



Permanent Representation of the Kingdom of
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in **Brussels**

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EUROPEAN COMMISSION
Ms Alexandra JOUR-SCHROEDER
Acting Deputy Director-General
Directorate-General for Justice and
Consumers, Unit B2
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BELGIUM

your communication of	your reference	our reference	date
08.12.2020		20201215/02190/NC	

Subject: Notifications of the Kingdom of Belgium regarding Regulation (EU) 2018/1805 of the European Parliament and of the Council of 14 November 2018 on the mutual recognition of freezing orders and confiscation orders

Dear Madam Acting Deputy Director-General,

In accordance with the article 6(3), 17 (3) and 24(1) of 'Regulation (EU) 2018/1805 of the European Parliament and of the Council of 14 November 2018 on the mutual recognition of freezing orders and confiscation orders', I have the honor to inform you of the notifications of Belgium regarding this regulation.

Yours sincerely,

Willem van de Voorde
Permanent representative of Belgium to the EU

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Enclosures: 1

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**Notifications of the Kingdom of Belgium regarding
Regulation (EU) 2018/1805 of the European Parliament and
of the Council of 14 November 2018 on the mutual
recognition of freezing orders and confiscation orders**

Languages (Art. 6.3 and 17.3)

The certificate should be drawn up in or translated into Dutch, French, German or English.

Competent issuing authorities (Art. 24.1)

A **freezing order** can be issued by an investigative judge, a public prosecutor or a court.

A **confiscation order** can be issued by a public prosecutor.

Competent executing authorities (Art. 24.1)

The Belgian competent authority to execute a **freezing order** is the investigating judge.

However, certificates should be transferred to the public prosecutor of the district where the (majority of) items of property are located. An overview of the competent local public prosecutors' offices is available on the European Judicial Network website. The competent public prosecutor will present the case to the investigating judge.

If property to be seized are localized in different judicial areas or if there are uncertainties on the localization or on the competent executing authority, contact can be taken with the Federal Prosecutor's Office in order to determine the competent authority.

The Belgian competent authority to execute a **confiscation order** is the criminal court of first instance.

However, certificates should be transferred to the public prosecutor of the district where the (majority of) items of property are located. An overview of the competent local public prosecutors' offices is available on the European Judicial Network website. The competent public prosecutor will bring the case before the criminal court.

If property to be seized are localized in different judicial areas or if there are uncertainties on the localization or on the competent executing authority, contact can be taken with the Federal Prosecutor's Office in order to determine the competent authority.