

Rights of victims of crime in criminal proceedings - Belgium



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You will be considered a victim of a crime if you have suffered damage, for example if you have been injured or your property has been damaged or stolen, as a result of an incident that constitutes a crime under domestic law. As a crime victim you have certain individual legal rights before, during and after the criminal proceedings.

Criminal proceedings in Belgium are divided into investigation and trial stages. In most cases the investigation is directed by the public prosecutor or – in certain cases that are more complex – by an investigating judge. During the investigation, evidence is gathered to establish whether a crime has been committed and by whom.

Once the investigation has finished, the case is either closed or referred to a court for trial. During the trial the court will examine the body of evidence and determine whether the accused is guilty or not. If the accused is found guilty, a sentence may be imposed. However, the court can also find the person not guilty and acquit them.

As a victim you have a number of rights at all stages of the criminal proceedings. If you want to take a more active part in the proceedings, you can ask to be registered as an **injured party**, or you can bring a claim as a **civil party** to the criminal proceedings. Under certain circumstances you can initiate criminal proceedings yourself by directly summoning the perpetrator or by lodging a complaint with the investigating judge and at the same time applying to be treated as a civil party. As a civil party you can claim compensation from the offender. Subject to a number of conditions being met (for example, if you are the victim of a violent crime and the damage cannot be made good by the perpetrator or by an insurer), you may be eligible for compensation from the State.

The following factsheets will take you through the different steps of the procedure, describing your rights [during the investigation of the crime](#), [during the trial](#) or [after the first trial](#). Also, read more about the [help and support you can get](#).

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