

# International Certification Study: Belgium and the Netherlands

By Jiri Stejskal

After reviewing the credentialing procedures for translators and interpreters in several Latin American countries, we will now return to the member countries of the European Union and review the credentialing procedures (or lack thereof) in the Low Countries. I would like to extend special thanks to the following colleagues who helped me compile the information for this article:

- Professor Erik Hertog, Department of Translation and Interpreting at the Lessius Hogeschool, erik.hertog@lessius-ho.be
- Rita Gircour, treasurer of Stichting Vrouwennetwerk Vertalers en Tolken, rgr@CBS.nl
- Robert Croese, ATA director, rcroese@charter.net

## Belgium

Belgium has three official languages and four language regions, Brussels being bilingual<sup>1</sup>; however, there is currently no certification of translators and interpreters in the sense described in this series. At the same time, the Belgian Constitution states that in Belgium the use of language is free, and that any citizen appearing before a court is free to address the court in the language of his or her choice. A free interpreter must be made available for criminal proceedings; in civil cases, the plaintiff or defendant must bear the costs for an interpreter or translator. This provision applies to all members of the European Union, as per the European Convention on Human Rights of 1950.

A list of “sworn interpreters” is usually maintained by the courts of first instance. It is drawn up by the president of the court in consultation with the public prosecutor’s office. Professor Hertog reports that until

recently, the qualifications of interpreters have been tested and verified only in a few cases. Each court has its own system for the recruitment and certification of translators and interpreters. Unlike in the Netherlands, described below, there is no national register of interpreters or translators. The title of “translator” or “interpreter” is not legally protected, and there is no law or official statute for the profession of interpreter or translator.

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As far as eligibility requirements are concerned for candidates who wish to appear on the lists maintained by the courts, a clean criminal record and evidence of language proficiency usually suffices. Most courts do not examine or test language proficiency themselves; reportedly, a few courts offer a written test for translators. Interpreters are required to take the oath before the court at the beginning of the proceedings of each new case. Before the Court d’Assises, an interpreter must be at least 21 years old.

The situation in Belgium is changing, however, at least for legal translators and interpreters. Since 2001, in a pilot project conducted by the Lessius Hogeschool, together with the Antwerp Bar, the courts, and the police, every candidate’s language proficiency is first screened in both Dutch and the foreign language(s) before the Antwerp Court.

Only after this screening is the candidate admitted to a course of study, which consists of judicial procedures and structures, police structures and interrogation techniques, Dutch and foreign language proficiency, legal translation and/or interpretation, code of conduct and professional good practice—all this leading up to a final exam before the candidates can become “certified” or “sworn” legal interpreters or translators.

Professor Hertog adds that in Belgium it essentially comes down to the fact that there is currently no “official” or institutional training whatsoever for legal interpreters and translators, who then act as “sworn” interpreters and/or translators before Belgian courts. The EU Grotius project, which examined access to justice across language and culture in the European Union, together with the King Baudouin project, resulted in two pilot projects aimed at the credentialing of legal interpreters and translators. Both pilot projects have been organized with the support of the Belgian Ministry of Justice.

A pilot project to train legal interpreters and translators has been started in Antwerp (with the courts of Dendermonde, Antwerp, Turnhout, and Mechelen). The program is funded by the Belgian Ministry of Justice and the Lessius Hogeschool. There is another project in the French-speaking part of Belgium which is coordinated by the *Chambre belge des traducteurs, interprètes et philologues / Belgische Kamer van Vertalers, Tolken en Filologen*, a Belgian professional T&I association and a member of FIT ([www.cbtip-bkvtf.org](http://www.cbtip-bkvtf.org)). The project is called *Intr’Act* and is aimed at languages of limited diffusion. Attempts are currently being made to get a statute for the profession of a legal interpreter and/or translator ➡

passed by the Belgian Parliament, which would facilitate proper training and better remuneration.

The discussion of the situation in Belgium would be incomplete without a brief overview of T&I academic programs. There are nine academic institutions for translators and interpreters in Belgium, six of them members of CIUTI (Conférence Internationale d'Instituts Universitaires de Traducteurs et Interprètes or International Permanent Conference of University Institutes of Translators and Interpreters). The CIUTI institutions are listed below:

- Lessius Hogeschool (www.lessius-ho.be), Antwerp;
- Hogeschool Antwerpen, Hoger Instituut voor Vertalers en Tolken (www.hivt.be), Antwerp;
- Hogeschool Gent, Department Vertalen en Tolken (www.hogent.be), Gent;
- Institut Libre Marie Haps (www.ilmh.be), Brussels;
- Université de Mons-Hainaut, Ecole d'Interprètes Internationaux (www.umh.ac.be), Mons (host of the XV FIT Congress in 1999); and
- Institut supérieur de traducteurs et interprètes (www.heb.be/isti/), Brussels.

