

إِنَّا لِلَّهِ وَإِنَّآ إِلَيْهِ رَٰجِعُونَ

Innā lillāhi wa innā ilayhi rājiʿūn. Indeed we belong to Allah, and indeed to Him we will return. Qurʾān, al-Baqarah 2:156

We are sorry. Here is what happens next.

As soon as you can, call your masjid's funeral committee.

They will arrange the washing, the shroud, the prayer and the burial, and tell you which funeral company to use.

You do not have to do this alone, or all at once. Your masjid has done this many times. Follow the steps in order, and open each one when you reach it.

New This guide is new and has not yet been reviewed by people in Spain. If something here is wrong or out of date where you live, please tell us at hello@lifeistemporary.com.

WHAT THE LAW SAYS IN SPAIN

Registering the death

Every death must be recorded at the Civil Registry (Registro Civil), which then issues the burial licence. A hospital sends each death and the medical certificate to the registry electronically. Outside a hospital, the doctor who certified the death and the relatives must report it as soon as possible; the funeral company usually does this with the family's authority. Ley 20/2011, de 21 de julio, del Registro Civil, arts. 62 to 67

The duty court and autopsy

In a violent or suspicious death the duty court (juzgado de guardia) takes charge with a forensic doctor. The law says an autopsy is carried out, but the judge may decide against one when the forensic doctor can establish both the cause and the relevant circumstances of death without it. The burial licence is issued only when the court authorises it, so ask the court early, in writing, for a quick release for religious reasons. Ley de Enjuiciamiento Criminal, arts. 340, 343 and 778.4; Ley 20/2011, del Registro Civil, art. 67.2

Burial deadlines and repatriation

Burial deadlines are set by each autonomous community. Andalucía: no sooner than 24 and no later than 48 hours, but the 48 hours do not apply to refrigerated, frozen, embalmed or preserved bodies, and an autopsy allows earlier burial. Madrid: 24 to 48 hours, except when a court is involved. Comunitat Valenciana: 24 to 48 hours, earlier after an autopsy, with refrigeration (up to 48 hours) or freezing (up to 96 hours) not counted. Cataluña: temporary preservation is needed for burial after 48 hours (72 hours if a court is involved), with refrigeration or freezing not counted. Elsewhere, and to work out your deadline, ask the funeral company. Andalucía, Decreto 95/2001, art. 21; Madrid, Decreto 124/1997, art. 22; Comunitat Valenciana, Decreto 39/2005, art. 12; Cataluña, Decret 297/1997, arts. 11.2 and 35.1

Burial deadlines and repatriation

To bury abroad, the funeral company asks the state's Foreign Health Service (Sanidad Exterior) of the province. For most destinations the body must be embalmed or given temporary preservation and placed in a coffin fit for international transport; agreements with France and

Portugal remove the embalming requirement by road. For a country outside the Berlin and Strasbourg agreements, that country's consulate in Spain must first authorise entry, so call it early. Ministerio de Sanidad, Traslado internacional de cadáveres y restos cadavéricos

Burial, coffins and Muslim plots

The 1992 agreement with the Islamic Commission of Spain gives Islamic communities the right to plots set aside for Muslim burial in municipal cemeteries, and to their own cemeteries, but not every town has one. Burial without a coffin depends on the community: in Andalucía the town hall can allow it on the family's request for religious reasons, only for a body not from one of the listed infectious or radioactive risks ("Group 2"), and the body still travels in a coffin. We have not found that Madrid allows it, and Cataluña's rules allowing it are still a draft. Ask the town hall before planning a burial without a coffin. Ley 26/1992, art. 2.5; Andalucía, Decreto 95/2001, arts. 4 and 21.4; Defensor del Pueblo, recommendation of 31 January 2024; CTESC, Dictamen 09/2026

