

European Rule of Law Mechanism: input from Member States

2025 Rule of Law Report

1. Introduction

The annual Rule of Law Report lies at the centre of the Annual Rule of Law Cycle, which acts as a preventive tool, deepening multilateral dialogue and joint awareness of rule of law issues. So far, five editions of the Rule of Law Report have been published since 2020.

As every year, the Commission would like to invite the national contact points to provide contributions to the 2025 Rule of Law Report. On the basis of these contributions, further targeted questions may be shared at a later stage of preparation of the 2025 Rule of Law Report, in particular in the context of country visits, or bilateral contacts, as well as the consultation on the draft country chapters prior to the Report's adoption.

The 2025 Rule of Law Report will continue to deepen the assessment under the existing four pillars, and will also follow-up on the implementation of the recommendations to Member States, that were issued as part of the 2024 Rule of Law Report. In line with the Political Guidelines for the 2024-2029 Commission, the 2025 Report will also include a single market dimension. A parallel reflection has been launched with Member States and business stakeholders with a view to collecting views about the scope of the issues to be covered. A further request for contribution will follow specifically on this dimension.

Nature of the contribution

The Commission invites contact points to provide contributions which includes:

- (1) information on measures taken to implement the recommendations addressed to the Member State in the 2024 Rule of Law report, as well as developments with regard to the points raised in the respective country chapter and**
- (2) any other significant developments since January 2024 and up to the date of submission falling under the 'type of information' outlined in section 2.**

The input should preferably be in English and not exceed 30 pages. Relevant legislation or other documents may be referenced with a link (no need to provide the full text). The contributions will be published on the Commission's website upon explicit agreement of the Member States. In order to avoid duplication and excessive administrative burden, please include where applicable explicit references to any relevant contribution already provided by your Member State in a different context (including under Council of Europe, OECD, OSCE and UN bodies or procedures as well the input provided for previous editions of the Report) or to the previous Rule of Law Reports. Contributions should focus on significant developments since the last Rule of Law Report both as regards the legal framework and its implementation in practice.

Please send us your replies by **24 January 2025** to the following email address: rule-of-law-network@ec.europa.eu. In case you would have any questions or requests for clarifications, please do not hesitate to contact the Commission at the same email address.

2. Type of information to be included:

Under each of the four pillars, the replies should include references to the following types of information:

A) Legislative developments

- Newly adopted legislation
- legislative drafts currently discussed in Parliament
- legislative plans envisaged by the Government

B) Policy developments

- Implementation of legislation
- evaluations, impact assessment, surveys
- white papers/strategies/actions plans/consultation processes
- follow-up to reports/recommendations of Council of Europe bodies or other international organisations
- important administrative measures
- generalised practices

C) Developments related to the judiciary / independent authorities

- important case law by national courts
- important decision/opinions from independent bodies/authorities
- state of play on terms, nominations and expired mandates for high-level positions (e.g. Supreme Court, Constitutional Court, Council for the Judiciary, Prosecutor General, heads of independent authorities included in the scope of the request for input¹)

D) Any other relevant developments

- National authorities are free to add any further information, which they deem relevant; however, this should be short and to the point.

Please also indicate whether the developments reported are linked to the implementation of reforms and investments under the RRP, where applicable. To simplify your answers to the questionnaire, **if there are no developments, you can now simply tick the relevant box**

3. Questions for contribution

Under each pillar, you are invited to provide information on measures taken to implement the recommendations addressed to the Member State in the 2024 Rule of Law report, as well as developments with regard to the points raised in the respective country chapter of the 2024 Rule of Law Report and any other significant developments since January 2024 and up to the date of submission². Please always include a link to and reference relevant legislation/documents (in the national language and/or where available, in English). **Significant developments** can include challenges, positive developments and best practices, covering both legislative developments or implementation and practices.

Information provided in reply to the first question under each pillar, related to the follow-up to the recommendations, does not need to be repeated in subsequent parts of the questionnaire, but can be

¹ Such as: media regulatory authorities and bodies, national human rights institutions, equality bodies, ombudsman institutions, supreme audit institutions and, where they exist, transparency authorities.

² Unless already covered in the input for the previous Rule of Law Reports.

cross-referenced in the subsequent questions, where relevant. All other questions are not limited to the recommendations, but as in previous years, cover the entire scope of the Report.

I. Justice System

Please provide information on measures taken to follow-up on the recommendations received in the 2024 Report regarding the justice system (if applicable):

1) Regarding resources for the justice system:

The law of May 12, 2024, on the social statute of magistrates I entered into force on January 1, 2025. This law introduces an entirely new system of leave for magistrates, aimed at making the position more attractive. Among other provisions, it includes parental leave, adoption leave, foster parent leave, leave to administer care, and part-time employment options from the age of 57 or 60. The law also offers several opportunities to easily resume employment after a period of illness. For example, it allows magistrates to hold office at a reduced level due to medical reasons or provides a reintegration route. Previously, magistrates who were absent for medical reasons could only fully resume their duties and could not be replaced. Now, they can more quickly return to their duties through part-time or modified responsibilities. The impact of this new leave system on the workload will be assessed carefully and measured over time. From now on, leave will need to be requested for any absence, which was not the case during the judicial vacation (the months of July and August) for those not required to perform any duties.

Additionally, the law of May 12, 2024, addresses the inequality regarding the premiums for on-call duties performed by trainee magistrates, candidate magistrates, and magistrates from the Public Prosecutor's Office.

The royal decree of July 17, 2024, provides compensation and travel expenses to the judges and the assessors of the disciplinary tribunals.

Two royal decrees (decree of September 20, 2024, issued in execution of article 186, § 1/1, of the Judicial Code concerning the jurisdiction of Ghent and decree of September 20, 2024, issued in execution of article 186, § 1/1, of the Judicial Code concerning the jurisdiction of Antwerp) allow for the temporary transfer of unoccupied positions within one cadre to another cadre that is already fully occupied.

The ministerial decree of September 3, 2024, amending the ministerial decree of the May 29, 1998, regarding the compensation referred to in article 379quater of the Judicial Code, provides compensation for retired members of the public prosecution service to exercise the office of public prosecutor at the court of assizes. Since the sessions of the courts of assizes are very time-consuming, this creates an opportunity to relieve other public prosecutors and assign them to other duties.

2) Regarding the length of proceedings based on statistical data

The College of Courts and Tribunals is currently carrying out important work on the issue of statistics and the mapping of the backlog of court cases. The College, which has been directly approached by the Commission, will send its contribution.

Ongoing efforts are being made by various actors to reduce the length of proceedings. For example, the Act of 19 December 2023 containing various provisions on civil and judicial matters (published in the Moniteur belge on 27 December 2023) has, among other things, created chambers for amicable settlement within the courts and tribunals dealing with civil, social and company matters. It also makes it possible to propose conciliation at appeal level. This law came into force on 6 January 2024. Since that date, an out-of-court settlement chamber may be set up in all civil courts and tribunals. The creation of such a chamber will be compulsory from 1 September 2025 in all courts and tribunals. These changes will help to reduce the backlog of court cases.

