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## **COMMISSION STAFF WORKING DOCUMENT**

### **2025 Rule of Law Report Country Chapter on the rule of law situation in Belgium**

#### *Accompanying the document*

**Communication from the Commission to the European Parliament, the Council, the  
European Economic and Social Committee and the Committee of the Regions**

#### **2025 Rule of Law Report The rule of law situation in the European Union**

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## **ABSTRACT**

The level of perceived judicial independence in Belgium continues to be high. The Government maintains the intention to transfer budgetary management powers for the administration of the justice system from the executive to the judiciary. Following the adoption of directives prohibiting the recording of meetings between lawyer and clients, lawyers called for additional procedural safeguards to protect legal professional privilege. Some further steps have been taken to address the structural resource deficiencies in the justice system, such as the publication of all open positions for magistrates and court staff, although a long-term structural approach is required. The Government is addressing criticism by the Court of Audit on the management of the digitalisation of justice. Some further steps have been taken to improve the efficiency of justice, particularly to reduce the length of proceedings based on comprehensive statistical data.

New investigative and prosecutorial structures also targeting corruption will be set up. Good cooperation between the Central Office for the Repression of Corruption and the prosecution service continues, although concerns exist on the handling of prominent high-level corruption cases. Some steps are under consideration to strengthen integrity procedures in the police. Shortcomings continue in the monitoring and enforcement of existing integrity policies, and in the verification and transparency of asset and interest declarations. The new Government has not yet taken a decision on whether to proceed with draft lobbying rules. The House of Representatives slightly updated its rules on gifts and benefits, while gaps in rules on “revolving doors” remain. Increased attention is paid to addressing high risks of corruption both at local level and linked to organised crime.

Despite challenges, media regulatory authorities across Belgium have taken steps in adapting their strategies while maintaining a strong legal foundation for their independence. Public service media in Belgium face various challenges across the three communities including governance structures and budgetary pressures. Recent legislative developments led to some improvements regarding access to public documents, while further procedural improvements are needed. The Government took steps to strengthen legal protections for journalists, such as decriminalising defamation and introducing harsher penalties for crimes committed against journalists.

The Federal Human Rights Institute raised concerns regarding the budget of the interfederal equality body. Limited steps have been taken on ensuring compliance by public authorities with final rulings of national courts while supervision by the Council of Europe on structural issues identified by the European Court of Human Rights continues. Despite a high level of protection under the law, civic space remains narrowed, and stakeholders are raising concerns regarding new obstacles to the right to demonstrate.

## **RECOMMENDATIONS**

Overall, concerning the recommendations in the 2024 Rule of Law Report, Belgium has made:

- Some further progress on efforts to address the structural resource deficiencies in the justice system, taking into account European standards on resources for the justice system.
- Some further progress on efforts to improve the efficiency of justice, particularly to reduce the length of proceedings based on comprehensive statistical data.
- Some progress on strengthening the integrity framework by adopting rules on gifts and benefits for members of Parliament and limited progress on rules on revolving doors for government and their private offices.
- No further progress on completing the legislative reform on lobbying, establishing a framework including a transparency register and a legislative footprint, covering both members of Parliament and Government.
- Some further progress on efforts to strengthen the framework for access to official documents, in particular by improving request and appeal processes, taking into account European standards on access to official documents.
- Limited progress on measures to ensure compliance by public authorities with final rulings of national courts and the European Court of Human Rights.

On this basis, and considering other developments that took place in the period of reference and in addition to recalling the relevant commitments made under the national Recovery and Resilience Plan, it is recommended to Belgium to:

- Continue ongoing efforts to address the structural resource deficiencies in the justice system, taking into account European standards on resources for the justice system.
- Continue ongoing efforts to improve the efficiency of justice, particularly to reduce the length of proceedings based on comprehensive statistical data.
- Strengthen the integrity framework, including by adopting rules on gifts and benefits for members of Parliament and rules on revolving doors for government and their private offices.
- Complete the legislative reform on lobbying, establishing a framework including a transparency register and a legislative footprint, covering both members of Parliament and Government.
- Further continue efforts to strengthen the framework for access to official documents, in particular by improving request and appeal processes, taking into account European standards on access to official documents.
- Take measures to ensure compliance by public authorities with final rulings of national courts and the European Court of Human Rights.

## **I. JUSTICE SYSTEM<sup>1</sup>**

### **Independence**

**The level of perceived judicial independence in Belgium continues to be high among the general public and among companies.** Overall, 64% of the general population and 72% of companies perceive the level of independence of courts and judges to be ‘fairly or very good’ in 2025<sup>2</sup>. The perceived judicial independence among the general public has increased in comparison with 2024 (61%) and has slightly decreased in comparison with 2021 (66%). The perceived judicial independence among companies has significantly increased in comparison with 2024 (64%), as well as in comparison with 2021 (58%).

**The Government maintains its intention to transfer budgetary management powers for the administration of the justice system from the executive to the judiciary<sup>3</sup>.** Once the transfer is completed, the governing bodies of the three ‘pillars’ of the judiciary (the Entity Cassation for the Court of Cassation, the College of Courts and Tribunals and the College of Public Prosecutors) will be directly responsible for managing staff budgets and policy<sup>4</sup>. Discussions continue on the exact details of the transfer. Prior to the transfer, consideration will be given to how the framework for the allocation of court staff and magistrates can be improved<sup>5</sup>, for instance based on regular workload measurements<sup>6</sup>. According to the Government, this increase in managerial autonomy of the judiciary cannot be established without a reform of the evaluation and disciplinary system<sup>7</sup>. The High Council for Justice and Court of Cassation have however criticised the Government for making the link between efficiency and disciplinary issues<sup>8</sup>.

**Following the adoption of directives prohibiting the recording of meetings between lawyer and client, lawyers called for additional procedural safeguards to protect legal professional privilege.** As reported in the 2024 Rule of Law Report, directives prohibiting the recording between lawyers and clients have strengthened lawyer-client confidentiality<sup>9</sup>. The Government highlighted the need for certain limitations to legal professional privilege to uphold the public interest (for example whistleblower protection)<sup>10</sup>. Bar Associations, however, called for additional procedural safeguards. In particular, they consider that the investigating judges who decide on whether lawyer-client communication is confidential (and should therefore be excluded from the case file) should not handle the same case on

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<sup>1</sup> An overview of the institutional framework for all four pillars can be found [here](#).

<sup>2</sup> Figures 50 and 52, 2025 EU Justice Scoreboard and Figures 49 and 51, 2023 EU Justice Scoreboard. The level of perceived judicial independence is categorised as follows: very low (below 30% of respondents perceive judicial independence as fairly good and very good); low (between 30-39%), average (between 40-59%), high (between 60-75%), very high (above 75%).

<sup>3</sup> Coalition agreement, p. 158.

<sup>4</sup> 2024 Rule of Law Report Belgium, p. 4. The autonomous management of human resources would include decisions on the transfer of magistrates and court staff.

<sup>5</sup> Country visit Belgium, Government.

<sup>6</sup> Country visit Belgium, Court of Cassation.

<sup>7</sup> Coalition agreement, p. 159; The Government indicates that the Guidelines on the evaluation of the quality of work of judges, adopted by the European Commission for the Efficiency of Justice (CEPEJ) in December 2024, could serve as a valuable source of inspiration; Country visit, Government.

<sup>8</sup> Country visit Belgium, High Council for Justice, Court of Cassation. The Court of Cassation points to the risk of seeking to remedy the efficiency of the judiciary in general through the evaluation of individual judges.

<sup>9</sup> 2024 Rule of Law Report Belgium, p. 6.