The notary and the estate

Under the common Civil Code two thirds of the estate are reserved to the children, and a surviving spouse who inherits alongside descendants has a life interest in one third. Some regions have their own civil law that differs, so ask a notary which law applies and whether the estate can be divided by the Islamic shares. Without a will, the heirs ask a notary for a declaration of heirs. The inheritance tax return is due within 6 months of the death. Código Civil, arts. 13.2, 806 to 808 and 834; Ley del Notariado, art. 55; Real Decreto 1629/1991, art. 67

Social Security death grant

The Social Security pays a death grant (auxilio por defunción) of €46.50 to whoever paid for the funeral, if at the death the deceased was in active insured status (en alta) or an equivalent status, or on a contributory retirement or permanent disability pension. Claim within 5 years, and ask the Social Security to confirm eligibility. Seguridad Social, Auxilio por defunción; Ley General de la Seguridad Social, art. 218

From official sources, checked October 2026. Laws change; your funeral company and a notary can confirm them.

WHERE YOU ARE

Registering a death, the courts, wills and estates follow national law in Spain, and this guide describes that framework. Burial deadlines and the coffin rule are set by each autonomous community. We have checked Andalucía, Cataluña, the Comunidad de Madrid and the Comunitat Valenciana; elsewhere, ask the funeral company or the town hall. Some communities also have their own civil law on inheritance.

1

Have the death confirmed

In the first hour

A doctor has to confirm the death and sign the medical death certificate (certificado médico de defunción). Nothing can be registered without it, and the death must be registered before there can be a burial.

- [ ] In a hospital or care home, ask the staff to confirm the death
- [ ] At home, call the family doctor or the health centre; in an emergency call 112
- [ ] If the death was violent or suspicious, such as an accident or a suicide, call 112 and do not move the body
- [ ] Tell the staff early that the family needs a quick burial for religious reasons

THE CERTIFICATE

The Civil Registry cannot record a death without the medical death certificate. The doctor also notes on it any sign of a violent death, which stops the burial licence until a court allows it. Ley 20/2011, de 21 de julio, del Registro Civil, arts. 62 a 67 (BOE, texto consolidado, consultado el 10 de octubre de 2026)

and

Close the eyes, cover the body, make duʿā

In the first hour · at the same time as the step above

Gently and without hurry. Those present can do this while the calls are made.

- [ ] Close the eyes and the mouth
- [ ] Straighten the arms and legs
- [ ] Cover the body with a clean sheet
- [ ] Pray for them, and say only good

EVIDENCE

The Prophet ﷺ closed the eyes of Abū Salamah and prayed for him. Ṣaḥīḥ Muslim 920

2

Call the mosque's funeral service

In the first few hours

Many mosques and Islamic communities help with the washing, the shroud, the prayer and the burial, and know which funeral company (funeraria) to use and where there is a Muslim plot.

- [ ] Call the mosque's funeral service or the imam
- [ ] Tell them where the body is and who the next of kin is
- [ ] Agree a time for the ghusl and the janazah prayer

NO NUMBER?

Call the nearest large mosque. They will know who to call.

3

Ask whether the duty court is involved PAPERWORK

If the death was sudden or violent

If the death was violent or suspicious, the duty court (juzgado de guardia) takes charge with a forensic doctor (médico forense). The body usually goes to the Institute of Legal Medicine, and there can be no burial until the court allows it.

- [ ] Ask the police or the hospital whether the court has been told
- [ ] Ask the court or the forensic institute, early and in writing, to release the body quickly for religious reasons
- [ ] Ask the funeral company to collect the court's authorisation for burial as soon as it is given

AUTOPSY
In a violent or suspicious death the law says an autopsy is carried out. The judge may decide against one when the forensic doctor can establish the cause and circumstances of death without it. A family that objects on religious grounds can ask the court to consider this. Ley de Enjuiciamiento Criminal, arts. 340, 343 y 778.4 (BOE, texto consolidado, consultado el 10 de octubre de 2026)

RELEASE
The death can be registered, but the burial licence is issued only when the court authorises it. Ley 20/2011, de 21 de julio, del Registro Civil, arts. 62 a 67 (BOE, texto consolidado, consultado el 10 de octubre de 2026)

A HOSPITAL AUTOPSY
We have not confirmed the rules on an autopsy asked for by a hospital outside any investigation. If one is proposed, tell the doctor straight away that the family objects, and ask what the law allows.