### The Netherlands

The Law of May 6, 1878, also known as the Sworn Translators Act, contains general provisions concerning sworn translators in Articles 1 and 2. Article 1 concerns persons authorized to teach one or more foreign languages at the secondary school level. They must provide the court with ample evidence that they possess the necessary knowledge of the Dutch language and submit a declaration of good conduct. Article 2 concerns the swearing in of translators

who are not authorized to teach. They must provide ample evidence to the court that they have a good command of Dutch and the pertinent foreign language, as well as provide a declaration of good conduct. The criterion of "ample evidence" differs from court to court. Diplomas of language, translation or interpreting training, and professional recommendations are usually sufficient, but courts may also apply other criteria. A person who wishes to be a sworn translator can go to the pertinent court and ask for the specific requirements of that court. The sworn status is valid throughout the entire country of the Netherlands and does not have a time limit. It can be recalled, however, if the translator gives evidence of incompetence or inappropriate behavior.

Dutch law and regulations have no general provision or specific requirements for the swearing in of interpreters. Certain specific laws do contain a basis for swearing in interpreters in the courts. A judge can have interpreters swear that they will perform their task to the best of their ability. In general, the criterion of "a competent person" applies.

Translators and interpreters in the Netherlands now have the option to be registered in the new central registry of certified interpreters and translators. The registry, however, appears to be a highly controversial issue. The Dutch Ministry of Justice has not yet signed the proposal concerning an agreement between the Ministry and a representation of translators and interpreters on the working conditions, qualifications, and wages for interpreters and translators working for the courts and the police. The proposal has been in the making for nine years now, and the reasons for its failure seem to be of a financial nature. Rita Gircour reports

that the Ministry wants very experienced, highly qualified people working for the courts and the police, but does not want to offer wages commensurate with their qualification. This has been very discouraging for the translators and interpreters involved in the negotiations concerning the registry, so now it is difficult to find volunteers who are willing to spend time negotiating any further. It is also quite unclear who would have the necessary qualification to maintain the registry. Currently, this is a hotly debated issue, and it appears that a new body will have to be formed.

The information below is a translation from Dutch of the information provided on the KTV website, where KTV stands for Kwaliteitsregister Tolken & Vertalers (www.ktv.rvr.org). My esteemed friend and colleague, Robert Croese, reviewed the Dutch website and generously provided the translation of relevant sections. However, as was mentioned above, the negotiations involving this registry are far from concluded, and the information below provides a theoretical framework for its potential function rather than a description of the actual situation. My attempts to reach a representative of the KTV for comment proved unsuccessful.

As of January 2002, all interpreters and translators who work for offices of the Department of Justice may register in the Interpreter and Translator Quality Registry. To be registered, an application must be completed and signed. Based on the application and the accompanying documentation, a decision will be made as to whether the interpreter or translator has complied with the criteria for registration.

Until January 1, 2005, interpreters and translators can be registered

either temporarily or permanently in the registry. Registered interpreters and translators often receive priority over other colleagues who are not included in the registry. At present, no special advantages or disadvantages are entailed in the temporary or permanent registrations. Interpreters and translators who cannot be registered permanently because they have not taken a recognized course of study, may sit for a qualifying examination. Successful completion of this examination is automatically followed by permanent registration.

As of January 1, 2005, the Department of Justice will only work with interpreters who are registered permanently. In addition to the current criteria, interpreters and translators may be registered permanently after January 1, 2005, if they have a minimum of five years of demonstrable experience. Furthermore, as of January 1, 2005, permanent registration will include participation in a quality control system as an additional requirement. This system will be developed and implemented in the coming years, together with interpreters, translators, and translation users. This additional requirement shall also apply to interpreters permanently registered before January 1, 2005.

Eligibility requirements include the presentation of complete personal data information and a signature (passport or ID). At the end of 2001, the former Secretary of State decided to make experience a criterion for temporary registration in the Quality Registry. After 2005, interpreters and translators with five or more years of experience will automatically be registered permanently. Other requirements vary according to whether the registration will be temporary or permanent, and whether the candidate is applying as an interpreter or as a translator.

Temporary registration as an interpreter requires the candidate to have demonstrable experience as an interpreter or to have completed a recognized course of study in interpretation. If the candidate speaks a so-called incidental language (language of limited diffusion), temporary registration can take place after discussion with the end users.

Permanent registration of interpreters requires the candidate to have completed interpreting training at an institution that is part of a list of recognized interpreter schools (foreign schools can be recognized through NUFFIC, the Netherlands Organization for International Cooperation in Higher Education). In addition, the candidate should have demonstrable interpreting experience. Alternately, the candidate can take a qualifying examination that includes both a theoretical and a practical test.

Temporary registration as a translator requires the candidate to have demonstrable translation experience or to have completed a recognized course of study in translation. If the candidate speaks a language of limited diffusion, temporary registration can take place after discussion with the end users.