The Law of 7 February 2024 on Book 6 'Extra-contractual liability' of the Belgian Civil Code was also adopted. It was published in the Moniteur belge on 1 July 2024 and came into force on 1 January 2025.

This new book codifies established case law in the areas covered by the former articles 1382 to 1386bis of the Civil Code. It clarifies the concepts of fault, damage and causal link. Article 6.15 specifies the liability of legal persons governed by public law. This move from case law to written law will facilitate redress for victims, in particular by preventing excessive length of proceedings.

New legal developments have also been undertaken to digitise the justice system. In particular, the laws of 28 March 2024 and of 15 May 2024 provide for changes to procedures in favour of greater digitisation (see answers provided below). The Law of 25 April 2024 on the organisation of hearings by videoconference as part of legal proceedings enables the use of videoconferencing during hearings, as well as better management of the hearings schedule. These changes will enable the judiciary to deliver justice more efficiently and more effectively. These new measures require the adoption of Royal Decrees, which are currently being drawn up.

The Belgian Government periodically communicates action plans to the Council of Europe regarding the length of proceedings, under the *Bell v. Belgium* case group. These action plans are published on their [HUDOC-EXEC](#) website.

A. Independence

☐ No developments

☒ If there have been developments related to the independence of justice, please specify which, in particular regarding topics listed below:

- *Appointment and selection of judges³, prosecutors and court presidents (incl. judicial review)*

The law of May 15, 2024, concerning linguistic requirements for the chiefs of the corps, chief clerks, and chief secretaries in Brussels, as well as the appointment of the prosecutor general of Brussels, the labour auditor of Brussels, the deputy prosecutors general of Brussels, and the deputy labour auditors of Brussels, stipulates that all chiefs of the corps must demonstrate sufficient knowledge of the other language. The law also outlines the procedure for renewing the mandates of the chiefs of the corps. Article 259quater, § 3bis, of the Judicial Code now explicitly states that the Minister of Justice may decide a request for the renewal of a chief of the corps mandate to be inadmissible, and the King may refuse to accept the nomination for renewal by the High Council of Justice.

- *Irremovability of judges; including transfers (incl. as part of judicial map reform), dismissal and retirement regime of judges, court presidents and prosecutors (incl. judicial review)*

Articles 331/51 and 331/52 of the Judicial Code, which entered into force on January 1, 2025, allow magistrates, at their own request, to exercise their office part-time at the end of their career (at age 57 or 60). This is intended to make the office of magistrate more attractive and may encourage magistrates to continue holding office in the later stages of their life. Whenever there is a full-time absence, there exists a possibility of appointing a replacement beyond the existing cadre.

- *Promotion of judges and prosecutors (incl. judicial review)*

No recent developments.

- *Allocation of cases in courts*

No recent developments.

- *Independence (including composition and nomination and dismissal of its members), and powers of the body tasked with safeguarding the independence of the judiciary (e.g. Council for the Judiciary)*

³ The reference to 'judges' concerns judges at all level and types of courts as well as judges at constitutional courts.

Following the judgement of the European Court of Human Rights on July 20, 2021 (*Loquifer v. Belgium*), Belgium was found to have violated article 6 of the ECHR. The violation stemmed from the inability of a member of the High Council of Justice to have the decision to suspend their mandate on serious grounds reviewed by a judge. The Judicial Code has been amended through article 57 of the law of May 15, 2024, containing provisions on the digitalisation of justice and miscellaneous provisions II, to allow for an appeal to the Council of State against such a suspension.

The election of the members of the College of Courts and Tribunals was held on the basis of a new royal decree dated June 16, 2024, while the election of the members of the College of Public Prosecutors was held based on a new royal decree dated December 2, 2024. These royal decrees were drafted following proposals from the respective Colleges themselves.

The consultations on a draft law aimed at increasing judicial independence by transferring budgetary management powers from the executive to the judiciary have progressed but could not be finalized under the previous legislature.

- *Accountability of judges and prosecutors, including disciplinary regime and bodies and ethical rules, judicial immunity and criminal/civil (where applicable) liability of judges (incl. judicial review)*

Article 87 of the law of March 27, 2024, containing provisions on the digitalisation of justice and miscellaneous provisions Ibis, extends the time period for bringing a case before the disciplinary tribunal from six months to twelve months, starting from the date when the competent authority becomes aware of the facts. This change was introduced to allow for better analysis of the available information and to prevent impunity due to insufficient time. The twelve-month period can be further extended by six months if new elements arise regarding the already known facts, reinforcing their gravity. However, to ensure legal certainty, a maximum period of five years from the date of the facts has been introduced within which a case can be brought before the disciplinary tribunal.

On October 1, 2024, a proposal was introduced to Parliament amending the Judicial Code regarding the evaluation of magistrates. This proposal aims to reform the evaluation system for magistrates by providing more coaching and feedback, as recommended on several occasions by the High Council of Justice. The proposal also includes a counselling programme to support magistrates and help them improve following a negative assessment. If the assessors determine that the magistrate has failed to meet the objectives set during this programme and is again negatively assessed, the magistrate will be referred to the disciplinary tribunal, which can impose one of three measures. The High Council of Justice has provided an advisory opinion on the proposal.

On March 27, 2024, the High Council of Justice published a document containing the “General Principles on the Deontology of Magistrates”. The purpose of this document is to provide magistrates with a common set of principles for their professional conduct, centered around several core values. This is intended to enhance public confidence in the judiciary.

- *Independence/autonomy of the prosecution service*

The consultations on a draft law aimed at increasing judicial independence by transferring budgetary management powers from the executive to the judiciary have progressed but could not be finalised under the previous legislature.

- *Independence of the Bar (chamber/association of lawyers) and of lawyers*

With regard to lawyers' professional secrecy, the Belgian Constitutional Court ruled on this issue in its judgment of 7 November 2024, in connection with the laws of 28 November 2022 on the protection of persons who report breaches of Union or national law found within a legal entity in the private sector and of 8 December 2022 on reporting channels and the protection of persons who report breaches of integrity in federal public sector bodies and within the integrated police force. These laws aim to protect whistleblowers and were adopted to transpose Directive (EU) 2019/1937.

The lawyers took the view that the aforementioned laws limited lawyers' professional secrecy in that they did not apply "to information covered by medical secrecy or to information and intelligence which lawyers receive from or obtain about their clients, provided that they are assessing the legal position of that client or carrying out their task of defending or representing that client in or concerning legal proceedings or in connection with advice on how to initiate or avoid such proceedings".