<sup>10</sup> Belgian Government (2025), written input, pp. 6, 7.

substance<sup>11</sup>. Bar Associations and the Court of Cassation furthermore criticised the use of videoconferencing in civil and criminal cases, for its possible negative impact on lawyer-client confidentiality<sup>12</sup>. Bar Associations also raise concerns about public criticism of the judiciary and lawyers by some politicians, which they see as undermining their fundamental role in upholding the rule of law<sup>13</sup>.

## Quality

**Some further progress has been made to address the structural resource deficiencies in the justice system, such as the publication of all open positions for magistrates and court staff, although a long-term structural approach is required<sup>14</sup>.** The budget spent on the justice system and the number of professional judges per 100 000 inhabitants remain below the EU average<sup>15</sup>, and as Belgium had a caretaker Government between June 2024 and February 2025, no additional budgetary resources could be provided in this period. The new Government exempted the judiciary from budget cuts<sup>16</sup>. Moreover, there was a 5% increase in the number of judges and public prosecutors between 2020 and 2024<sup>17</sup>, and publication of all open positions for magistrates and court staff, although a significant number of those vacancies could not be filled<sup>18</sup>. In this regard, the Court of Cassation and High Council for Justice point to the salaries not being sufficiently attractive and to challenging working conditions in the judiciary<sup>19</sup>. Bar Associations furthermore regret the abolition of the privilege of jurisdiction for lawyers performing as substitute judges<sup>20</sup>, considering the willingness of many lawyers to remedy the shortage of judges by performing as a substitute<sup>21</sup>. While acknowledging the efforts made, the Committee of Ministers of the Council of Europe has repeatedly called for a long-term structural perspective on the budget for the justice

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<sup>11</sup> CCBE (2025), written input, p. 21.

<sup>12</sup> Law of 25 April 2024 organising hearings by videoconference in judicial proceedings; A survey conducted amongst lawyers and judges in juvenile delinquency cases (where videoconferencing was already applied) shows that 86% of participants did not consider the communication to be confidential. Country visit, Bar Associations, Court of Cassation.

<sup>13</sup> CCBE (2025), written input, p. 21.

<sup>14</sup> The 2024 Rule of Law Report recommended Belgium to ‘continue efforts to address the structural resource deficiencies in the justice system, taking into account European standard on resources for the justice system’.

<sup>15</sup> Figures 34 and 37, 2025 EU Justice Scoreboard.

<sup>16</sup> The Council of State, however, was not exempted. The Council expressed concern that the Government continues to link additional resources for the judiciary to the prioritisation of certain cases which, according to some stakeholders, may lead to an additional backlog in other areas and affect citizens’ (equal) access to justice. Country visit, Council of State.

<sup>17</sup> Country visit Belgium, Government.

<sup>18</sup> Country visit Belgium, Court of Cassation.

<sup>19</sup> Reference is made to the physical working conditions and the intended lowering of pensions of magistrates; Country visit, Court of Cassation; High Council for Justice (2025), written input, p. 10; On 27 June 2024 the first president of the Court of Cassation and the first presidents of the courts of appeal and labour courts, the Prosecutor General at the Court of Cassation, the Prosecutors General at the courts of appeal, and the federal prosecutor adopted a declaration calling on the Government and Parliament to fully recognize the judiciary as a power of the State and providing it with the necessary funding to ensure quality justice; Declaration by representatives of the judiciary (2025).

<sup>20</sup> This privilege entails that a complaint with civil action against judges is not possible, that they cannot be prosecuted directly by an aggrieved party and that prosecution must take place before a higher court. The Government’s justification for abolition was that the current system of jurisdictional privileges for judges is no longer adapted to reality. Some positions have been excluded, such as legal referendaries at the Court of Cassation or the Constitutional Court, and retired judges.

<sup>21</sup> CCBE (2025), written input, p. 20.

system and judicial staff<sup>22</sup>. Overall, some further progress has been made on the 2024 recommendation.

**The Government is addressing criticism by the Court of Audit regarding the management of the digitalisation of justice.** In December 2024, the Belgian Court of Audit reported some serious shortcomings in the digitalisation strategy of the department of justice. These include a lack of an overarching approach, inefficient use of resources and an excessive reliance on external consultants, as well as a lack of oversight creating fraud risks<sup>23</sup>. The Government sent an initial action plan to the Court of Audit on 2 September 2024 in response to its draft recommendations. It indicates that many actions have already been initiated or finalised to improve the governance, coordination, (financial) accountability and exclusion of fraud risks<sup>24</sup>. The Bar Associations call for one centralised point of contact within the Justice Ministry that monitors the vision and progress of the digitalisation projects together with the justice actors<sup>25</sup>.

## Efficiency

**Some further progress has been made to improve the efficiency of justice, particularly to reduce the length of proceedings based on comprehensive statistical data<sup>26</sup>.** Length of proceedings and the judicial backlog in Belgium are long-standing problems<sup>27</sup>. On 28 November 2024, the High Council for Justice published an additional report on the Court of Appeal of Brussels, where backlogs and processing time remain very problematic<sup>28</sup>. A comprehensive overview of the efficiency of justice remains unavailable due to a persistent lack of data on court proceedings. The College of Courts and Tribunals is carrying out further efforts on the issue of statistics and the mapping of the backlog of court cases. At the beginning of 2025 it published data on the duration of criminal cases dealt with by the appeal courts<sup>29</sup>. A file management project funded under the Recovery and Resilience Facility will facilitate the further collection of statistics<sup>30</sup>. The disposition time in civil and commercial cases at first instance courts was 246 days in 2023. No data were available for previous years. The estimated time to resolve administrative cases at first instance courts increased (360 days in 2023 compared to 288 in 2022)<sup>31</sup>. The Government indicates that the creation of chambers

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<sup>22</sup> Council of Europe, Committee of Ministers (2024a); Belgian Government (2025), written input, p. 6; Country visit Belgium, Court of Cassation.

<sup>23</sup> Court of Audit (2024).

<sup>24</sup> Country visit Belgium, Government. In general, judges and prosecutors can work remotely and make use of an electronic case management system. Areas identified for improvement include the use of electronic communication tools, digital solutions to initiate and follow court proceedings, online access to published judgments and machine-readable judicial decisions.

<sup>25</sup> Country visit Belgium, Bar Associations.

<sup>26</sup> The 2024 Rule of Law Report recommended Belgium to ‘strengthen efforts to improve the efficiency of justice, particularly to reduce the length of proceedings’.

<sup>27</sup> Group of cases Bell (No. 44826/05) (ENHA): Excessive length of civil and criminal proceedings, in particular in the judicial area of Brussels (see judgment Van Den Kerkhof, No. 13630/19) (violations of Article 6 § 1).

<sup>28</sup> The Report contains recommendations to improve productivity and ways to reduce the inflow of new cases; High Council for Justice, Supplementary report audit of Brussels Court of Appeal, 28 November 2024.

<sup>29</sup> Prior efforts were reported on in the 2024 Rule of Law Report, Belgium, p. 10.

<sup>30</sup> Belgian Government (2025), written input, p. 3; Country visit Belgium, Government.

<sup>31</sup> Figures 5 and 7, 2025 EU Justice Scoreboard.

for the amicable settlements of cases should also help to further reduce backlogs<sup>32</sup>. Overall, some further progress has been made on the 2024 recommendation.

