

[Home](#) > ... > [Training, Judicial Networks and Agencies](#) > [Training of Justice Professionals](#) > [National Training Systems](#) > [Initial Training of Judges and Prosecutors In The European Union](#) > Belgium

Initial training of judges and prosecutors in the European Union

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General description

Initial training is mandatory for all judicial trainees and newly appointed magistrates. It is organized by the Belgian Judicial Training Institute in both main national languages (French or Dutch).

Access to the initial training

The initial training has two target groups:

1. The judicial trainees

The judicial trainees are selected after a competitive entrance exam organized annually by the High Council of Justice. The number of available places is set every year by the Ministry of Justice for each language role. Only the appropriately qualified candidates can start the judicial traineeship, which starts on October 1st each year and lasts for two years. The mandatory initial training takes place during their traineeship.

2. Newly appointed magistrates

The High Council of Justice organizes annual aptitude exams for candidate magistrates with at least 5 years (in prosecutors' offices) or 10 years (in courts) of professional experience, as well as oral evaluation exams (so called "*third way exam*") for lawyers with at least 20 years of experience. The successful candidates receive a certificate which allows them to apply for a vacancy in the magistracy within 5 years after receipt of the certificate. The selection procedure is also organized by the High Council of Justice. After their appointment, they have to follow a [tailor-made initial training programme](#) (French or Dutch).

Format and content of the initial training

For judicial trainees, the initial training lasts 2 years, with an annual start on October 1st until 30 September two years later. It starts with an 11-month traineeship at a public prosecutor's office, during which the trainee performs the duties of a public prosecutor under the supervision of a trainee mentor. At the end of the traineeship at the public prosecutors' office, an internship report is drawn up by the mentor. From September to December of the following year, the trainee goes on a three-month external traineeship in judicial services (courthouse, prison, police forces, etc.). From December onwards, the internship starts at the court where the trainee prepares judgments, also under the supervision of a trainee mentor at the court, who then also draws up an internship report at the end of the internship (end of September).

In the course of this 2-year traineeship, trainees must follow a [mandatory training programme](#) (French or Dutch) of 60 days in total, including 3 residential seminars of one week each and a number of training days on specific topics. A special training course is devoted to international cooperation in criminal matters. The other mandatory training courses also deal with European legislation, when applicable.

Participation in the AIAKOS programme of the EJTN is also mandatory: the trainees go one week on an exchange abroad, after which they also participate in the AIAKOS week in Belgium organized by the Belgian Judicial training Institute (IGO-IFJ) for foreign participants, which mainly focuses on European law, language skills and networking.

If the trainee successfully completes the traineeship and has followed all mandatory training courses, he will receive a traineeship certificate which allows him to apply for vacant positions to become a magistrate. There is no more additional examination.

For newly appointed magistrates, who apply on the basis of their certificate of aptitude examination and then start directly as a magistrate upon appointment, an abbreviated training programme is provided. It includes mandatory training courses relevant to their function.

Both judicial trainees and newly appointed magistrates can take language courses, however these are not mandatory.

Most of the training courses are taught by magistrates in function and external experts. All training courses pay close attention to the practical application of the acquired skills, by organizing workshops, exercises or role plays.

Termination of the initial training and qualification process

All vacancies for magistrates are published in the Belgian Official Gazette.

Successful candidates of the professional aptitude examination and the oral evaluation examination, trainees in possession of a traineeship certificate and already appointed magistrates can apply to these vacancy positions through the Ministry of Justice.

The Ministry of Justice requests some opinions about the candidate, for example at the Bar (for lawyers who apply), the future court manager and the current court manager (if applicable).

The candidacy file (including the received opinions) is sent to the High Council of Justice, who then invites the candidates to a hearing where they can motivate and provide further information on their candidacy.

On the basis of all these elements, the High Council proposes the best ranked candidates to the Minister of Justice in view of an official appointment.

The High Council of Justice is responsible for the selection and nomination of magistrates.

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