4

Register the death at the Civil Registry PAPERWORK

As soon as possible

Every death must be recorded at the Civil Registry (Registro Civil). Once it is recorded, the registry issues the licence for burial (licencia de enterramiento). In practice the hospital or the funeral company sends the papers.

- [ ] If the death was in hospital, the hospital sends the death and the medical certificate to the registry itself
- [ ] For a death at home, close relatives must report it as soon as possible; the funeral company usually does this with your authority
- [ ] Ask the funeral company to confirm when the burial licence has been issued

WHO MUST REPORT IT

The hospital or clinic where the death happened; the doctor who certified it, if it was outside a hospital; the relatives, or someone they authorise. A hospital sends each death to the registry electronically, with the medical certificate. Outside a hospital, those responsible must report it as soon as possible. Ley 20/2011, de 21 de julio, del Registro Civil, arts. 62 a 67 (BOE, texto consolidado, consultado el 10 de octubre de 2026)

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Choose the funeral company and the grave PAPERWORK

Within the first day

The funeral company (funeraria) collects the body, provides the coffin and handles most of the paperwork. Whether a Muslim may be buried in the shroud without a coffin depends on the autonomous community and the cemetery.

- [ ] Ask the funeral company for a written quote before you agree
- [ ] Ask in advance whether the mosque's team or the family may wash the body at the funeral home
- [ ] Ask the town hall or the Islamic community where there is a Muslim plot
- [ ] Ask whether burial without a coffin is allowed in that cemetery

WITHOUT A COFFIN

In Andalucía, if the family asks for religious reasons, the town hall can allow burial without a coffin, but only where the death was not from one of the listed infectious or radioactive risks (a "Group 2" body), and not for transport: the body still travels in a coffin. The national Ombudsman says the Comunitat Valenciana also allows an exception, but the Valencian text we read requires a coffin, so ask the town hall. Junta de Andalucía, Decreto 95/2001, de 3 de abril, Reglamento de Policía Sanitaria Mortuoria, art. 21 (BOJA núm. 50 de 2001; el art. 21 no fue modificado por los Decretos 238/2007 y 62/2012) ; Defensor del Pueblo, Inhumaciones sin féretro por razones de confesionalidad, Recomendación a la Consejería de Sanidad de la Comunidad de Madrid, 31 de enero de 2024 (queja 23020145-01; respuesta: en trámite)

MADRID AND CATALUÑA

In 2024 the national Ombudsman asked the Comunidad de Madrid to allow burial without a coffin for religious reasons; we have not found that it has done so. Cataluña's 1997 rules are still in force; a draft decree of 2026 would allow it in cemetery areas set aside for this. Ask before you plan a burial without a coffin. Defensor del Pueblo, Inhumaciones sin féretro por razones de confesionalidad, Recomendación a la Consejería de Sanidad de la Comunidad de Madrid, 31 de enero de 2024 (queja 23020145-01; respuesta: en trámite) ; Consell de Treball, Econòmic i Social de Catalunya, Dictamen 09/2026 sobre el Projecte de decret de sanitat mortuòria

THE WASHING

We have not confirmed the legal rules on the family or a mosque team washing the body in a funeral home. Ask the funeral company in advance who may do the ghusl there.

HOW LONG A GRAVE LASTS

We have not confirmed the rules on how long graves last. Ask the cemetery how long the grave is granted for, what it costs and whether it can be renewed.

and

Wash and shroud the body

Within the first day · at the same time as the step above

Done by trained Muslims of the same sex, or by the spouse. The funeral service usually provides the cloth.