## **II. ANTI-CORRUPTION FRAMEWORK**

**The perception among experts, citizens and business executives is that the level of corruption in the public sector remains relatively low.** In the 2024 Corruption Perceptions Index by Transparency International, Belgium scores 69/100 and ranks 9<sup>th</sup> in the European Union and 22<sup>nd</sup> globally<sup>33</sup>. This perception of the level of corruption has significantly increased<sup>34</sup> over the past five years. The 2025 Special Eurobarometer on Corruption shows that 59% of respondents consider corruption widespread in their country (EU average 69%) and 18% of respondents feel personally affected by corruption in their daily lives (EU average 30%). As regards businesses, 54% of companies consider that corruption is widespread (EU average 63%) and 30% consider that corruption is a problem when doing business (EU average 35%). Furthermore, 49% of respondents find that there are enough successful prosecutions to deter people from corrupt practices (EU average 36%), while 40% of companies believe that people and businesses caught for bribing a senior official are appropriately punished (EU average 33%)<sup>35</sup>.

**New investigative and prosecutorial structures will be set up, with corruption being an important target.** The new Government intends to create a new financial investigation service (to be named FIOD-SRFF<sup>36</sup>) and a new specialised prosecution service focused on financial crime and corruption, which would be established within current prosecutorial structures<sup>37</sup>. This frames within an overall “follow-the-money” approach targeting organised crime<sup>38</sup>. Detailed proposals are still forthcoming, also as regards the exact division of competencies, as discussions remain ongoing between government and prosecution services<sup>39</sup>.

**Good cooperation between the Central Office for the Repression of Corruption and the prosecution service continues, although some concerns exist on the handling of prominent high-level corruption cases.** Good cooperation between the Central Office for the Repression of Corruption (CDBC-OCRC) and the prosecution service continues, as does work on several complex and high-level corruption cases. The prosecution is still developing specific guidance for prosecutors in the area of economic and fiscal crime<sup>40</sup>. Civil society

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<sup>32</sup> Belgian Government (2025), written input, p. 3; Act of 19 December 2023 containing various provisions on civil and judicial matters.

<sup>33</sup> The level of perceived corruption is categorized as follows: low (above 79); relatively low (between 79-60), relatively high (between 59-50), high (below 50).

<sup>34</sup> In 2020 the score was 76, while, in 2025, the score is 69. The score significantly increases/decreases when it changes more than five points; improves/deteriorates (changes between 4-5 points); is relatively stable (changes from 1-3 points) in the last five years.

<sup>35</sup> Data from Special Eurobarometer 561 (2025) and Flash Eurobarometer 557 (2025).

<sup>36</sup> Fiscale en Financiële Opsporingsdienst / Service de Recherche Fiscal et Financier. See Ministry of Justice (2025a) and Ministry of Justice (2025b), p. 32.

<sup>37</sup> Belgian Government (2025a), pp. 128-129 and p. 154 and Country visit Belgium, public prosecution service.

<sup>38</sup> Ministry of Justice (2025a).

<sup>39</sup> Ministry of Justice (2025a).

<sup>40</sup> Public prosecution service (2025a) and 2024 Rule of Law Report, Belgium, pp. 13-14.

raises concerns over the resources of law enforcement and prosecution<sup>41</sup>. Allegations of information leaks in sensitive corruption investigations and undue political influence related to the work of the CDBC-OCRC are a cause of concern<sup>42</sup> and, according to civil society, could impact the trust of the public in the CDBC-OCRC<sup>43</sup>. In response to these allegations, law enforcement reaffirms the independence of the CDBC-OCRC as enshrined in law<sup>44</sup>. In 2024, the prosecution signalled 367 incoming corruption cases<sup>45</sup>, of which 90 were dismissed, while 7 cases led to an indictment (by January 2025)<sup>46</sup>. The EPPO has signalled seven corruption cases among its open cases (which consists of 5.1% of its total open cases) in 2024 in Belgium<sup>47</sup>. The investigation and prosecution of foreign bribery cases continue to be limited. A new report of the OECD criticises in particular the low number of investigations and prosecution of foreign bribery cases, the low awareness within companies on the risks of foreign bribery as well as a lack of investigations and low sanctions specifically targeting legal persons.<sup>48</sup> The prosecution reported only four cases of foreign bribery registered between 2022 and 2024<sup>49</sup>.

**Some improvements on police integrity are under consideration to address challenges in preventing corruption within the police.** The 181 local police zones maintain disparate integrity policies and smaller police zones are not maintaining an effective integrity policy<sup>50</sup>. The authorities did not move forward on a Code of Conduct for the entire integrated police, as recommended by GRECO<sup>51</sup>, and overall, the police integrity policy is assessed as insufficient by stakeholders<sup>52</sup>. Nevertheless, several actions are envisaged to address the risk of corruption within the police. The new Government announced it will allow voluntary mergers of local police zones so they can operate at a larger scale, which may also create possible opportunities to improve integrity policy. There are plans to introduce screening and integrity checks during the entire career of a police officer, a proposal that had previously not moved forward.<sup>53</sup> Committee P has overall signalled a lack of attention to integrity during the recruitment, selection and training of new police officers<sup>54</sup>.

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<sup>41</sup> In particular considering the increasing number of complex cases. Country visit Belgium, Transparency International and 2024 Rule of Law Report, Belgium, pp. 13-14.

<sup>42</sup> The acting chief of the CDBC/OCRC was questioned and his offices searched by the General Inspection following allegations of information leaks. Following that, complaints were filed with Committee P concerning political interference into the investigations led by CDBC/OCRC by superiors of overarching departments. Investigations remain ongoing.

<sup>43</sup> Country visit Belgium, Transparency International.

<sup>44</sup> Ministry of Justice (2025a).

<sup>45</sup> Out of which 6 concerned corruption in the private sector, with 361 related to the public sector (including 102 cases related to bribery in the public sector and 82 related to abuse of function in the public sector).

<sup>46</sup> Others remain at various stages of the criminal procedure. Public prosecution service (2025a).

<sup>47</sup> EPPO (2025a), p. 16.

<sup>48</sup> A clear strategy on combating foreign bribery and sufficient resources for the investigative and prosecutorial bodies are recommended. There are no measures that promote self-investigation and self-reporting of companies. OECD (2025), pp. 7-8.

<sup>49</sup> One in 2022; one in 2023 and two in 2024. Public prosecution service (2025a).

<sup>50</sup> As reconfirmed by Federal Police (2025a). See also 2023 Rule of Law Report, Belgium, pp. 10-12.

<sup>51</sup> Federal Police (2025a) and GRECO (2022), recommendation xvi, paras 75-81. See also 2022 Rule of Law Report, Belgium, p. 10.

<sup>52</sup> Country visit Belgium, Committee P and 2024 Rule of Law Report, Belgium, pp. 14-15.

<sup>53</sup> Belgian Government (2025a), p. 139 and pp. 141-142 and Country visit Belgium, Committee P.

<sup>54</sup> Committee P (2024); Country visit Belgium, Committee P and Federal Police (2025a). Committee P expects to publish recommendations on this topic in the future.

**There is still a lack of monitoring and enforcement of existing integrity policies concerning Ministers, their private offices and members of Parliament.** Gaps remain in existing integrity policies<sup>55</sup>, particularly due to the absence of any monitoring and enforcement mechanism<sup>56</sup>. Increased checks on the application of the Code of Conduct for federal public office holders are a priority of the new Minister of Public Administration. However, in the absence of a monitoring mechanism, it is unclear how these checks will be carried out in practice<sup>57</sup>. Training and awareness raising in relation to integrity remain to be enhanced.<sup>58</sup> The Federal Deontological Commission has voiced concerns that powers concerning integrity policy are dispersed across various bodies and recommended that its own role as an advisory body be strengthened.<sup>59</sup> As regards the federal civil service, the Integrity Bureau continues the work with the Federal Network of Integrity Coordinators with all Ministries now having established an Integrity Coordinator<sup>60</sup>.