The Court dismissed the action, holding that the purpose of a lawyer's legal advice, even outside proceedings, is to enable the client to avoid legal proceedings relating to that transaction, so that the advice is deemed to be covered by professional secrecy. The contested articles must, in her view, be interpreted in that sense. The condition specified in those articles is in fact 'no more than a restatement of the case law of the Court of Justice of the European Union and does not therefore constitute a limitation of professional secrecy'. Information that a lawyer becomes aware of in the course of performing the essential activities of his profession, remains covered by professional secrecy and cannot be reported under the whistleblower scheme. It is only when a lawyer carries on an activity outside his specific task of defending and representing clients in legal proceedings and providing legal advice that he may, where appropriate, make use of his right to speak to report breaches of Union law, although he is not obliged to do so. The Court also held that the contested articles should be interpreted as meaning that a third party to the relationship between a lawyer and his client, whether a lawyer himself or an employee of that lawyer, may not report information concerning that client.

- *Significant developments capable of affecting the perception that the general public has of the independence of the judiciary*

On December 19, 2024, the tribunal of first instance of Brussels found the Belgian State liable for the rape and death of Julie Van Espen on May 4, 2019. Mistakes were made in the handling of a previous case involving her murderer, which can partly be traced back to the executive branch, denying the Van Espen family the likelihood to prevent the loss of their daughter and sister. The Belgian state must pay the family symbolic damages amounting to one euro. The outgoing Minister of Justice has officially apologised to the family for the mistakes made by the justice system, the responsibility it bears in the death of Julie Van Espen, and for the immense and irreparable suffering caused to the family.

B. Quality of justice⁴

☐ No developments

☒ If there have been developments related to the quality of justice, please specify which, regarding in particular topics listed below:

- *Accessibility of courts (e.g. court/legal fees, legal aid, language)*

Concerning legal aid, as mentioned in previous reports, on 1 September 2020, the income thresholds for determining the granting of totally or partially free second-line legal aid were increased by €200 (from €1026 to €1226 for a single person). This increase was followed by a flat-rate increase of €100 every 1 September up to and including 2023. Since 1 September 2024, the amounts are indexed annually in line with changes in the consumer price index. For the totally free legal aid, the threshold is €1582 for a single person or €1884 euros for a single person with one or more dependants or for cohabitants (whether married or not- forming a household). For partially free legal aid, this threshold is between €1582 and €1884 for a single person and between €1884 and €2184 for a single person with dependants or for cohabitants.

- *Resources of the judiciary (human/financial/material⁵), remuneration/bonuses/rewards for judges and prosecutors, including observed changes (significant and targeted increase or*

⁴ Under this topic, Member States are not required to give statistical information but should provide input on the type of information outlined under section 2.

⁵ Material resources refer e.g. to court buildings and other facilities. Financial resources include salaries of staff in courts and prosecution offices.

decrease over the past year)

See above (answer on recommendations)

- *Training of justice professionals (including judges, prosecutors, lawyers, court staff, clerks/trainees)*

No new developments.

- *Digitalisation (e.g. use of digital technology, including electronic communication and AI tools, within the justice system and with court users, procedural rules, access to judgments online)⁶*

Concerning the digitalisation of Justice, a number of laws have been adopted by the Belgian Parliament since January 2024:

- Law of 28 march 2024 (*“Loi portant dispositions en matière de digitalisation de la justice et dispositions diverses Ibis”*): this law contains, among others, the following legal provisions:
 - Creation of and legal framework for the digital judicial file in criminal matters and the Central register of criminal judicial files (already in force).
 - Update of the rules on electronic communication in the judicial context, allowing not only secure electronic communication (deposit, communications, notifications) between judicial professionals, but also from courts’ registries to litigants/parties. This also by providing by law an electronic alternative to the “pli judiciaire”, a specific type of notification. (came into force on 1st January 2025)
 - Royal decrees are being drafted for the execution of these legal provisions.
- Law of 15 mai 2024 (*« Loi portant dispositions en matière de digitalisation de la justice et dispositions diverses II »*) : this law contains, among others, the following legal provisions:
 - Modifications to the current system of electronic service of documents by our bailiffs, and concerning electronic authentic documents of bailiffs (such as the “exploit de signification”) (not yet in force).
 - Creation of and legal framework for the digital judicial file in non-criminal matters and the Central register of (non-criminal) judicial files (came into force on 1st January 2025).
 - Royal decrees are in preparation for the execution of these legal provisions.
- The Belgian parliament adopted the law on the organisation of hearings via videoconference in judicial Proceedings on 25 April 2024. It came into force on 1 September 2024.
 - The law provides a legal basis for the use of videoconferencing in courts, in both civil and criminal proceedings, whilst improving the efficiency of case processing and the accessibility to courts for litigants who, in the absence of such a system, would be obliged to be represented by a lawyer.
 - Enforcement measures, which are under preparation, are necessary for the implementation of the law. The videoconferencing system is currently under development and is being tested. Access to the videoconferencing system will be made via the Justonweb app.
 - The principle remains the physical appearance in court. The law enumerates a number of guarantees that the videoconferencing system and hearings through videoconferencing should include in order to safeguard the right to an effective and equal access to the court, the respect of the adversarial character of the proceedings, the equality of arms and the fairness of the proceedings. The use of videoconferencing is, in principle, voluntary. This means that the consent to appear remotely is necessary. This consent is also personal (everyone consents to their own participation). The court may exceptionally impose a prohibition on physical appearance.

⁶ Factual information presented in Commission Staff Working Document of 2 December 2020, SWD(2020) 540 final, accompanying the Communication on Digitalisation of justice in the European Union, COM(2020) 710 final and Figures 40 to 48 of the 2024 EU Justice Scoreboard, does not need to be repeated.

The federated entities are also making progress in digitization: in Flanders efforts are being made to conduct digital litigation at the Flemish administrative courts via a fully digital case management system and a digital dropbox for documents. Since the end of 2023, the development of an integrated digital platform has started, which should be operational in the autumn of 2025.

- *Use of assessment tools and standards (e.g. ICT systems, including AI-based systems, for case management, court statistics and their transparency, monitoring, evaluation, surveys among court users or legal professionals)*

No new developments

- *Geographical distribution and number of courts/jurisdictions ("judicial map") and their specialisation, in particular specific courts or chambers within courts to deal with fraud and corruption cases.*

At the suggestion of the courts and the tribunals themselves, a series of royal decrees concerning the allocation of cases have been adopted. These decrees regulate the specific distribution of cases among the various divisions of those courts and tribunals, without affecting the access to justice or the quality of services provided to the citizens. By concentrating similar cases in certain sections, the courts and tribunals can better organise themselves and magistrates in these sections can further develop their specialisation, improving overall efficiency. In 2024, nine such royal decrees were adopted.

The law of May 15, 2024, containing provisions on the digitalisation of justice and miscellaneous provisions II, changed the boundaries of certain judicial cantons and judicial districts in the appendix to the Judicial Code, following a series of municipal mergers in Flanders taking effect on January 1, 2025.

- *Alternative dispute mechanism and mediation: Law of 19 december 2023 containing various provisions on civil and judicial matters (loi portant dispositions diverses en matière civile et judiciaire, Moniteur belge, 27 décembre 2023).*

From 6 January 2024, an amicable settlement chamber may be set up in all courts and tribunals dealing with civil matters (including labour law and company law). The creation of such a chamber will be compulsory from 1 September 2025 in all courts and tribunals (except those divided into divisions, where a chamber will have to be created in at least one division).

