

Kidnapping and concealment of minors:

written by Dennis_ Rombaut_ | March 28, 2022

Abduction refers to the illegal forced removal of the child. For children under 12 years of age, the law states that even if the child voluntarily goes along with its abductor, this constitutes abduction and is therefore punishable.

Abstention means to keep back a minor who is known to have been abducted.

There is a reduction in sentence if the minor is returned voluntarily and within five days. Increased sentence is applicable if violence or threats are used. If the abduction or concealment results in a serious (permanent) injury or death of the child, the most severe penalties of the penal code are provided.

The crime of abduction and/or concealment (Articles 428-430 of the Criminal Code) of minors does not apply to the parents of the child. If one of the parents takes their own child abroad without the consent of the other parent or does not respect a visitation arrangement, this falls under other criminal provisions.

For more information about this crime, a concrete punishment and/or advice tailored to your needs, contact our criminal lawyers at info@studio-penale.be.