**The system of asset and interest declarations has shortcomings in terms of verification and transparency.** As outlined in previous Rule of Law Reports, the system of asset declarations does not ensure adequate verification and transparency, as the Court of Audit receives the declarations in sealed envelopes and declarations are only accessible by investigating judges in the context of criminal investigations<sup>61</sup>. Parliament declared its intention to work towards more comprehensive rules on declarations of parliamentarians' assets over the long term<sup>62</sup>, but no immediate plans by either Government or Parliament were tabled<sup>63</sup>. Compliance with the requirement to submit declarations is very good with 99% of those required to do so<sup>64</sup> submitting their assets and mandates declarations on time. Due to a lack of adequate verification, the correctness of these declarations remains solely the individual responsibility of the person declaring them<sup>65</sup>. Civil society organisations continue to criticise the lack of transparency of asset declarations as well as the set-up of the whole system<sup>66</sup>.

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<sup>55</sup> The updated Code of Conduct for federal public office holders remains in place and since 2023 covers all staff members of the Federal Government (i.e. including the ministerial private offices). A specific Code of Conduct remains in force for Ministers, as these are not covered in the Code of Conduct for federal public office holders. 2024 Rule of Law Report, Belgium, pp. 15-16.

<sup>56</sup> As recommended multiple times by GRECO – a number of GRECO recommendations remain unimplemented. GRECO (2022a), recommendation iii and paras. 115-120 and GRECO (2022b), paras. 60-62.

<sup>57</sup> Ministry of Public Administration (2025), p. 19.

<sup>58</sup> Country visit Belgium, Federal Deontological Commission.

<sup>59</sup> Federal Deontological Commission (2025) and Country visit Belgium, Federal Deontological Commission.

<sup>60</sup> The first round of Integrity Action Plans from all Ministries was received in 2024. Belgian Government (2025a), p. 9 and Country visit Belgium, Integrity Bureau.

<sup>61</sup> 2024 Rule of Law Report, Belgium, pp. 16-17.

<sup>62</sup> Ministry of Justice (2025a).

<sup>63</sup> This remains subject to an open GRECO recommendation. Asset Declarations are submitted in closed envelopes only accessible in the course of criminal investigations. GRECO repeated the previous remarks (as mentioned in the 2022 Rule of Law report) from the Fifth Round Evaluation Report in its most recent compliance report. 2024 Rule of Law Report, Belgium, pp. 16-17 and GRECO (2024a), recommendations xii and xiii.

<sup>64</sup> 538 persons out of 543 required to submit asset declaration, 9 543 out of 9 568 persons required to submit mandate declarations. Court of Audit (2025).

<sup>65</sup> Court of Audit (2025).

<sup>66</sup> Country Visit Belgium, Transparency International and Cumuleo (2025).

**There has been no further progress on completing the reform of lobbying legislation as the new Government has not yet taken a decision on draft lobbying rules for Government members<sup>67</sup>.** The previous Government had presented a draft law and decree<sup>68</sup> envisaging rules for contacts between lobbyists and members of the federal executive<sup>69</sup> and it had also gathered advice from the Council of State and the Data Protection Authority<sup>70</sup>. The new Government is now examining these drafts and has yet to decide whether it would continue with this reform<sup>71</sup>. Civil society does not expect a decision soon and has criticised the Government lacking ambition in this area<sup>72</sup>. The outgoing Parliament had committed to its own reform using similar definitions as the Government to avoid duplication of registrations<sup>73</sup>, but it is unclear whether the new Parliament intends to take the same approach. As no further steps have been taken by either Government or Parliament, there has been no further progress on the recommendation made in the previous years.

**There has been some progress in relation to the rules on gifts and benefits for members of Parliament through a minor update of the House’s Deontological Code<sup>74</sup>.** Members of both the Senate and House of Representatives are covered by a general prohibition on receiving gifts in return for actions taken in the course of their mandate<sup>75</sup>. In line with advice from the Federal Deontological Commission, the House of Representatives clarified an inconsistency between its Deontological Code and the applicable legislation on political party financing in March 2024, ensuring that donations of citizens to a political party are not classified as gifts<sup>76</sup>. Shortcomings identified in previous Rule of Law Reports<sup>77</sup> have not been fully addressed as there is no concrete guidance to members of Parliament on what type of gifts would be acceptable (i.e. a monetary threshold). Information about gifts accepted and their origin is not registered, and, as a consequence, also not visible to the public. While there is a stated intention of both Houses of Parliament to further address these issues, no further concrete actions or texts were tabled, and the House of Representatives explicitly decided not to introduce a gifts register<sup>78</sup>. Ministers and members of ministerial private offices remain covered by separate policies on gifts<sup>79</sup>, while the Federal Deontological Commission continues to offer individual advice – upon request – to Members of Parliament, Government and high public office holders on potential conflicts of interest. Given some efforts to clarify the rules for members of Parliament regarding gifts and benefits for members of Parliament,

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<sup>67</sup> The 2024 Rule of Law Report recommended to Belgium to ‘complete the legislative reform on lobbying, establishing a framework including a transparency register and a legislative footprint, covering both members of Parliament and Government’.

<sup>68</sup> The draft law regulates the substance of the reform, while the draft decree foresees the necessary rules on data protection for data included in the transparency register.

<sup>69</sup> Draft legislation foresees a transparency register, managed by the Prime Minister’s Office, with registration obligations for lobbyists and all ministerial private offices. 2024 Rule of Law Report, Belgium, p. 17.

<sup>70</sup> 2024 Rule of Law Report, Belgium, p. 17.

<sup>71</sup> Ministry of Justice (2025a).

<sup>72</sup> Country visit Belgium, Transparency International.

<sup>73</sup> 2024 Rule of Law Report, Belgium, p. 17.

<sup>74</sup> The 2024 Rule of Law Report recommended to Belgium to “Strengthen the integrity framework, including by adopting rules on gifts and benefits for members of Parliament and rules on revolving doors for government and their private offices.”

<sup>75</sup> 2022 Rule of Law Report, Belgium, pp. 12-13.

<sup>76</sup> Belgian Government (2025), written input, p. 10.

<sup>77</sup> 2022 Rule of Law Report, Belgium, pp. 12-13.

<sup>78</sup> GRECO (2024b), recommendation i, paras 10-14.

<sup>79</sup> The Ministerial Code of Conduct, as adopted on 16 June 2023; and the extension of the Code of Conduct for public mandate holders. See 2023 Rule of Law Report, Belgium, p. 16.

some progress has been made on this part of the recommendation of the 2024 Rule of Law Report.

**There has been limited progress on rules on ‘revolving doors’<sup>80</sup>.** In a June 2024 ‘circular’, the outgoing Minister of Public Administration raised attention to the risk of post-employment conflicts of interest and ‘revolving doors’ in the federal public sector and provided an overview of the existing measures<sup>81</sup>. The ‘circular’ also outlined the possible elements for implementing a preventive policy around post-employment conflicts of interest and revolving door situations – including the existing legal prohibition of former civil servants to be involved in public tenders in the two years following their employment<sup>82</sup>. While important to raise awareness on the issue, this non-binding ‘circular’ did not introduce any new rules nor address the existing gaps for either members of Government or their private offices or civil servants more broadly. The Federal Internal Audit Service is conducting a thematic audit on how the various ministries and agencies within the Federal Public Service address the issue of revolving doors in public procurement procedures<sup>83</sup>. The recommendations contained in the own initiative opinion of the Federal Deontological Commission on the topic have not been taken forward by any institution<sup>84</sup>. Therefore, as preliminary steps were taken to address these gaps, limited progress has been made on this part of the recommendation made in the 2024 Rule of Law Report.