- [ ] Confirm who will wash
- [ ] Confirm the kafan is ready

How the washing and shroud are done ›

SPOUSES

A wife may wash her husband: Ibn al-Mundhir reports consensus. Most scholars allow a husband to wash his wife, and the Prophet ﷺ told ʿĀʾishah that if she died before him he would wash her (Ibn Mājah 1465); the Ḥanafī school does not allow the husband to. Ibn Qudāmah, al-Mughnī (Ḥanbalī, with the other schools), 2:390 ; Ibn ʿĀbidīn, Radd al-Muḥtār (Ḥanafī), 2:198–199

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The janazah prayer and the burial

As soon as possible

The prayer is often held after one of the daily prayers, and the burial follows straight after.

- [ ] Tell family and community the time of the prayer
- [ ] Confirm the grave in a Muslim cemetery or Muslim plot
- [ ] Ask the funeral company the earliest and latest time allowed for burial in your community

How to pray the janazah prayer ›

HASTE

The Prophet ﷺ told us to hurry with the funeral. Ṣaḥīḥ al-Bukhārī 1315

ANDALUCÍA

Burial no sooner than 24 hours and no later than 48 hours after the death. The 48 hours do not apply to a body that is refrigerated, frozen, embalmed or temporarily preserved. After an autopsy or organ donation, burial can be allowed before 24 hours. Junta de Andalucía, Decreto 95/2001, de 3 de abril, Reglamento de Policía Sanitaria Mortuoria, art. 21 (BOJA núm. 50 de 2001; el art. 21 no fue modificado por los Decretos 238/2007 y 62/2012)

MADRID

Burial no sooner than 24 hours and no later than 48 hours after the death, except when a court is involved or in cases the regional rules set out. Comunidad de Madrid, Decreto 124/1997, de 9 de octubre, Reglamento de Sanidad Mortuoria, art. 22 (texto con las modificaciones del Decreto 9/2020, publicado por el Ayuntamiento de Rivas-Vaciamadrid, junio de 2026)

VALENCIA

Burial after more than 24 hours and before 48 hours, once the medical certificate and burial licence are issued. After an autopsy or organ donation, it can be allowed before 24 hours. Time refrigerated (up to 48 hours) or frozen (up to 96 hours) does not count towards the deadline. Generalitat Valenciana, Decreto 39/2005, de 25 de febrero, Reglamento de policía sanitaria mortuoria, arts. 10, 12 y 15 (texto con el Decreto 195/2009 y la corrección de errores de 18 de febrero de 2010, publicado por el Ayuntamiento de Petrer)

CATALUÑA

A body buried more than 48 hours after death must first be given temporary preservation; if a court is involved, more than 72 hours. Time refrigerated (up to 48 hours) or frozen (up to 96 hours) does not count. Ask the funeral company to work out your deadline. Agència de Salut Pública de Catalunya, Nota interpretativa en relació amb els articles 11, 34 i 35 del Decret 297/1997, de 25 de novembre, pel qual s'aprova el Reglament de policia sanitària mortuòria (Cementiris de Barcelona, gener de 2024)

ELSEWHERE

Other communities have their own rules, which we have not checked. Ask the funeral company or the town hall.

MUSLIM PLOTS

By the 1992 agreement with the Islamic Commission of Spain, Islamic communities have the right to plots set aside for Muslim burial in municipal cemeteries, and to their own cemeteries. Not every town has one: ask the town hall or the Islamic community. Ley 26/1992, de 10 de noviembre, por la que se aprueba el Acuerdo de Cooperación del Estado con la Comisión Islámica de España, art. 2.5 (BOE)

AN EXAMPLE

Barcelona's Collserola cemetery has an Islamic section for Muslims born in, living in, or who died in the city. Cementiris de Barcelona, Cementerio de Collserola (consultado el 10 de octubre de 2026)

and

If the burial will be abroad PAPERWORK

Before the coffin is closed · at the same time as the step above

Some families bury their dead in another country, for example in Morocco. The funeral company does the paperwork with the state's Foreign Health Service (Sanidad Exterior). The estate usually pays, or the family if there is no money in it. Ask the funeral company what it costs and who signs before you agree.