In these chambers, the judge will conciliate in the same way as a judge who would practice traditional conciliation in their court, or may refer cases to mediation. Certain principles specifically govern the judge's work in these amicable settlement chambers (articles 734/4 of the Judicial Code), which is not the case for traditional conciliation (articles 731 to 734 of the Judicial Code). Conciliation in these chambers remains confidential, as does mediation. The judge may also organise 'caucuses' or 'asides' with each of the parties involved, with the agreement of all parties. In other words, the judge can hold discussions with one party without the other being present, and vice versa. Finally, the judge who has sat on the amicable settlement panel can no longer intervene in the same case as a judge in the litigation panel. This provision is intended to provide the parties with the assurance that, should the conciliation process prove unsuccessful, the judge will not be called upon to rule on their case. It is also noteworthy that judges presiding in such chambers must have undergone specialised training. In terms of procedure, the matter may be referred to the judge of the amicable settlement chamber either before or during any legal proceedings (article 734/4, § 1 and § 2). If the parties reach a total or partial agreement (article 734/2, § 1 and § 2), this will be set out in minutes or in an agreement judgment (if legal proceedings are in progress). If the parties do not reach an agreement (article 734/3, § 1 and § 2), they may initiate legal proceedings or continue those they have already begun.

C. Efficiency of the justice system⁷:

☐ No developments

☒ If there have been developments related to efforts to improve the efficiency of the justice system (e.g. as regards length of proceedings), please specify:

Other – please specify

- *New Criminal Code*

A new Criminal Code was adopted on 29 February 2024. The new legislation aims to modernise criminal law, making it more accessible, comprehensible, and aligned with contemporary societal challenges. It simplifies the language used in the current Criminal Code, introduces a new system of penalties, sanctions and offences, as well as updates existing offences. Imprisonment is regarded as an ultimatum remedium; a prison sentence can only be imposed if the objectives of the sanction cannot be achieved by any of the other penalties or measures provided for by law. The new Criminal Code also emphasises restorative justice and “alternative” sentences. The new Code will come into force on 8 April 2026.

- *Length of proceedings*

See above (answer on recommendations)

- *Chovanec case*

On 25 September 2024, after the Charleroi Public Prosecutor's Office had drawn up an indictment dismissing all charges against the police officers, the Council Chamber of the Hainaut Court of 1st Instance (Charleroi division), adopting the reasoning of the Public Prosecutor's Office, declared in its order that there were no grounds to prosecute any of the police officers. The civil actions brought by the Slovak Republic and SA Brussels South Charleroi Airport (SA BSCA) were declared inadmissible, as there was no personal injury resulting from the offences.

An appeal was lodged by the Slovak State and by Ms Chovanecova against the order of the Council Chamber of 25 September 2024. SA BSCA also lodged an appeal, but only to the extent that the Council Chamber ordered it to pay procedural damages. UNIA has done the same with regard to the procedural indemnity; this case will therefore be submitted to the Mons Chamber of Indictment. At this stage, there is no set date for the case to be heard by this second-degree investigating court.

II. Anti-corruption framework⁸

Please provide information on measures taken to follow-up on the recommendations received in the 2024 Report regarding the anti-corruption framework (if applicable):

1) Regarding the integrity framework

In 2024, the regulatory framework from the Royal Decree of 18 April 2023 was elaborated and executed. This Royal Decree not only established the Integrity Bureau within the Federal Public Service for Policy and Support (FPS BOSA)⁹ and defined its missions¹⁰, but also required the appointment of an

⁷ Under this topic, Member States are not required to give statistical information but should provide input on the type of information outlined under section 2.

⁸ Where previous specific reports, published in the framework of the review under the UN Convention against Corruption, of GRECO, and of the OECD address the issues below, please make a reference to the points you wish to bring to the Commission's attention in these documents, indicating any relevant updates, changes or measures introduced that have occurred since these documents were published.

⁹ Article 3 of the Royal Decree of 18 April 2023.

¹⁰ Article 4 of the Royal Decree of 18 April 2023.

integrity coordinator¹¹ within each organisation of the federal administrative government and in each ministerial private office. This integrity coordinator has several missions.¹² Pursuant to Article 6, 6°, 9 and 10 of the Royal Decree, each integrity coordinator within an organisation is required (together with the highest-ranking manager) to draw up an annual action plan setting out the integrity policy objectives and the indicators to be used to achieve them, as well as the concrete actions by which the integrity objectives will be achieved in the organisation's core and supporting processes and projects. Based on the annual action plans of the organisations, the Integrity Bureau produces an annual report on the integrity management in the organisations.¹³ Four official meetings of the Federal Network of Integrity Coordinators took place in 2024.¹⁴ During these meetings, lectures and exchanges of views on a variety of integrity-related topics took place. The Integrity Bureau also received the integrity action plans for 2025 from the organisations. The Bureau is currently analysing these in order to identify areas where the integrity policy needs to be strengthened.

The Ministerial Decree of 29 April 2024 (published in the Belgian Official Gazette on 3 June 2024), which implements the Royal Decree of 18 April 2023, contains first of all a so-called 'integrity scheme'. This is a global overview of strategic elements of integrity policy to which an organisation can link its objectives on integrity policy and its integrity management of its annual plan.¹⁵ This 'integrity scheme' aims to contribute to the prevention of integrity violations.¹⁶ In this regard, it may be noted that the 'integrity scheme' is not addressed to the integrity coordinators of the ministerial private offices, but may serve as inspiration for them in developing a strategic integrity policy (which is also a response to the recommendations of the GRECO in the fifth evaluation round).

The 2024 Rule of Law Report identified public procurement as an 'area at high risk of corruption'. In this connection, the circular of 11 June 2024 from the Prime Minister and the Minister of Public Administration on 'Public procurement – Deontology – Conflict of interest – Revolving door construction' was published in the Belgian Official Gazette on 8 July 2024. This circular is addressed to all persons within the federal public sector (including, among others, federal civil servants and members of ministerial private offices) involved in public procurement to sign a written declaration confirming that they have taken notice of the legal provisions on conflicts of interest in public procurement (set out in Article 6 of the Law of 17 June 2016 on public procurement). Its purpose is to make the person concerned aware that a conflict of interest in the context of public procurement is always prohibited. This written declaration should be renewed every two years. Furthermore, the circular contains a model¹⁷ declaration in case there is a legal presumption of a conflict of interest or an appearance of a conflict of interest and provides the hierarchical superior with a number of strategies to act in case of (possible) conflicts of interest – whether apparent or not. Finally, the circular recalls that in public procurement in the classic sectors, a revolving door construction is considered a conflict of interest (Article 51 of the Royal Decree of 18 April 2017). In such case, a cooling-off period of two years applies. To ensure that this rule is respected, contracting authorities are asked to include a standard clause¹⁸ in their contract documents emphasising this rule. In this context, the circular

¹¹ Article 5 of the Royal Decree of 18 April 2023.

