1. CENTRAL COORDINATING UNIT

Contact details of the central coordinating units and languages accepted for making requests for assistance

– contact details of the central unit:

National Investigation Service
NOD/DNR
North Galaxy, Koning Albert II-laan/Bd Roi Albert II 33
Postbus/boîte postale 385
1000 Brussels
nat.ops.dir.da.brussel@minfin.fed.be
Phone. 322336 55 66
Fax 322336 17 15

– languages accepted for making requests for assistance:

Dutch, English, French and German

– acceptance of electronic communication of assistance requests:

N/A
2. **CUSTOMS UNITS OTHER THAN THE CENTRAL UNITS WHICH ARE AUTHORISED TO COOPERATE DIRECTLY IN URGENT CASES**

   - form of cooperation:

   - emergency cases only:

     N/A

   - contact details of the customs units:

     Customs and excise investigation inspectorates/divisions
     - 2000 Antwerpen, Kattendijkdok-Oostkaai 22, Phone. 3232-292.222, fax -335.721
       = mineral oils: Phone -292.222, fax -292.048
     - 6700 Arlon, Centre admin.de l'Etat, pl. des Fusillés, Phone. 3263220-432, fax -007
     - 8000 Brugge (responsible for the ports of Zeebrugge, Ostend and Nieuwpoort), Sint-Pieterskaai 72, Phone 325044-1980, fax –7188
     - 1000 Brussels, bd du Régent 36, Phone. 322.233.76-11, fax -53 (Airport Zaventem (Groupe Anti-Drogues, GAD), 1931 Brucargo, Gebouw 706, Phone. 32275-34860, fax 15399)
     - 3600 Genk, Dieplaan 12, Phone. 328.936-1111, fax -6218
     - 9000 Gent, Rooigemlaan 313, Phone. 3292-168.080, fax -273.790
     - 8500 Kortrijk, Dam 1, Phone. 32562-45511, fax -59705
     - 4000 Liège, Rue Rennequin Sualem 28-30, Phone. 3242-520.156, fax -525.556
       = mineral oils: Phone. -520.156, fax -295.265; Airport Bierset (Groupe Anti-Drogues) 4460 Grâce-Hollogne, Aéroport de Bierset, Bâtiment 56, rue de l'aéroport, Phone 3242 358 940 à 944, fax 358 945
     - 7000 Mons, Centre admin. de l'Etat, Ch. de l'Inquiétude, Phone. 32653-41211, fax -56274

3. **HOT PURSUIT**

MS has made a declaration on the application of hot pursuit:

3.1. **Restrictions on the right of hot pursuit**

   ➢ Infringements listed in Article 19(2)(a) to (c) that may give grounds for extradition

<table>
<thead>
<tr>
<th>All infringements without exception</th>
<th>All infringements with the exception of infringements relating to trafficking in:</th>
</tr>
</thead>
<tbody>
<tr>
<td>All the infringements listed in Article 19(2) which are punishable under the laws of the requesting State and of the requested State by deprivation of liberty or under a detention order for a maximum period of at least one year or by a more severe penalty may give grounds for extradition.</td>
<td></td>
</tr>
</tbody>
</table>
Restriction on the right of hot pursuit on the MS territory

<table>
<thead>
<tr>
<th>No restrictions</th>
<th>The right of pursuit on Belgian territory is restricted, it is subject to the principle of reciprocity:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Restricted as follows:</td>
<td>- <strong>FR, DE, LU, NL and SE</strong>: The right is exercised without any restriction in terms of space or time</td>
</tr>
<tr>
<td></td>
<td>- <strong>PT</strong>: Pursuit is limited to a range of 50 km from the border and a duration of 2 hours</td>
</tr>
<tr>
<td></td>
<td>- <strong>AT, DK, FI, IT, ES</strong>: Detailed declarations awaited</td>
</tr>
<tr>
<td></td>
<td>- <strong>GR, IE, UK</strong>: No right of pursuit on the territory of Belgium.</td>
</tr>
</tbody>
</table>

Pursuing officers have the right to apprehend:

Pursuing officers have the right to apprehend where the main penalty for the offence is imprisonment.

