

**DECLARATION OF LEGAL RIGHTS**  
**Provided to a person placed in police custody**  
**Drug Trafficking**

**The following information must be provided to you in a language you understand.**

**You may keep this document throughout the time you remain in custody**

You are hereby informed that you are being held in police custody, because there exists against you, one or more plausible reasons to suspect you of having committed, or attempted to commit, an offence of drug trafficking.

You have the right to know the nature, date and location of the commission of the offence of which you are accused, as well as the grounds for your detention in police custody.

You will be heard regarding these facts during your time in police custody which can last for 24 hours.

Once this period has come to an end, either the public prosecutor or the investigating judge can decide to extend your time in police custody for another 24 hours. If possible, you will be brought before the relevant official, by videoconference if necessary.

In exceptional circumstances and if the investigation requires it, two additional 24 hour extensions may be ordered. These can be ordered by the liberties and detention judge at the request of the public prosecutor, or by the investigating judge.

However, if outstanding acts of the investigation justify it after the first 48 hours, the liberties and detention judge, upon request from the public prosecutor or the investigating judge, will have the power to extend your time in police custody for a single period of 48 hours.

Once this custody period has come to an end, you will be, subject to the decision of the public prosecutor or the investigating judge, either brought before the prosecutor or other authoritative figure, or released. If you are not released, you will be brought before a judge within 20 hours of the end of your period of police custody, except if your custody period has lasted more than 72 hours.

**YOU ARE FURTHERMORE INFORMED THAT YOU HAVE THE RIGHT TO:**

**Inform a Third Party**

You have the right to request that one of the following persons be notified by telephone of your placement into police custody: a person with whom you currently live, or a direct parent, or one of your siblings, or your curator or legal guardian.

You may furthermore have your employer notified of your placement into police custody. If you are a foreign citizen, you may also have the consular authorities of your country notified.

Save in exceptional circumstances, your requests will be dealt with within 3 hours of your

request at the most.

### **Medical Examination**

You may ask to be examined by a doctor as of the beginning of your time in police custody, and in the event of an extension of your time in custody. If an extension to your time in custody is authorised, you must be examined by a doctor and you will be advised of your right to request an additional medical examination.

### **Right to make a statement, to answer questions asked or to remain silent.**

During your hearings/interview, after identifying yourself, you have the right to:

- make a statement
- answer questions asked of you
- remain silent.

### **Right to legal assistance**

#### **- Selecting your lawyer:**

As of the beginning of your time in police custody, you may request the legal assistance of a lawyer of your choice. If you are unable to provide the details of a lawyer, or if the lawyer of your choice cannot be contacted, you can ask for a state appointed lawyer.

Your lawyer may also be chosen by one of the persons you notified. In this case, you are required to confirm their choice of lawyer.

#### **- Assistance of the lawyer:**

The chosen lawyer will have the capacity to:

- consult with you for a period of 30 minutes. In the event of an extension, you will be able to renew your request to consult with your lawyer as of the beginning of this extension period.
- If you make such a request, your lawyer will also be able to attend your hearings and confrontations.

#### **- Time of intervention**

-If the investigation requires your immediate hearing, the public prosecutor or the investigating judge can authorise, by a written and motivated decision, to waive the required 2 hour waiting time before your hearing, which is intended to give your lawyer time to be present.

-In certain exceptional circumstances, your lawyer's involvement may be deferred and delayed for a maximum period of 72 hours.

### **Assistance by an Interpreter**

If you do not speak or understand French, you have the right to request assistance from an interpreter free of charge during hearings or when communicating with your lawyer.

### **Right to request release from detention**

When the public prosecutor, investigating judge, or liberties and detention judge expresses a view on the extension of your time in detention, you have the right to request that this extension is not imposed.

### **Access to certain elements of your file**

At your request or that of your lawyer, you may ask to review the following material. This request must be made before an extension of detention is made:

- Statement of relevant facts regarding your placement into detention;
- Examining doctor's medical certificate(s).
- The statement(s) taken further to your hearings/interviews