¹² Article 6 of the Royal Decree of 18 April 2023.

¹³ Article 13 of the Royal Decree of 18 April 2023.

¹⁴ Besides these official meetings, meetings took place in smaller groups, working groups, digital meetings on a specific topic

¹⁵ Article 3 of the Ministerial Decree of 29 April 2024.

¹⁶ Article 4 of the Ministerial Decree of 29 April 2024.

¹⁷ Model declaration 2

¹⁸ Standard clause: *"Within the framework of the fight against conflicts of interest, more specifically the revolving door construction ('revolving doors') as stipulated in Article 51 RD Placement, the candidate / tenderer shall refrain from calling on one or more former (internal) employees of [name of the contracting authority] within two years following his / their resignation, retirement or any other departure from [name of contracting authority], in any way whatsoever, directly or indirectly, with a view to the preparation and / or submission of its tender or any other intervention in the context of the procurement procedure, as well as for activities in the context of the execution of this assignment. This at least insofar as there is a link between the past activities of the person / persons concerned with the contracting authority and his / her activities in the context of this assignment"*.

further reiterates the measures that can be taken in case of a revolving door construction.

Following a study commissioned by the Minister of Public Administration on the appearance of conflict of interests and revolving doors between the public and private sector, on 13 June 2024 ministerial circular number 735 was published in the Belgian Official Gazette. This circular calls attention to the risk of post-employment conflict of interest and 'revolving doors' in the federal public sector and provides a clear overview of the existing measures in this regard. It also outlines the possible elements for implementing a preventive policy around post-employment conflicts of interest and revolving door constructions.

On 28 March 2024, in order to comply with a GRECO's recommendation, the House adopted the proposal DOC 55 2649/001 replacing Article 6 of the Code of Deontology of the Members of the House of Representatives with a view to clarifying that the House Members are prohibited from accepting financial gifts in return for acts performed in the exercise of their mandate, with the exception of gifts authorised in the context of financing political parties.

2) Regarding the lobbying regulation

Within the context of the proposal for a 'Directive establishing harmonised requirements in the internal market on transparency of interest representation carried out on behalf of third countries' (part of the Defence of Democracy package), the European Commission offers TSI (Technical Support Instrument) support to Member States' pilot projects on transparency registers. Belgium submitted a request to this effect in October 2024 and received the news in January 2025 that its application is part of the Commission's pre-selection (the official confirmation of the projects is scheduled for March 2025). This pilot project would enable Belgium to develop and implement a EU-conform blueprint for a transparency register, usable by all federated entities.

Regarding the Draft legislation on a transparency register envisaging rules for contacts between lobbyists and members of the federal executive, mentioned in the 2024 Rule of law report for Belgium, the Council of State and the Data Protection Authority gave their advice. This will normally be taken up again by the new government, once it is formed.

A. *The institutional framework capacity to fight against corruption (prevention and investigation / prosecution)*

☒ No developments

☐ If there have been developments related to the institutional framework capacity to fight corruption, please specify which, in particular regarding topics listed below:

Relevant topics to be covered in your contribution include:

- List any **changes** as regards relevant authorities (e.g. national agencies, bodies) in charge of prevention, detection, investigation and prosecution of corruption and the resources allocated to each of these authorities (the human, financial, legal, and technical resources as relevant), including the cooperation among domestic and with foreign authorities. Indicate any relevant measures taken to effectively and timely cooperate with OLAF and EPPO.
- Safeguards for the functional independence of the authorities tasked with the prevention and detection of corruption.
- Information on the implementation of measures foreseen in the strategic anti-corruption framework (if applicable). If available, please provide relevant objectives and indicators.

B. *Prevention*

☐ No developments

☒ If there have been developments related to the prevention of corruption, please specify which, in particular regarding topics listed below: ...

Relevant topics to be covered in your contribution include:

- *Measures to enhance integrity in the public sector (including as regards incompatibility rules, revolving doors, codes of conduct, ethics).*

See answers given above regarding the follow-up of the recommendation on the integrity framework.

- *Measures to enhance general transparency of public decision-making (including rules on lobbying, asset and interest disclosure rules, gifts policy, transparency of political party financing).*

Since December 2023¹⁹, several proposals to amend the Rules of Procedure of the House of Representatives, hereinafter referred to as "House Rules", have been adopted by the House with a view to enhancing transparency of the decision-making:

- on 29 February 2024, in order to harmonize the House Rules with the federal Law of 23 November 2023 granting the Court of Audit²⁰ the power to control the accounts of the House of Representatives, the House adopted the proposal DOC 55 3282/005. The federal Law of 23 November 2023 seeks to ensure that in the control of its accounts, the House is assisted by the Court of Audit which is responsible for verifying the regularity and legality of the House's expenditures and receipts, and to allow the House to entrust the Court of Audit with the task of auditing the House management. To align the House Rules with the federal Law of 23 November 2023, House Rule 172 has been completed with points 4 to 6 defining the details of that control and audit;
- on 28 March 2024, in order to comply with a GRECO's recommendation, the House adopted the proposal DOC 55 2649/001 replacing Article 6 of the Code of Deontology of the Members of the House of Representatives with a view to clarifying that the House Members are prohibited from accepting financial gifts in return for acts performed in the exercise of their mandate, with the exception of gifts authorised in the context of financing political parties.

In the context of the transparency of political party financing, several Private Members' bills have recently been tabled before the House:

- the Private Members' bills DOC 56 0098/001, DOC 56 0146/001 and DOC 56 0609/001 aim to restrict or even ban spending by political parties on communication on social media;
- the Private Member's bill DOC 56 0108/001 seeks to more strictly regulate the expenditures made by the political parties with the funds they receive through political party funding;
- the Private Member's bill DOC 56 0184/001 aims to grant the Court of Audit the power to control the accounts of the political parties.

Furthermore, on 31 January 2024, in the context of the transparency of political party financing, a follow-up hearing was held in the standing committee for Constitutional Review and Institutional Reforms of the House with representatives of the "We need to talk" consortium and of the Citizens' Panel on political party financing that issued recommendations on this particular topic. After that follow-up hearing, the political groups expressed their opinions on those recommendations. The report of this follow-up hearing (DOC 55 3194/007) can be consulted here. The summary table of the opinions expressed by the political groups can be consulted here (DOC 55 3194/008, p. 66-106).

- *Measures to prevent conflicts of interest in the public sector. Please specify the features and scope of their application (e.g. categories of officials concerned, types of checks and corrective measures depending on the category of officials concerned).*

→ **For the three previous points, please also provide information and figures on their application/enforcement, such as number of detected breaches/irregularities of the various**

¹⁹ The period for which the information was collected for the House's input for the 2024 Rule of Law Report was closed on 30 November 2023.

²⁰ The Court of Audit is an independent institution, established by Article 180 of the Belgian Constitution, that acts as an advisory body to the House of Representatives in budgetary matters.

rules in place and the follow-up given (investigations, sanctions, etc.).