**There are no further plans to reform the political party financing architecture.** The outgoing Government and Parliament did not secure agreement on a reform of political party financing, despite lengthy preparations<sup>85</sup> and stakeholder concerns<sup>86</sup>. Lacking such an agreement, the new Government is not intending to further discuss the matter<sup>87</sup>.

**Whistleblower protection is largely in place whilst specific rules for certain categories of public employees remain to be adopted.** Whilst whistleblower protection rules have been largely put in place<sup>88</sup>, specific rules applying to employees working in the judiciary and the state security services are still pending<sup>89</sup>. In 2025, a law has been adopted regulating whistleblowing protection within the House of Representatives and the Senate<sup>90</sup>. The

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<sup>80</sup> The 2024 Rule of Law Report recommended to Belgium to ‘strengthen the integrity framework, including by adopting [...] rules on revolving doors for Government and their private offices’.

<sup>81</sup> There are some rules on ‘revolving doors’ for members of Parliament and public officials. However, these do not include clear or binding rules regarding cooling-off periods or transitory restrictions for either ministers, their staff, or members of Parliament.

<sup>82</sup> Ministry of Public Administration (2024) and Belgian Government (2024), written input, p. 10.

<sup>83</sup> Federal Internal Audit Service (2025).

<sup>84</sup> Recommendations from the Commission include, inter alia, introducing legally binding general rules on revolving doors, including a cooling-off period for particular high-level functions (ministers, heads of private offices, high-level civil servants), among other measures such as lobbying bans for former ministers and better preventative action on conflicts of interest. 2024 Rule of Law report, Belgium, pp. 18-19.

<sup>85</sup> 2024 Rule of Law Report, Belgium, p. 19.

<sup>86</sup> 2024 Rule of Law Report, Belgium, p. 19.

<sup>87</sup> Ministry of Justice (2025a) and Belgian Government (2025a), p. 6.

<sup>88</sup> Several separate laws, one for the private sector, one for the federal public sector, as well as laws for the regional employees in the public sector, have been adopted in 2022, 2023 and 2024.

<sup>89</sup> See also Country Visit Belgium, Federal Institute of Human Rights; and FIRM/IFDH (2025).

<sup>90</sup> On 13 March 2025, the House of Representatives adopted the Private Member's bill DOC [56-0656/001](#) which seeks to transpose EU Directive 2019/1937 on whistleblower protection with regard to the House of Representatives and the Senate: [DOC 56-0656/005](#). The text adopted by the House has been sanctioned by the King on 27 March 2025 giving it the status of a federal law. That law will be published in the *Belgian Official Gazette* in due course. On 13 March 2025, the House also adopted the proposal to amend the House

material scope of that law has been limited to breaches of Union law in view of the peculiarity of the parliamentary activities and to prevent abuses.<sup>91</sup> The Federal Human Rights Institute and stakeholders have criticised the limited scope of this law since it foresees a narrower material scope for civil servants working in Parliament than the general regime applicable to the civil servants working at the federal government level<sup>92</sup>. The Federal Ombudsperson and the Federal Human Rights Institute have issued a practical guide for whistleblowers to help them navigate through the legislation and various systems<sup>93</sup>. The Federal Ombudsperson (as the external whistleblowing reporting channel) indicates that complaints from the private sector are generally declared non-admissible (currently 87%) because they concern issues outside the scope of the law. Moreover, whistleblowing mechanisms for the public sector appear to function well<sup>94</sup>.

**Increased attention is paid to addressing high risks of corruption both at local level and linked to organised crime.** Businesses' attitudes towards corruption in the EU show that 27% of companies in Belgium (EU average 25%) think that corruption has prevented them from winning a public tender or a public procurement contract in practice in the last three years<sup>95</sup>. 67% perceive the level of independence of the public procurement review body (Council of State) as very or fairly good<sup>96</sup>. The Single Market and Competitiveness Scoreboard on access to public procurement in Belgium reports 26% of single bids for 2023(EU average 29%). Public procurement remains an area at high risk of corruption and stakeholders continue to signal low transparency of government contracts<sup>97</sup>. The limited awareness of the concept of conflict of interest at local level continues to represent an increased risk of corruption, following a number of allegations of conflicts of interest involving mayors and aldermen, often linked to real estate transactions, detected in the period 2022-2025<sup>98</sup>. The incoming Flemish government has made it a priority to address such cases<sup>99</sup>. Civil society highlights differences of auditing capacities at regional level<sup>100</sup>. The authorities recognise that cases of corruption concerning public officials are often linked to organised crime groups and drug-related crimes. A type of case often cited is the unauthorised access to databases by public officials to obtain specific data for criminal

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Rules [DOC 56-0657/001](#) which aims to harmonize the House Rules with the provisions of the abovementioned federal law of 27 March 2025. That amendment to the House Rules has been published in the *Belgian Official Gazette* on [30 April 2025](#).

<sup>91</sup> See the parliamentary preparation of the law: [DOC 56-0656/002, p. 4-5](#).

<sup>92</sup> FIRM/IFDH (2025) and country visit Belgium, Ombudsperson, Transparency International and Federal Institute of Human Rights.

<sup>93</sup> Ombudsperson (2024).

<sup>94</sup> Country visit Belgium, Ombudsperson.

<sup>95</sup> Flash Eurobarometer 557 on Businesses' attitudes towards corruption in the EU (2025). This is 1 percentage points above the EU average.

<sup>96</sup> Figure 59, 2025 EU Justice Scoreboard.

<sup>97</sup> Stichting Overheidsopdrachten (2024).

<sup>98</sup> Separate allegations of conflicts of interest were detected in around 10 municipalities in Belgium, in particular in Flanders, mostly involving possible conflicts of interest of mayors in relation to real estate transactions. In at least two of these cases, the (former) mayors were convicted in a subsequent criminal case. Audit Vlaanderen (2024), see also 2024 Rule of Law Report, Belgium, pp. 20-21.

<sup>99</sup> Flemish Minister of Domestic Administration (2025). No corresponding information was made available by the Walloon Region and the Brussels Region.

<sup>100</sup> Country visit Belgium, Transparency International.

groups, in return for substantial payments<sup>101</sup>. The police highlights the need for increased screening of employees<sup>102</sup>.

### **III. MEDIA PLURALISM AND MEDIA FREEDOM**

**Media regulatory authorities across Belgium have made progress in adapting their strategies, while maintaining a strong legal foundation for their independence.** In Flanders, the Flemish Regulator for the Media (VRM) continues to operate as an independent external agency with strengthened legal, financial, and operational guarantees<sup>103</sup>. It has been designated as a competent authority under the Digital Services Act (DSA) and will play a key role in overseeing the European Media Freedom Act (EMFA) implementation, including in areas such as media ownership transparency and platform regulation<sup>104</sup>. While no new funding has yet been allocated for EMFA implementation, VRM's staffing was increased in late 2023 to manage new tasks related to the DSA and other responsibilities<sup>105</sup>. A recent legal change also introduced a six-month extension mechanism to ensure the continuity of VRM's chambers, reinforcing its decision-making autonomy<sup>106</sup>. In the French-speaking Community, the Conseil Supérieur de l'Audiovisuel (CSA) remains an independent and adequately resourced body<sup>107</sup>, benefiting from increased powers under the DSA and playing a pivotal role in the preparation for EMFA enforcement<sup>108</sup>. The Medienrat of the German-speaking Community has undergone significant structural reinforcement<sup>109</sup>. In 2024, the French-speaking Conseil de Déontologie Journalistique (CDJ) launched its first public awareness campaign to improve recognition among the general public and highlight the importance of ethical journalism<sup>110</sup>. A growing point of concern is the relationship between the CDJ and the regulator CSA<sup>111</sup>. Although their respective competences are formally defined in the 2009 decree<sup>112</sup>, overlapping mandates in practice have led to legal and procedural tensions prompting a case before the Council of State<sup>113</sup>. Ongoing discussions are being held at ministerial level to address the articulation between journalistic self-regulation and

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<sup>101</sup> The police indicated that the main targets of bribery by drugs-related organised crime groups are the police, customs, port and local officials. See also 2024 Rule of Law report, Belgium, p. 14.