Permanent registration of translators requires the candidate to have completed a course of study in translation at an institution that is part of a list of recognized translator schools (foreign schools can be recognized through NUFFIC), and to have demonstrable translation experience. Alternately, the candidate can take a qualifying examination that includes both a theoretical and a practical test.

Interpreters and translators who applied to the Quality Office before January 1, 2002, and who made a partner agreement with the Department of Justice and received exemption from

the qualifying examination for one or more languages, will be registered automatically in the registry. Partners with exemption will, in principle, be registered temporarily, but the registry will give these interpreters and translators a chance to provide additional information, on the basis of which permanent registration may follow.

Besides the basic information needed for registration, the application form also contains some additional questions. These have to do with the possible sworn classification of translators and the ability to translate into Dutch from a foreign language and vice versa. This additional information is published in summaries and sent monthly to the ➔

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following: TVCN (Tolk- en Vertaalcentrum Nederland or Interpreters and Translators Center of the Netherlands); IND (Immigratie- en Naturalisatiedienst or Immigration and Naturalization Service); and the Dutch courts. The summaries contain the following information:

- Personal and domicile data;
- Language;
- Temporary or permanent registration;
- Registration as interpreter, translator, or both;
- Experience;
- Possible sworn classification of translators;
- Ability to translate into/out of Dutch; and
- Other matters, such as special dialects, nonrecognized training, and work experience outside the Department of Justice.

In order to be permanently registered, interpreters and translators without a recognized course of study have to obtain a recognized diploma or take the qualifying examination. This examination is developed and offered by the Core Team for interpreters and translators, and consists of a theoretical test and a practical test. The theoretical test is identical for interpreters and translators and consists of four parts:

1. Knowledge of Dutch society and culture;
3. Knowledge of society and culture with respect to foreign language.

(This is currently offered for 14 language groups, which together form the majority of the existing cultures.);

4. Knowledge of the Dutch legal system and juridical concepts; and
5. Knowledge of Dutch healthcare.

The practical test is separate for interpreters and translators. Currently, practical tests are not available for all languages. New languages can be instituted according to the demand for interpreters and translators.

Starting in 2005, registered interpreters and translators will have to participate in a quality control system, whereby they must periodically demonstrate (e.g., by means of interviews and continuing education) that they comply with the quality requirements. In the Netherlands, the work of interpreters and translators is no different from that of providers of professional services such as lawyers and notaries public, for whom continuing education is required to ensure professional quality.

When it comes to academic programs and professional associations, the situation in the Netherlands appears to be exactly the opposite of the one in Belgium. Holland boasts some dozen professional associations, but the academic training is not as readily available as it is in Belgium. Some of the Dutch T&I associations are organized in a federation called MetaCom, or the Nederlandse federatie voor meertalige communicatie ([www.metacom.org](http://www.metacom.org)). These include:

- Congrestolken-Conference Interpreters ([www.conferenceinterpreters.com](http://www.conferenceinterpreters.com))
- Association of Translation Agencies ([www.metacom.org/ata](http://www.metacom.org/ata))
- Nederlands Genootschap van Tolken en Vertalers ([www.ngtv.nl](http://www.ngtv.nl))

- Organisatie van Vertaalbureaus in Nederland ([www.ovin.nl](http://www.ovin.nl))
- Stichting Vrouwennetwerk Vertalers en Tolken ([www.metacom.org/svvt](http://www.metacom.org/svvt))
- Vertalersforum ([www.metacom.org/vertalersforum](http://www.metacom.org/vertalersforum))
- Vereniging Zelfstandige Vertalers ([www.vzv.info](http://www.vzv.info))

Other organizations include the above-mentioned TVCN—Tolk- en Vertaalcentrum Nederland ([www.tvcn.nl](http://www.tvcn.nl)); SIGV—Gerechtstolken en Juridisch Vertalers ([www.sigv-vereniging.nl](http://www.sigv-vereniging.nl)); and SNEVT – Stichting Nationale Examens Vertaler en Tolk ([www.snevt.nl](http://www.snevt.nl)).

Formal education in the area of translation is available at the college level at the universities of Maastricht and Utrecht. Court interpreters can receive specialized training at the above-mentioned SIGV, which also offers certification in major European languages (French, English, German, Spanish, Italian, and Dutch), as well as in Russian and Turkish. Reportedly, the SIGV certification program is on the rise, but currently it is limited to legal translation and interpretation only.

Next time, we will take a look at the situation in the Arab countries. As the editor of this series, I encourage readers to submit any relevant information concerning non-U.S. certification or similar programs, as well as comments on the information published in this series, to my e-mail address at [jiri@cetra.com](mailto:jiri@cetra.com).

#### Note

1. Information on the situation in Belgium relies largely on the Aequitas report, edited by Erik Hertog ([www.legalintrans.info/Aequitas.pdf](http://www.legalintrans.info/Aequitas.pdf), or available in print from [erik.hertog@lessius-ho.be](mailto:erik.hertog@lessius-ho.be)).

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