See answers given above regarding the follow-up of the recommendation on the integrity framework.

- *Measures to ensure whistleblower protection and encourage reporting of corruption, including their application (i.e. number of reports received, and the follow-up given).*

The federal Ombudsman shares the following figures in relation to whistleblowing:

- Number of reports received between the 1st of January 2024 and the 31st of December 2024: the federal Ombudsman opened 705 files that were related to the whistleblowing legislation.
 - o 547 files concerned the law of 28/11/2022 for the private sector
 - o 91 files concerned the law of 8/12/2022 for the federal public sector.

In addition, we received 67 general questions for information on the reporting procedures.

- Number of files received by the competent authorities for the private sector in 2023 (law of 28/11/2022 for the private sector): 1,010 files. These reports led to 840 investigations. Statistics for the year 2024 will be collected in April 2025.
- Protection files opened by the federal Ombudsman (the federal Ombudsman is also competent for the protection of reporters in the federal public sector - excl. the police and the intelligence services - and in the private sector): 38.

These figures provide a rough and incomplete overview of reporting in Belgium. They include only the data from the federal Ombudsman as an external reporting channel for the private sector and the federal public sector, along with figures from other competent authorities related to the private sector. However, they do not cover other external reporting channels for the federal public sector, such as Comité P and Comité I, nor the external reporting channels at regional and community levels. In 2024, Ombuds Brussels received 24 whistleblower reports, opened 4 fraud investigations and completed 2 such investigations over the year. 1 whistleblower report was immediately forwarded to the judicial authorities because of the suspected criminal nature of the facts reported. In 2024, Ombuds Brussels also received 12 requests for protection against retaliation.

The Integrity Bureau has published its first report, which also includes information on the number of whistleblower reports in the federal public sector.

In 2024, due attention was given to the Law of 8 December 2022 regarding the protection of whistleblowers in the federal public sector. Efforts were made to raise awareness. For example, the Federal Ombudsman (as the main external whistleblowing reporting channel) and the Federal Human Rights Institute (FIRM / IFDH) have published a practical guide for whistleblowers. For the purpose of the reporting by the Minister of Public Administration on the application of the Law of 8 December 2022 to the members of Parliament²¹, the Integrity Bureau (together with another service within the FPS BOSA) is developing an efficient way to collect a set of (unambiguous) numerical data related to whistleblower reports from various authorities. This should allow gathering the necessary information and detecting difficulties in applying the Law.

The Law of 8 December 2022²² provides for a public consultation on the Law in 2025. This aims to engage individuals, companies and institutions in a transparent and direct way to improve the quality of the Law.²³ The Integrity Bureau is currently preparing this public consultation. The Law of 8 December 2022 provides for an evaluation in the second year after its entry into force.²⁴ As the Law came into force on 2 January 2023, this evaluation will take place during the year 2025.

On 16 January 2025, the Private Member's bill DOC 56 0656/001 has been tabled before the House which seeks to transpose EU Directive 2019/1937 on whistleblower protection with regard to the

²¹ Article 76, section 4 of the Law of 8 December 2022. See also: Article 5 of the Royal Decree of 20 October 2023.

²² Article 76, section 2 and 3 of the Law of 8 December 2022. See also: Article 15 of the Royal Decree of 20 October 2023.

²³ Article 15, section 1 of the Royal Decree of 20 October 2023.

²⁴ Article 76, section 1 of the Law of 8 December 2022.

House of Representatives and the Senate. On the same day, the proposal to amend the House Rules DOC 56 0657/001 has been tabled before the House which aims to harmonize the House Rules with the provisions of Private Member's bill DOC 56 0656/001 and to designate the clerk of the House as the internal reporting channel for the House.

- *Specific measures to enhance transparency, integrity and accountability in sectors with high risks of corruption, with a view to monitor and prevent corruption and conflict of interests, and where applicable measures to prevent and address corruption committed by organised crime groups.*
 - *Such high-risk sectors could include: public procurement, including construction, transport/infrastructure, defence, cohesion, agriculture, environment, healthcare, citizen/residence investor schemes, large-scale investments of national interest and the spending of EU funds, urban planning.*

See answer above on the follow-up of the recommendation on the integrity framework.

With regard to lawyers' third-party accounts, article 446quater, §5, of the Judicial Code was amended by the Law of 15 May 2024 on provisions relating to the digitisation of justice and miscellaneous provisions II, which came into force on 7 June 2024. This amendment is linked to the adoption of the Royal Decree of 9 June 2024 laying down the terms and conditions relating to the management, access, control and monitoring of third-party accounts and accounts classified as referred to in article 446quater of the Judicial Code (which came into force on 1 October 2024), which provided for a mechanism for monitoring and controlling lawyers' third-party accounts. This Royal Decree is part of the fight against corruption and money laundering.

It establishes the regulations relating to the automated control, by the Presidents of the Bar, of third-party accounts and itemised account (*compte rubriqué*) held by lawyers. The Royal Decree stipulates that each holder of such an account must grant an irrevocable mandate to the President of the Bar Association in which he or she is registered (or to his or her designated representative) in order to obtain from the financial institution the right to consult and copy all transactions on the account.

The holder of a third-party account or an itemised account also grants the financial institution where the account is held an irrevocable authorisation to make all data relating to transactions carried out on its account permanently available to the supervisory entity for the purpose of automatic computerised control.

C. Repression

☐ No developments

☒ If there have been developments related to the repression of corruption, please specify which, in particular regarding topics listed below:

The national level is awaiting the ongoing negotiations on the proposal for an EU anti-corruption Directive.

Relevant topics to be covered in your contribution include:

- *The legal framework on the criminalisation and sanctions for corruption and related offences, including foreign bribery.*

The Law of Criminal Procedure I of 9 April 2024 amended the rules on the statute of limitations for criminal proceedings. The new law has been in force since 28 April 2024.

The reform of the statute of limitations system is based on three basic principles:

- 1) sufficiently long time limits for conducting and closing a criminal investigation, based on fixed time limits with no possibility of interrupting the statute of limitations;
- 2) interruption of the running of the statute of limitations as soon as the court is seized of the proceedings;

- 3) the grounds for suspension are only valid when there is a genuine obstacle to the initiation or pursuit of criminal proceedings.

Until recently, the limitation period for offences, and therefore also for corruption cases, was five years. The limitation periods in the new law are substantially longer. Under the new law, for example, the limitation period for offences is ten years instead of five. This applies in particular to financial offences such as tax fraud, money laundering, bankruptcy offences, misuse of company assets or breach of trust, as well as foreign bribery. Under the previous regulations, the five-year limitation period could be extended to a maximum of ten years by interrupting the limitation period. Under the new law, the limitation period is ten years, with the limitation period ceasing to run from the time the case is brought before the court. This means that, in practice, the limitation period for corruption cases is longer, which will enable the judicial authorities to conduct longer and more thorough investigations into corruption cases, including foreign bribery.