List of officers authorised to exercise the right of pursuit:

| Officers from: |

Definitions

**Private home, places accessible to the public, places not accessible to the public:**
There is no legal definition of the concept of private home. The concept is to be understood as a place of residence and, in general, as any "place not open to the public". The inviolable nature of a private home is covered by Article 10 of the constitution and sanctioned by Article 148 Penal Code.

Service weapons

<table>
<thead>
<tr>
<th>Allowed arms:</th>
</tr>
</thead>
<tbody>
<tr>
<td>In accordance with the provisions of the Ministerial Decree of 4.11.92, sworn officers of the customs and excise administration may hold, keep and carry, according to the missions entrusted to them, the service weapons listed below as part of their regulation equipment:</td>
</tr>
<tr>
<td>(a) 9 mm calibre pistols; (b) 7,65 mm calibre pistols; (c) 7,62 mm calibre semi-automatic carbines/rifles; (d) rubber truncheons not exceeding 45 cm in length; (e) anti-attack aerosol sprays</td>
</tr>
<tr>
<td>Use:</td>
</tr>
<tr>
<td>Customs officers from another Member State may carry their service weapons during cross-border surveillance on Belgian territory. A team's armoury may be brought across the border, but may be neither carried nor used.</td>
</tr>
</tbody>
</table>
Legitimate self-defence:
1. Legitimate self-defence under ordinary law is defined in Article 416 and 417 Penal Code. For a person to be deemed to be acting in legitimate self-defence and therefore not punishable for the crime of homicide, the following conditions must coexist:
   (a) in the event of an attack on persons (Article 416): defence proportionate to an attack on a person's physical integrity; a response dictated by the actual need for defence; an unjustified attack on physical integrity
   (b) in the event of an attack on property (Article 417): resisting a person climbing over or breaking through fences, walls or entrances of a place of residence or its outbuildings; during the night, except where it is established that an attack against persons could be ruled out.
2. Under special customs law
   (a) within a range of 10 km along land and sea borders
      – against armed attack or resistance or to counter the serious risk of injury or loss of life;
      – against persons who, without obeying an order to stop, attempt to escape following an armed attack and against drivers of motor vehicles who attempt to escape after a manoeuvre which endangers life;
      – to resist persons who, despite a summons to keep their distance, attempt to remove goods or means of transport that have been seized, attempt to dislodge them from a location from which they are exercising surveillance or attempt to release their prisoners;
      – to slaughter animals introduced fraudulently or moving illegally within the country where it is not possible to capture them alive.
   (b) Beyond the range of 10 km along land and sea borders: Only the aforementioned rules under ordinary law are applicable; in addition, officers carrying out surveillance of the carriage of goods may not make use of armed force to constrain drivers of vehicles to stop.

The status of customs vehicles as regards the highway code:
- As from crossing the border, limitation in time or space to carry out the pursuit:
  
<table>
<thead>
<tr>
<th>Time:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>No</td>
<td></td>
</tr>
<tr>
<td>Yes</td>
<td></td>
</tr>
</tbody>
</table>
  
<table>
<thead>
<tr>
<th>Space:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>No</td>
<td></td>
</tr>
<tr>
<td>Yes</td>
<td></td>
</tr>
</tbody>
</table>

- Contact point(s) to be informed at the latest when the border is crossed:

National Investigation Service
NOD/DNR
North Galaxy, Konings Koning Albert II-laan/Bd Roi Albert II 33
Postbus/boîte postale 385
1000 Brussels
nat.opsd.dir.da.brussel@minfin.fed.be
Phone. 322336 55 66
fax 322336 17 15
3.2. Requirement to report back

Requirement to report back after completion of a hot pursuit:

N/A

Authority to which the reports should be made:

4. CROSS-BORDER SURVEILLANCE

MS has made a declaration on the application of cross-border surveillance:

4.1. List of MS officers authorised to exercise the right of cross-border surveillance

4.2. Contact details of the competent authority empowered to grant authorisation or forward requests for cross-border surveillance

4.3. Special restrictions on the right of surveillance in MS

4.4. Definitions

- Definitions

Private home, places accessible to the public, places not accessible to the public:
There is no legal definition of the concept of private home. The concept is to be understood as a place of residence and, in general, as any "place not open to the public". The inviolable nature of a private home is covered by Article 10 of the constitution and sanctioned by Article 148 Penal Code.
### Service weapons