- [ ] Tell the funeral company early that the burial will be abroad
- [ ] Call the consulate of the country early: for most countries it must authorise entry first
- [ ] Check any repatriation insurance or funeral plan

AUTHORISATION

The funeral company asks the Foreign Health Service of the province where the death happened. It needs the medical death certificate, the Civil Registry certificate or burial licence, a certificate of embalming or temporary preservation, and, after a violent death, the court's authorisation. Ministerio de Sanidad, Traslado internacional de cadáveres y restos cadavéricos (consultado el 10 de octubre de 2026)

THE CONSULATE

For a country outside the Berlin and Strasbourg agreements, the family first asks that country's consulate in Spain to authorise entry. For a country in them, such as Türkiye or Egypt, the body travels with a mortuary pass (salvoconducto mortuorio). Ministerio de Sanidad, Traslado internacional de cadáveres y restos cadavéricos (consultado el 10 de octubre de 2026)

THE COFFIN

For most destinations the body must be embalmed or given temporary preservation, and placed in a coffin suitable for international transport. By road to France or Portugal, agreements remove the embalming requirement. Ask the funeral company and the consulate what applies to your destination. Ministerio de Sanidad, Traslado internacional de cadáveres y restos cadavéricos (consultado el 10 de octubre de 2026)

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Get death certificates PAPERWORK

In the first week

Banks, insurers, the Social Security and the notary may ask for a death certificate (certificado de defunción) from the Civil Registry. Ask each what proof it needs.

- [ ] Ask the funeral company for several copies
- [ ] Or ask the Civil Registry, or apply online on the Ministry of Justice website

WHAT IT IS

The document issued by the Civil Registry that proves the death, and its date and place. Ministerio de la Presidencia, Justicia y Relaciones con las Cortes, Certificado de Defunción (consultado el 10 de octubre de 2026)

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Pay the funeral costs and list every debt

In the first weeks

The funeral is paid from the estate first, then the debts. Nothing is inherited until both are settled.

- [ ] Pay the funeral costs from the estate
- [ ] List loans, bills and money owed to family

THE ORDER

Funeral, then debts, then bequests from a third, then the heirs. al-Sirājiyyah (al-Sajāwandī), opening chapter

- [ ] Ask a scholar about any unpaid zakat

and

Find the will, and claim the death grant PAPERWORK

In the first weeks · at the same time as the step above

In Spain a notary (notario) usually settles the estate. First find out whether there is a will and any life insurance, and tell the Social Security.

- [ ] Check papers at home, email, and with any notary
- [ ] After 15 working days, ask the Ministry of Justice for the certificate of last wills (certificado de últimas voluntades)
- [ ] Ask at the same time for the certificate of life insurance (certificado de seguros de cobertura de fallecimiento)
- [ ] Ask the Social Security whether you can claim the death grant (auxilio por defunción)

LAST WILLS

It shows whether the person made a will and before which notary, so the heirs can get a copy. You can ask only after 15 working days from the day after the death. The fee is €3.86. Ministerio de Justicia, Solicitud de Certificado de Actos de Última Voluntad (en línea y presencial/por correo; consultado el 10 de octubre de 2026)

LIFE INSURANCE

This certificate lists the life policies that covered the deceased, and with which insurer. Ministerio de Justicia, Certificado de Contratos de Seguros de cobertura de fallecimiento (consultado el 10 de octubre de 2026)

DEATH GRANT

€46.50, paid to whoever paid for the funeral, if at the death the deceased was in active insured status with the Social Security (en alta) or an equivalent status, or was on a contributory retirement or permanent disability pension. You have 5 years to claim. Ask the Social Security also about survivors' pensions. Seguridad Social, Auxilio por defunción (ficha informativa y prestación para trabajadores; consultado el 10 de octubre de 2026)

Settle and divide the estate PAPERWORK

Under the common Civil Code, two thirds of the estate are reserved to the children, and some regions have their own civil law that differs. A notary can tell you which law applies. Ask the notary early whether and how the estate can be divided by the Islamic shares.