<sup>102</sup> Federal Police (2025a).

<sup>103</sup> Act of 27 March 2009 on Radio and Television Broadcasting Link to the Media Decree.

<sup>104</sup> Country visit Belgium, Belgian Government.

<sup>105</sup> VRM (2025), written input, p. 1.

<sup>106</sup> VRM (2025), written input, p. 4-5.

<sup>107</sup> Belgian Government (2025), written input, second batch, p. 11: *"To quote some figures, the financial resource of the CSA is about 3,7 million euros for 2024. Their budget has increased by more than 30% in 5 years"*.

<sup>108</sup> Country visit Belgium, Government.

<sup>109</sup> Since 2024, it directly manages its own staff, marking a notable improvement in operational autonomy. The Medienrat has seen a substantial increase in funding and staffing Belgian authorities (2025), written input, second batch, p. 11.

<sup>110</sup> The Belgian press council (CDJ) launches its first campaign aimed at the general public to (re)affirm the link between journalistic ethics and trustworthy information, CDJ website.

<sup>111</sup> Country visit, Conseil de déontologie journalistique (CDJ) and CDJ (2025), written input, p. 5.

<sup>112</sup> Décret du 4 février 2021 relatif aux services de médias audiovisuels et aux services de partage de vidéos.

<sup>113</sup> In July 2024, the CDJ joined a proceeding against the CSA before the Council of State, initiated by the French-speaking public media RTBF. The CDJ argues that the CSA is impeding on the competences of the CDJ - Federal Institute for the Protection and Promotion of Human Rights (2025), written input, pp. 21-22 and CDJ press statement.

audiovisual regulation<sup>114</sup>. In Flanders the relationship between the Dutch-speaking Raad voor de Journalistiek (RvJ) and the VRM is more clearly delineated and has not raised the same issues. Greater recognition is considered crucial by the RvJ and the VRM to safeguard press freedom and support trustworthy information in an increasingly challenging information environment<sup>115</sup>.

**Public service media in Belgium face various challenges across the three communities including governance structures and budgetary pressures.** In Flanders, the Vlaamse Radio- en Televisieomroeporganisatie (VRT) has received additional resources under the 2024–2029 Media Policy Plan<sup>116</sup>. The Flemish government has reaffirmed VRT’s mandate, with an emphasis on journalistic independence, impartiality, and editorial autonomy. However, concerns have emerged over the composition of the new Board<sup>117</sup> and growing political scrutiny, including parliamentary interpellations on internal matters. VRT also cites an increasing regulatory burden that affects its ability to remain competitive<sup>118</sup>. In the Wallonia-Brussels Federation, the new Government adopted a policy declaration in July 2024 that foresees an early revision of the Radio-Télévision Belge de la communauté Française (RTBF)’s legal framework<sup>119</sup> to refocus on public service missions such as information, culture, and lifelong education<sup>120</sup>. Budgetary constraints will freeze RTBF’s funding at 2024 levels until 2029, resulting in a projected EUR 78 million shortfall and a corresponding savings plan. In the German-speaking Community, the Belgischer Rundfunk (BRF) continues to operate under a stable framework, with its management contract extended pending new negotiations<sup>121</sup>. While its Board remains politically composed, BRF is open to governance reform, including the possible introduction of independent directors, inspired by the VRT model<sup>122</sup>. Across all three communities, public broadcasters underline the need for regulatory clarity, financial sustainability, and autonomy to maintain their public service remit<sup>123</sup>. The Media Pluralism Monitor 2025 (MPM) reports a low risk (17%) for the political independence of public service media<sup>124</sup>, up from an even lower level (3%) in 2024.

**Recent legislative developments led to some progress regarding access to public documents<sup>125</sup>, while procedural improvements are still needed.** In 2024, a federal law amending the 1994 framework on administrative transparency<sup>126</sup> was adopted and partially entered into force in July 2024. Additionally, Belgium has signed but had not ratified the Council of Europe Convention on Access to Official Documents. However, the publication of the federal law remains pending, and the Walloon Region has yet to adopt enabling

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<sup>114</sup> In March 2025, a meeting between the CDJ/AADJ and the Media Minister’s cabinet appeared to confirm the Minister’s intention to invite Parliament to consider revising the 2009 decree, depending on the forthcoming decision of the Council of State and as reported by the CDJ.

<sup>115</sup> Country visit Belgium, Conseil de déontologie journalistique (CDJ) and Raad voor de Journalistiek (RvJ).

<sup>116</sup> Flemish Government’s 2024-2029 Policy Plan for media.

<sup>117</sup> VVJ [The Flemish Association of Journalists] advocates essential pluralism for VRT board of directors.

<sup>118</sup> VRT (2025), written input, p. 2.

<sup>119</sup> Décret portant statut de la Radio-Télévision belge de la Communauté française (RTBF), 14 Juillet 1997.

<sup>120</sup> RTBF (2025), written input, p. 1.

<sup>121</sup> BRF (2025), written input, p. 3.

<sup>122</sup> BRF (2025), country visit Belgium and written input, p. 1.

<sup>123</sup> VRT, RTBF and BRF (2025), country visits Belgium and written inputs.

<sup>124</sup> 2025 Media Pluralism Monitor, country report for Belgium, p. 25.

<sup>125</sup> 2024 Rule of Law Report, Belgium, p. 2.

<sup>126</sup> Belgian Government (2025), written input, p. 9.

legislation<sup>127</sup>. While these steps mark a positive trend, stakeholders<sup>128</sup> highlight some persistent shortcomings. At the federal level, three parallel publicity regimes and two non-binding appeal bodies (including a federal Commission for Access to Administrative Documents, CADA) create uncertainty and limit effectiveness. Given their non-binding nature, decisions issued by these bodies are often not followed by public authorities. Civil society continues to call for simplified procedures, the merger or reform of appeal bodies, and the empowerment of the federal CADA with binding authority, adequate resources, and systematic publication of decisions<sup>129</sup>. Human rights and journalists' organisations have also expressed concerns about what they see as unclear definitions of the offence of disclosing state secrets in which is part of a broader revision of the Criminal Code in March 2024<sup>130</sup>. Government representatives, however, have defended the new provision, stating that it aims to modernise outdated definitions and that safeguards are in place to ensure proportionality and protect legitimate journalistic activity<sup>131</sup>. In October 2024, journalist unions and the *Ligue des droits humains* challenged this provision before the Constitutional Court, arguing that it could criminalise public interest reporting<sup>132</sup>. Overall, some progress has been made on the recommendation made in the 2024 Rule of Law Report.