**Allowed arms:**
In accordance with the provisions of the Ministerial Decree of 4.11.92, sworn officers of the customs and excise administration may hold, keep and carry, according to the missions entrusted to them, the service weapons listed below as part of their regulation equipment:
- (a) 9 mm calibre pistols;
- (b) 7.65 mm calibre pistols;
- (c) 7.62 mm calibre semi-automatic carbines/rifles;
- (d) rubber truncheons not exceeding 45cm in length;
- (e) anti-attack aerosol sprays

**Use:**
Customs officers from another Member State may carry their service weapons during cross-border surveillance on Belgian territory. A team's armoury may be brought across the border, but may be neither carried nor used.

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### Legitimate self-defence:

1. Legitimate self-defence under ordinary law is defined in Articles 416 and 417 Penal Code. For a person to be deemed to be acting in legitimate self-defence and therefore not punishable for the crime of homicide, the following conditions must coexist:
   - (a) in the event of an attack on persons (Article 416): defence proportionate to an attack on a person's physical integrity; a response dictated by the actual need for defence; an unjustified attack on physical integrity
   - (b) in the event of an attack on property (Article 417): resisting a person climbing over or breaking through fences, walls or entrances of a place of residence or its outbuildings; during the night, except where it is established that an attack against persons could be ruled out.

2. Under special customs law
   - (a) within a range of 10 km along land and sea borders:
     - against armed attack or resistance or to counter the serious risk of injury or loss of life;
     - against persons who, without obeying an order to stop, attempt to escape following an armed attack and against drivers of motor vehicles who attempt to escape after a manoeuvre which endangers life;
     - to resist persons who, despite a summons to keep their distance, attempt to remove goods or means of transport that have been seized, attempt to dislodge them from a location from which they are exercising surveillance or attempt to release their prisoners;
     - to slaughter animals introduced fraudulently or moving illegally within the country where it is not possible to capture them alive.
   - (b) Beyond the range of 10 km along land and sea borders: Only the aforementioned rules under ordinary law are applicable; in addition, officers carrying out surveillance of the carriage of goods may not make use of armed force to constrain drivers of vehicles to stop.
4.5. Requirement to report back

Requirement to report back after completion of a cross-border surveillance operation:

N/A

Authority to which the reports should be made:

5. CONTROLLED DELIVERIES

5.1. List of officers authorised to decide on or carry out controlled deliveries

5.2. Requirements regarding information to be included in the request

5.3. Consent from other transit States

Requirement to provide a guarantee that all transit States have in each case given their consent to the controlled delivery taking place in the territory of the transit country

The abovementioned guarantee is required:

Yes

5.4. Requirement to give a guarantee that the controlled delivery will be under permanent surveillance, together with a guarantee of immediate intervention if there is a risk that the delivery will be lost

The abovementioned guarantee is required:

Yes

5.5. Service weapons

MS imposes the following conditions on the use of service weapons:

5.6. Requirement to report back

Requirement to report back after completion of a controlled delivery:

N/A

Authority to which the report should be made:
5.7. Seizure and legal proceedings

Requirement to provide a guarantee concerning the final seizure of the consignment and that legal proceedings will be brought against the perpetrators.

The abovementioned guarantee is required:

N/A

6. COVERT INVESTIGATIONS

MS has made a declaration on the application of covert investigations:

6.1. Restrictions on the possibility of using covert investigations

6.2. List of officers authorised to decide on or carry out covert investigations

6.3. Service weapons

6.4. General conditions

General conditions (e.g. infringements, investigation) to be fulfilled before a request is made:

6.5. Requirement to report back

Requirement to report back after completion of a covert investigation:

N/A

Authority to which the reports should be made:
7. **JOINT SPECIAL INVESTIGATION TEAMS**

7.1. List of officers authorised to decide on or participate in joint special investigation teams

7.2. General conditions

*General conditions or provisions regarding the organisation of or participation in a joint special investigation team:*

7.3. Requirement to report back

Requirement to report back after completion of a joint special investigation:

N/A

*Authority to which the report should be made:*