- [ ] See a notary
- [ ] Close accounts and cancel subscriptions
- [ ] Pay any bequest, up to one third, to people who are not heirs
- [ ] Divide the rest by the fixed shares

See how the estate divides ›

ONE THIRD
A bequest is limited to a third, and an heir cannot receive one. Ṣaḥīḥ al-Bukhārī 2742 ; Sunan Abī Dāwūd 2870 (ḥasan ṣaḥīḥ)

WITHOUT A WILL
Children, parents, a spouse or partner, or other relatives can ask a notary for a declaration of heirs (declaración de herederos). The notary is one where the deceased lived, where most of the property is, or where the death happened. Ley del Notariado de 28 de mayo de 1862, art. 55 (añadido por la Ley 15/2015; BOE, texto consolidado)

THE CHILDREN'S SHARE
Under the Civil Code two thirds of the estate are reserved to the children; a parent may give one of those thirds to some children more than others. The last third is free. A surviving spouse who inherits alongside children or other descendants has a life interest in the third that can be given to some children over others. Some regions have their own civil law, which can differ: ask a notary. Código Civil, arts. 13.2, 806, 807, 808, 834 y 932 (BOE, texto consolidado)

ANOTHER NATIONALITY

If the deceased held another nationality, they could choose in their will the law of that country to govern their estate. Ask a notary what this means for you. Regulation (EU) No 650/2012 (Succession Regulation), arts 20–23, 35, 83 — EUR-Lex, Wayback capture of 5 Mar 2026

TAX

The inheritance tax return is due within 6 months of the death. Ask the notary or your regional tax office about allowances. Real Decreto 1629/1991, Reglamento del Impuesto sobre Sucesiones y Donaciones, art. 67 (BOE, texto consolidado)

10

Look after the family

Four months and ten days

A woman keeps the prescribed mourning (iḥdād: setting aside adornment and perfume) for no more than three days for any death, except for her husband: then four months and ten days, the length of her ʿiddah, or until she gives birth if she is pregnant.

- [ ] Bring food and help with the household
- [ ] Help the widow with errands and appointments
- [ ] Make duʿā for the one who has died

What to say and do when you visit ›

EVIDENCE

A woman who believes in Allah and the Last Day does not mourn beyond three days, except for a husband: four months and ten days. A pregnant widow's term ends with the birth. Ṣaḥīḥ al-Bukhārī 1280 ; Qurʾān, al-Ṭalāq 65:4

FOOD

Prepare food for the family, for what has happened has occupied them. Sunan Abī Dāwūd 3132 (ḥasan, al-Albānī)

ʿIDDAH DATES
Work out when four months and ten days have passed, by the Hijri and the Western calendar. Open ↗

11

Write your own Islamic will

For those left behind

Without a valid will, Spanish law decides who inherits, not the fixed shares, and under the Civil Code the children inherit in equal parts. An Islamic will in Spain is an ordinary Spanish will that directs the estate by the shares, within the part the law leaves free.

- [ ] Make it before a notary (testamento abierto); or write it entirely by hand, sign it and date it with the day, month and year
- [ ] Ask a notary whether each spouse should make a separate will
- [ ] Ask a notary how the children's reserved share affects the Islamic shares
- [ ] If you hold another nationality, ask the notary about choosing that country's law

Work out the Islamic shares to take to a notary ›

VALID WILL
A handwritten will must be written entirely and signed by you, with the year, month and day, and you must be an adult. A foreigner may write it in their own language. Anyone aged 14 or over can make a will before a notary. Código Civil, arts. 663, 688 y 694 (BOE, texto consolidado)

THE FREE PART
Under the Civil Code only one third can be left as you wish when you have children. Regions with their own civil law have other rules. Código Civil, arts. 13.2, 806, 807, 808, 834 y 932 (BOE, texto consolidado)

General guidance, not a fatwa or legal advice. Mortuary health rules in Spain are made by each of the autonomous communities, so burial deadlines and the coffin rule differ by community, and some regions have their own inheritance law; your funeral company and a notary can confirm them.

Last reviewed October 2026. Something wrong? Tell us