**The Government took steps to strengthen legal protections for journalists.** It notably decriminalised defamation<sup>133</sup> and introduced harsher penalties for crimes committed against journalists, recognising their public interest role<sup>134</sup>. Progress was also made on strategic lawsuits against public participation (SLAPPs), with Belgium actively working on transposing the EU anti-SLAPP Directive. The Minister of Justice is planning to submit a legislative proposal transposing the EU SLAPP Directive for discussion within the Government and, subsequently, for adoption in Parliament. The draft law proposes broad protections, covering civil and criminal procedures, and includes support mechanisms<sup>135</sup>. It has been developed with input from journalist associations, using the national SLAPP working group as a source of inspiration<sup>136</sup>. Meanwhile, journalist associations and public broadcasters report growing legal intimidation and political interference<sup>137</sup>. Lawsuits targeting major media outlets have raised concerns about press freedom and misuse of

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<sup>127</sup> The Council of Europe Convention on Access to Official Documents (CETS No. 205), also known as the Tromsø Convention, entered into force on 1 December 2020. The bill assenting to the Council of Europe Convention on Access to Public Documents, was unanimously adopted on 14/03/2024 in the plenary session of the Chamber and submitted for Royal Assent. However, the law has still not been published in the Belgian Official Gazette and the file will be handled by the new cabinet of the Minister of Security and the Interior. Belgian Government (2025), second batch, written input, pp. 9-10

<sup>128</sup> FIRM-IFDH, journalists associations, and Cumuleo – as expressed during the Country visit and in their written contributions.

<sup>129</sup> FIRM-IFDH (2025), written input, pp. 25-26.

<sup>130</sup> FIRM-IFDH (2025), written input, pp. 27-28.

<sup>131</sup> Belgian authorities, written input, second batch, pp. 16-17.

<sup>132</sup> A ruling is expected early 2026.

<sup>133</sup> Belgian Government (2025a), written contribution, p. 17.

<sup>134</sup> The Law of 18 January 2024 officially recognizes journalists as holding a "societal role", meaning that crimes like violence or threats committed against them can now trigger aggravated penalties, similar to those protecting police officers or healthcare workers. This legal recognition strengthens protection for journalists facing intimidation or attacks, Belgian authorities, written contribution, second batch, p. 17.

<sup>135</sup> The anti-SLAPP working group has a website where notes and the draft law can be consulted.

<sup>136</sup> The Government indicated that the working group will be once again consulted during the upcoming processes.

<sup>137</sup> Conseil de déontologie journalistique (CDJ)(2025), written input, p. 5; BRF (2025), written input, p.3; FIRM-IFDH (2025), written input, pp. 23-24.

judicial procedures<sup>138</sup>. The climate for journalists is reportedly becoming increasingly difficult, particularly online and during demonstrations<sup>139</sup>, with media outlets citing increasing harassment, including threats and pressure targeting journalists and, in some instances, their families<sup>140</sup>. While initiatives like PersVeilig.be<sup>141</sup> offer support, stakeholders stress the need for greater institutional backing, stronger safeguards, and better law enforcement cooperation to ensure journalists can work safely and independently. Since the 2024 Rule of Law Report, six new alerts concerning Belgium have been registered on the Council of Europe’s Platform to promote the protection of journalism and safety of journalists<sup>142</sup>. The Media Freedom Rapid Response mechanism has identified 17 alerts including threats such as SLAPPs, political interference, smear campaigns, arbitrary arrests, cyberattacks, and restrictions on journalists’ access to events<sup>143</sup>.

#### **IV. OTHER INSTITUTIONAL ISSUES RELATED TO CHECKS AND BALANCES**

**Stakeholders are mostly satisfied with the opportunities to engage with policymaking.** Representatives of business associations indicate that they are generally satisfied with the way in which they are consulted, though they are concerned about the fragmentation and inconsistencies between the legal framework at federal and regional level<sup>144</sup>. The Federal Human Rights Institute also points to a complex institutional environment. It is frequently asked by the Government or the federal Parliament to provide advice on legislative initiatives. However, in absence of a clear obligation to consult the Institute, the frequency and nature of this contact can vary depending on the individual office holder<sup>145</sup>.

**Over half of the companies surveyed in Belgium express confidence in the effectiveness of investment protection.** 60% of companies are very or fairly confident that investments are protected by law and courts<sup>146</sup>. Stakeholders confirmed that they do not see an issue with investment protection in Belgium. As regards authorities relevant for economic operators, 53% of companies perceive the level of independence of the national competition authority (Belgian Competition Authority) as very or fairly good<sup>147</sup>. A number of judicial mechanisms are in place at the level of the Council of State to ensure the implementation of administrative court judgments, including disciplinary actions against the responsible officials, the possibility to substitute annulled administrative acts, and to award direct and consequential damages and compensation<sup>148</sup>.

<sup>138</sup> European Federation of Journalists (2024)

<sup>139</sup> FIRM-IFDH (2025), written input, pp. 23-24

<sup>140</sup> BRF (2025), written input, p. 2; RTBF (2025), written input, p. 2.

<sup>141</sup> Vlaamse Vereniging van Journalisten (2024).

<sup>142</sup> Platform to promote the protection of journalism and safety of journalists, Belgium. These include allegations of police action involving the seizure of journalistic materials, judicial gag orders and legal proceedings against media outlets, and political interference affecting the editorial independence of the public broadcaster RTBF. Out of six alerts, Belgium replied to five, with one more reply expected by July.

<sup>143</sup> European Centre for Press and Media Freedom, Media Freedom Rapid Response – Belgium.

<sup>144</sup> Country visit Belgium, Federal Business Association.

<sup>145</sup> FIRM-IFDH (2025), written input, p. 14.

<sup>146</sup> Figure 54, 2025 EU Justice Scoreboard.

<sup>147</sup> Figure 60, 2025 EU Justice Scoreboard.

<sup>148</sup> Figure 49, 2025 EU Justice Scoreboard. The data presented reflects exclusively the mechanisms in place at the level of the highest administrative jurisdictions; the same or other mechanisms may be in place at lower instance administrative courts.

**The Federal Human Rights Institute raised concerns regarding the budget of the interfederal equality body.** The Government Agreement announced a 25% budget cut to the Interfederal Centre for Equal Opportunities and Opposition to Racism and Discrimination (Unia)<sup>149</sup>. FIRM-IFDH warns that this budget cut will lead to a reduced level of human rights protection<sup>150</sup>. The Government aims to achieve an A-status for FIRM-IFDH, which requires establishing a structure that is competent for human rights matters across federated entities as well as the federal level. Furthermore, the Human Rights League reiterated its call on the Belgian authorities to make sure that all human rights monitoring bodies comply with the Paris Principles on independence and effectiveness, especially the Data Protection Authority, Standing Police Monitoring Committee and Policy Information Monitoring Body<sup>151</sup>.

**There has been limited progress to ensure compliance by public authorities with final rulings of national courts, while supervision by the Council of Europe on structural issues identified by the European Court of Human Rights continues**<sup>152</sup>. Compliance by the Government with final rulings of national courts and orders imposing periodic penalty payments<sup>153</sup> remains an issue, despite a joint memorandum of the three highest courts (Constitutional Court, Court of Cassation and Council of State) issued in July 2024 requiring it to respect court judgments<sup>154</sup>. In November 2024, FIRM-IFDH launched an investigation into the non-implementation of court rulings issued against Belgian authorities<sup>155</sup>. The Government remains under supervision by the Committee of Ministers of the Council of Europe on structural issues identified by the European Court of Human Rights<sup>156</sup>. It has engaged in this process and underlined its commitment to remedy the violation found both at individual and general level in judgments of the European Court of Human Rights without delay, as specified in the action plans which are periodically updated and sent to the Committee of Ministers<sup>157</sup>. However, in September 2024, the Committee of Ministers found that the Belgian Government had taken insufficient action to address the systematic problems

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<sup>149</sup> Unia functions as the equality body at the federal regional and community levels, except on the Flemish level, where the Flemish Human Rights Institute functions as the equality body.

