an heir is a minor, the case goes to court.	NADRA. Heirs can authorise one of them to apply for all, and biometrics can be taken at a notified office abroad. A power of attorney can be arranged online through NADRA and a Pakistani mission. Letters of Administration and Succession Certificates Act 2020 (Pakistan), Gazette of Pakistan · Consulate General of Pakistan, Los Angeles: online power of attorney attestation	Yes
India	Succession certificate from a civil court under the Indian Succession Act 1925	A lawyer in India. From abroad: a power of attorney holder in India, or video	Yes

	(covers bank balances, shares and similar). Muslim personal law decides the shares.	appearance if the court allows; documents attested by an Indian consulate. Kotak Mahindra Bank, Succession certificate in India: a guide for NRIs · Muslim Personal Law (Shariat) Application Act, 1937 (India); summary	
Bangladesh	Succession certificate from the District Judge (Succession Act 1925, Part X).	A lawyer in Bangladesh. Section 4 of the Muslim Family Laws Ordinance 1961 applies to orphaned grandchildren. The Succession Act, 1925, Part X (Bangladesh Laws) · The Daily Star (Bangladesh), Daughter's share in succession: Law Commission's report revisited, 3 June 2012	Yes
Egypt	Inheritance declaration (i'lām al-wirāthah) from the family court. According to one Egyptian firm, no bank releases funds and no property transfers without it.	A lawyer in Egypt. Heirs abroad can sign a power of attorney at an Egyptian consulate. Foreign documents are authenticated by the Egyptian embassy and translated into Arabic. Alzayat Law Firm (Egypt), Inheriting property in Egypt from abroad · Dar al-Ifta al-Misriyyah, fatwa on the heirs of a son who died before his parent (Law 71 of 1946)	No
Jordan	Not verified.	A lawyer in Jordan, and the sharia court in the area of the deceased's last residence (not verified).	No

Palestine (West Bank)	Not verified. The Personal Status Law of 1976, as published in the Palestinian legislation database, has an obligatory bequest for grandchildren (article 182).	A lawyer in the West Bank. Reports say land cannot be sold until the sharia court issues an inheritance certificate; we did not verify this. Personal Status Law of 1976, article 182 (An-Najah Maqam legislation database)	No
Lebanon	Certificate of inheritance (ḥaşr irth), issued by a single judge at the first-instance court of the deceased's last residence. Muslim estates go to the Sunni or Shia religious courts.	A Lebanese lawyer. A foreign will needs court approval before it is enforced. Lebanese inheritance tax applies to assets in Lebanon. PBL Law Group, International estate planning in Lebanon	No
Syria	Not verified. The obligatory will (article 257) was widened in June 2019 to include the children of a daughter who died first.	A lawyer who knows current conditions. Procedures and access may have changed; not verified. Chatham House, New amendments to personal status law offer small gains for women's rights (Syria, 2019)	No
Türkiye	Certificate of inheritance (mirasçılık belgesi), issued by a civil court or a notary. A foreign certificate is recognised only if it is a foreign court decision.	A lawyer in Türkiye. Which law fixes the shares was not verified here. A. C. Ruhi, Mirasçılık belgesi ve yabancı bir ülke mahkemesinden alınan mirasçılık belgesinin Türkiye'de tanınması, Terazî Hukuk Dergisi 9(92), 2014	Yes
Iran	Certificate of heirs, verified by the competent tribunal of the deceased's residence. Shares follow Twelver Shia	A lawyer in Iran. A bequest above a third needs the other heirs' consent (Civil Code article 843).	No

law in the Civil Code. A dual national who holds Iranian citizenship is treated as Iranian.

D. Gorji V., La successione ereditaria in Iran, Filodiritto, 10 March 2022

Morocco

Act of notoriety (heirs' deed) by a notary or adoul. Status of this row is unconfirmed: one firm's article only.

A lawyer in Morocco. Per that firm, Islamic law applies to the Moroccan assets of Muslims, and a dual national counts as Moroccan only. A foreign notarial document needs a Moroccan court's validation.

Yes

Giambrone Law (Casablanca office),
How international succession is managed in Morocco

Nigeria

Varies by state. In Kwara State a court held that the High Court probate registry may not issue letters of administration on a Muslim estate.

A lawyer in the state where the property is, who knows whether the Sharia court or the High Court handles it.

No

Ishola and Solahudeen, Muslim estate and probate practice in Kwara State (Al-Hikmah University Journal of Public and International Law, 2017)

Somalia

Not verified. We found no official procedure we could confirm.

Take careful local advice. Do not sign anything that lets one heir sell for all.

No

Sources for the apostille column: HCCH, Apostille Convention status table. Not legal advice; check with a lawyer in that country.