- *Official data on the number of investigations, prosecutions, final judgments, and the application of sanctions for corruption offences (differentiated by offence if possible)²⁵. Please indicate whether the cases: involve legal persons; are related to the implementation of EU or national funds²⁶; involve high level corruption. Please indicate which data is publicly available and how policy-making is informed by the data.*
- *Potential obstacles identified in law or in practice to the investigation and prosecution of high-level and complex corruption cases (e.g. political immunity regulation, procedural rules, statute of limitations, cross-border cooperation, pardoning).*
- *Information on effectiveness of criminal and non-criminal measures and of sanctions (e.g. recovery measures and administrative sanctions) on both public and private offenders.*

Other – please specify

III. Media pluralism and media freedom

Please provide information on measures taken to follow-up on the recommendations received in the 2024 Report regarding media pluralism and media freedom (if applicable):

There are no recent developments regarding the recommendation on access to official documents.

A. Media authorities and bodies²⁷

☐ No developments

☒ If there have been developments related to media authorities and bodies, please specify which, in particular regarding topics listed below: ...

Relevant topics to be covered in your contribution:

- *Measures taken to ensure the independence, enforcement powers and adequacy of resources (financial, human and technical) of media regulatory authorities and bodies.*

As part of the 2025 budget planning, the Medienrat, the regulatory authority of the German-speaking Community, has been further strengthened. Since 2024, the office staff of the Medienrat has been directly financed by the Medienrat itself, ensuring greater autonomy for the regulatory authority. This

²⁵ Please include, if available the number of (data since 2022 or latest available data): indictments; first instance convictions; first instance acquittals; final convictions; final acquittals; other outcomes (final) (i.e. excluding convictions and acquittals); cases adjudicated (final); imprisonment / custodial sentences through final convictions; suspended custodial sentences through final convictions; pending cases at the end of the reference year.

²⁶ For MS participating in the EPPO, data on cases related to EU funds does not encompass investigations and prosecutions carried out by the EPPO.

²⁷ Cf. Article 30 of Directive 2018/1808.

change was accompanied by a significant budget increase to support its operations. The staffing plan for the Medienrat now includes 3.5 full-time equivalents, representing a 250% increase compared to 2023. This expansion was essential to address the growing workload arising from the implementation of various European legal frameworks. Additionally, the overall allocation of the Medienrat was increased by 20% compared to the previous year, specifically to cover the higher personnel costs associated with this expansion.

As part of the implementation of the DSA, the regulatory authority of the French-speaking Community (Conseil supérieur de l'audiovisuel – CSA) has been given new responsibilities. CSA has been designated as the competent authority to supervise the DSA by the Decree of 15 February.

For the Flemish Community, we refer to our input for the 2024 Rule of Law Report. The Act of 27 March 2009 on Radio and Television Broadcasting contains an extensive chapter on the Flemish Media Regulator (art. 215-235). By decree of 26 January 2024, the Flemish Media Regulator (Vlaamse Regulator voor de Media - VRM) has been designated as competent authority to supervise the DSA.

- *Conditions and procedures for the appointment and dismissal of the head / members of the collegiate body of media regulatory authorities and bodies.*

The appointment and dismissal of the members of the Chambers of the Flemish Media Regulator are regulated in Article 216 of the Act of 27 March 2009. A new §6 was added to this article, by article 57 of the act of 19.04.2024, which reads: “The members of the chambers of the Flemish Regulator for the Media shall continue to hold office until they are replaced, with a maximum duration of six months of exercise”.

The members of the two chambers of the Flemish Media Regulator are appointed by a decision of the Flemish Government for a renewable term of five years. If a decision of the Flemish Government that appoints new members of the chambers cannot be adopted in time, this article explicitly provides that members of both chambers continue to hold office after the expiry of five years, until they are replaced, with a maximum term of six months.

- *Existence and functions of media councils or other self-regulatory bodies.*

For the Flemish Community, we refer to our input for the 2024 Rule of Law Report. The Raad voor de Journalistiek (RVDJ – stands for Council for Journalism) is the self-regulatory body for the Flemish press in the Flemish community, of which almost all media are either direct members, or participating via umbrella associations of newspapers and magazines. The Raad voor de Journalistiek is independent and handles complaints from the public. It helps setting deontology standards for journalists by issuing guidelines.

B. Safeguards against government or political interference and transparency and concentration of media ownership

☐ No developments

☒ If there have been developments related government or political interference or transparency and concentration of media ownership, please specify which, in particular regarding topics listed below: ...

The government of the German-speaking Community is in the process of drafting an amendment to the Decree on Media Services and Cinema Screenings (Media Decree). This amendment aims, among other objectives, to implement the provisions of Regulation (EU) 2024/1083 (European Media Freedom Act) and Regulation (EU) 2024/900 (Transparency and Targeting of Political Advertising).

The implementation of the regulation on media freedom is also being prepared by the Flemish community and the French-speaking community.

Moreover, the CSA has published its evaluation on media pluralism in French-Community of Belgium for 2023. The assessment is globally positive. Nevertheless, two of the areas covered by the analysis were assessed as medium risk: "market pluralism" and "social inclusion".

Relevant topics to be covered in your contribution include:

- *Measures taken to ensure the fair and transparent allocation of state advertising*
- *Safeguards against state / political interference, in particular:*
 - *safeguards to ensure editorial independence of media (private and public)*
 - *specific safeguards for the independence of heads of management and members of the governing boards of public service media (e.g. related to appointment, dismissal), safeguards for their financial and operational independence (e.g. related to reporting obligations and the allocation of resources) and safeguards for plurality of information and opinions*
 - *information on specific legal provisions and procedures applying to media service providers, including as regards granting/renewal/termination of licences, company operation, capital entry requirements, concentration, and corporate governance*
- *Transparency of media ownership and public availability of media ownership information, including on direct, indirect and beneficial owners*

C. Framework for journalists' protection, transparency and access to documents

☐ No developments

☒ If there have been developments related to the framework for journalists' protection or transparency/access to documents, please specify which, in particular regarding topics listed below: ...

Relevant topics to be covered in your contribution include:

- *Rules and practices guaranteeing journalist's independence and safety, including as regards protection of journalistic sources and communications, referring also, if applicable, to follow-up given to alerts lodged with the Council of Europe's Platform to promote the protection of journalism and safety of journalists.*

With specific regard to journalists, the Belgian Penal Code was amended by the 'Law of 18 January 2024 to make justice more humane, swifter and firmer III' to abolish prison sentences for defamation and slander and to provide for heavier penalties for offences committed against journalists. This law came into force on 5 February 2024.

- *Law enforcement capacity, including during protests and demonstrations, to ensure journalists' safety and to investigate attacks on journalists.*
- *Access to information and public documents by public at large and journalists (incl. transparency authorities where they exist, procedures, costs/fees, timeframes, administrative/judicial review of decisions, execution of decisions by public authorities, possible obstacles related to the classification of information).*
- *Lawsuits (incl. SLAPPs - strategic lawsuits against public participation) and convictions against journalists (incl. defamation cases) and measures taken to safeguard against manifestly unfounded and abusive lawsuits.*

With regard to SLAPPs, the directive on the protection of persons taking part in the public debate against manifestly unfounded claims or abusive legal proceedings ('strategic lawsuits distorting the public debate') was adopted on 11 April 2024. The process of transposition into Belgian law is now underway.