<sup>150</sup> Country visit Belgium, FIRM-IFDH.

<sup>151</sup> League of Human Rights (2025), written input, p. 23. UN General Assembly (1993).

<sup>152</sup> In its 2024 Rule of Law Report the Commission recommended Belgium to ‘Take measures to ensure compliance by public authorities with final rulings of national courts and the European Court of Human Rights’.

<sup>153</sup> Council of State Judgment No 257.300 of 13 September 2023; Flemish Refugee Council (2025); Judgment by the Brussels Court of Appeal of 30 January 2025 ordering the Belgian state to as soon as possible consult with the US to allow Nizar Trabelsi to return to Belgium at least temporarily and to provide him with a *laissez passer*; The Council of State has on several cases suspended and cancelled arms export licenses, ruling that their issue was contrary to international humanitarian law; Country visit Belgium, FIRM-IFDH, Bar Associations, Human Rights Leagues.

<sup>154</sup> Country visit Belgium, Court of Cassation, Constitutional Court and Council of State; Joint memorandum of the three highest courts of Belgium of 19 July 2024.

<sup>155</sup> The investigation focuses on decisions handed down by Belgian courts against the authorities from 2014-2024, which are not implemented by Belgian authorities.

<sup>156</sup> Judgment of the European Court of Human Rights of 18 July 2023, *Camara v Belgium* (application no. 49255/22); judgment of the European Court of Human Rights of 25 November 2014, *Vasilescu v Belgium* (application no. 64682/12); judgment of the European Court of Human Rights of 2 October 2012, *L.B. v Belgium* (application no. 22831/08).

<sup>157</sup> Country visit Belgium, Government. The action plans submitted by the Government and decisions by Committee of Ministers are presented in the regularly updated Factsheet ‘Belgium - Overview of main issues before the Committee of Ministers - Ongoing Supervision’, prepared by the department for the execution of judgments.

identified in the *Camara v. Belgium* judgment<sup>158</sup>. Overall, limited progress has been made on the 2024 recommendation.

**On 1 January 2025, Belgium had 17 leading judgments of the European Court of Human Rights pending implementation, a decrease of 4 compared to the previous year<sup>159</sup>.** At that time, Belgium's rate of leading judgments from the past 10 years that had been implemented was 70% (compared to 61% in 2024; 30% remained pending), and the average time that the judgments had been pending implementation was 4 years and 9 months (compared to 3 years and 11 months in 2024)<sup>160</sup>. The oldest leading judgment, pending implementation for 16 years, concerns the excessive length of civil proceedings at first instance level<sup>161</sup>. As regards the respect of payment deadlines, on 31 December 2024 there were 4 cases in total awaiting confirmation of payments (compared to 5 in 2023)<sup>162</sup>. On 16 June 2025, the number of leading judgments pending implementation had increased to 18<sup>163</sup>.

**Despite a high level of protection under the law, civic space remains narrowed<sup>164</sup>, and stakeholders are raising concerns regarding new obstacles to the right to demonstrate.** Stakeholders continue to raise concerns regarding disproportionate preventive and repressive actions undertaken by public authorities undermining the right to demonstrate<sup>165</sup>. To prevent disruptions of public order and ensure public safety, the Government intends to introduce the possibility in the criminal code to impose an additional sanction of a prohibition to take part in demonstrations on individuals convicted of illegal acts committed during previous manifestations<sup>166</sup>. The Federal Human Rights Institute referred to a negative opinion it issued on an earlier draft for a judicial demonstration ban under the previous Government which, according to FIRM-IFDH, already raised questions as to its proportionality and practical enforceability<sup>167</sup>. On 7 October 2024, trade unions and several CSOs lodged a constitutional complaint related to the criminal offence of 'malicious attack on government authority'<sup>168</sup>. The Constitutional Court issued two judgments of particular relevance to civic space. On 19 September 2024, the Constitutional Court annulled a provision of a Flemish Community decree on the subsidising of social-cultural work, which excluded certain organisations from eligibility for subsidies<sup>169</sup>. On 14 November 2024, the Court pointed to the need to restrict recourse to the civil law procedure based on which Presidents of first instance courts may

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<sup>158</sup> Council of Europe, Committee of Ministers (2024b).

<sup>159</sup> For an explanation of the supervision process, see the [website](#) of the Council of Europe.

<sup>160</sup> All figures calculated by the European Implementation Network (EIN) and based on the number of cases that are considered pending at the annual cut-off date of 1 January 2025. EIN (2025), written input, p. 1.

<sup>161</sup> Judgment of the ECtHR, 44826/05, *Bell v. Belgium*, pending implementation since 2009.

<sup>162</sup> Council of Europe (2025), p. 156.

<sup>163</sup> Data according to the online database of the Council of Europe (HUDOC).

<sup>164</sup> Rating given by CIVICUS; ratings are on a five-category scale defined as: open, narrowed, obstructed, repressed and closed.

<sup>165</sup> League of Human Rights (2025), written input, p. 26.

<sup>166</sup> Coalition agreement, pp. 133-134.

<sup>167</sup> FIRM-IFDH (2023).

<sup>168</sup> Article 547 Criminal Code; Constitutional Court, case number 8339, Greenpeace Belgium and others, 7 October 2024 (pending).

<sup>169</sup> The Court concluded that the contested subsidy condition does not meet the requirements of the principle of legal certainty due to its ambiguous character; judgment of the Constitutional Court of 19 September 2024 in case number 93/2024; 2024 Rule of Law Report Belgium, pp. 29, 30.

issue an urgent court order without hearing the opposing party, to a limited number of cases, excluding its use to challenge a strike<sup>170</sup>.

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<sup>170</sup> Judgment of the Constitutional Court of 13 November 2024, case 123/2024. NGOs welcomed this decision; League of Human Rights (2025), written input, p. 5; 2024 Rule of Law Report Belgium, pp. 30-31.

## Annex I: List of sources in alphabetical order\*

\* The list of contributions received in the context of the consultation for the 2025 Rule of Law report can be found at [https://commission.europa.eu/publications/2025-rule-law-report-targeted-stakeholder-consultation\\_en](https://commission.europa.eu/publications/2025-rule-law-report-targeted-stakeholder-consultation_en)

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## **Annex II: Country visit to Belgium**

The Commission services held virtual meetings in March 2025 with:

- Amnesty International Belgium
- Bureau of Integrity
- College of Courts and Tribunals
- Committee P
- Community Authorities for Media
- Constitutional Court
- Council of State
- Court of Cassation
- Federal Deontological Commission
- Federal Human Rights Institute
- Federal Ombudsmen
- Federal Police
- Federation of Belgian Enterprises (VBO-FEB)
- Flemish Association of Journalists (VVJ)
- Flemish Bar Association
- Flemish Media Regulator
- French- and German-speaking Order of the Belgian Bar
- High Council for Justice
- High Council for the Audiovisual
- Journalistic Ethics Council
- Liga voor Mensenrechten
- Ligue des Droits Humains
- Ministry of the Interior
- Ministry of Justice
- Prosecution Service
- Public Service Media
- Transparency International Belgium

\* The Commission also met the following organisations in a number of horizontal meetings:

- Amnesty International
- Araminta
- Civil Liberties Union for Europe
- Civil Society Europe
- European Civic Forum
- European Partnership for Democracy
- European Youth Forum,
- International Commission of Jurists
- International Federation for Human Rights (FIDH)
- JEF Europe
- Philea – Philanthropy Europe Association.
- Transparency International