Other – please specify

IV. Other institutional issues related to checks and balances

Please provide information on measures taken to follow-up on the recommendations received in the 2024 Report regarding the system of checks and balances (if applicable):

Regarding the compliance with rulings of national courts/ECHR:

Belgium has experienced a significant increase in asylum seekers over the past few years, including in 2024, despite an overall decline in numbers across the EU. More than half of the individuals seeking protection in Belgium either have ongoing procedures in another Member State or have already been recognized as refugees in another Member State. Nevertheless, the Belgian Government has been tirelessly working to ease the pressure on its reception system by hiring additional staff, streamlining procedures, and creating new reception facilities.

Belgium has been a strong supporter of the EU Asylum and Migration Pact, which aims to reform the current system. Belgium submitted its National Implementation Plan on time and remains committed to the timely implementation of the Pact.

As a technical note, Belgium reports that the outstanding penalty payments have decreased since the last update and now stand at EUR 15.9 million (as of December 2024).

We would like to reiterate that it is factually incorrect to claim that the Belgian Government is not, or has not been, in compliance with the Camara judgment of the ECtHR. The Court ruled that the violation of Article 6 was, in itself, a sufficient remedy. As a result, the Belgian Government was not required to take any additional measures concerning the complainant, and there has been no instance of non-compliance with the judgment. At the time of the ruling, the complainant was already receiving reception.

A. The process for preparing and enacting laws

☐ No developments

☒ If there have been developments related to the process for preparing and enacting laws, please specify which, in particular regarding topics listed below: ...

Relevant topics to be covered in your contribution include:

- *Framework, policy and use of impact assessments and evidence based policy-making, stakeholders²⁸/public consultations (including rules and practices on the transparent participation of civil society to policy development and decision-making processes, and transparency and quality of the legislative process both in the preparatory and the parliamentary phase.*

Regarding the "regulation impact assessment" to which Government bills are generally subjected prior to their submission to the House of Representatives, we refer to the information covered in the input for the 2021 Rule of Law Report.

Regarding the evidence based policy-making and the stakeholders'/public consultations, since December 2023 hearings with experts, academics, civil society representatives, stakeholders, etc. have continued to be held in the House:

- during the period from 1 December 2023²⁹ until 27 May 2024 (end of the 55th parliamentary term)³⁰, hearings were held in 44 out of the 314 public committee meetings (14,01%), or on aggregated level, during the 55th parliamentary term, hearings were held in 815 out of the 3,935 public committee meetings (20,71%);

²⁸ This includes also the consultation of social partners.

²⁹ The period for which the information was collected for the House's input for the 2024 Rule of Law Report was closed on 30 November 2023.

³⁰ The House was dissolved on 27 May 2024 in view of the June 2024 elections.

- during the period from 4 July 2024 (start of the 56th parliamentary term) until 31 December 2024, hearings were held in 43 out of the 199 public committee meetings (21,61%).

Regarding the transparency and quality of the legislative process in the House of Representatives, no significant developments since December 2023 must be reported either:

- during the period from 1 December 2023³¹ until 27 May 2024 (end of the 55th parliamentary term)³², 58 out of the 202 bills and proposals reported out of committee to the plenary went through a second reading procedure (28,71%), and up to 314 out of the 364 committee meetings were public (86,26%), or on aggregated level, during the 55th parliamentary term, 273 out of the 1,395 bills and proposals reported out of committee to the plenary went through a second reading procedure (19,57%), and up to 3,935 out of the 4,344 committee meetings were public (90,58%);
- during the period from 4 July 2024 (start of the 56th parliamentary term) until 31 December 2024, 3 out of the 23 bills and proposals reported out of committee to the plenary went through a second reading procedure (13,04%), and up to 199 out of the 227 committee meetings were public (87,67%).

The Data Protection Authority's new organic *law* changes the time limit for the Authority's opinions on draft legislation from 60 to 30 days. The reduction in the opinion period is intended to improve the efficiency and responsiveness of the decision-making process on matters of data protection. The 30-day period remains reasonable and sufficient to allow the DPA to examine the questions submitted and to formulate an informed opinion. The Council of State also fulfils its review task within 30 days.

- *Rules and use of fast-track procedures and emergency procedures (for example, the percentage of decisions adopted through emergency/urgent procedure compared to the total number of adopted decisions)*

Regarding the emergency procedures in the House of Representatives, there are no significant developments since December 2023:

- during the period from 1 December 2023³³ until 27 May 2024 (end of the 55th parliamentary term)³⁴, the urgency procedure has been requested for 46 items out of 212 items (21,70%), or on aggregated level, during the 55th parliamentary term, the urgency procedure has been used for 401 items out of 3,554 items (11,28%);
 - during the period from 4 July 2024 (start of the 56th parliamentary term) until 31 December 2024, the urgency procedure has been requested for 17 items out of 557 items (3,05%).
- *Rules and application of states of emergency (or analogous regimes), including judicial review and parliamentary oversight.*

No new developments

- *Regime for constitutional review of laws*

No new developments

B. Independent authorities

☐ No developments regarding independent authorities

☒ If there have been developments related to independent authorities, please specify which, in particular regarding topics listed below: ...

³¹ The period for which the information was collected for the House's input for the 2024 Rule of Law Report was closed on 30 November 2023.

³² The House was dissolved on 27 May 2024 in view of the June 2024 elections.

³³ The period for which the information was collected for the House's input for the 2024 Rule of Law Report was closed on 30 November 2023.

³⁴ The House was dissolved on 27 May 2024 in view of the June 2024 elections.

Relevant topics to be covered in your contribution include:

- *Independence, resources, capacity and powers of national human rights institutions ('NHRIs'), of ombudsman institutions if different from NHRIs, of equality bodies if different from NHRIs and of supreme audit institutions³⁵*

Regarding the independence of the Federal Institute for Human Rights (hereafter: FIRM-IFDH), it should be noted that following its B-status accreditation as a National Human Rights Institute in March 2023, significant developments have occurred in 2024. The law of April 21, 2024, has incorporated several recommendations made by the SCA of GANHRI during the accreditation procedure, aligning further the FIRM-IFDH's mandate with the Paris Principles.

- FIRM-IFDH's financial resources have continued to grow substantially, reflecting its expanding mandate. The institution's budget has seen consistent annual increases through parliamentary appropriations, rising from €891,421.92 in 2021 to €2,867,733 in 2023. For 2024, Parliament has approved a budget of €4,348,732.78, consisting of a €4,111,000 grant plus €237,732.78 carried over from 2022. This significant budget increase ensure alignment to FIRM-IFDH's broadened competencies.
- A major development in 2024 was the establishment of the Preventive Mechanism against torture and inhuman or degrading treatment at the federal level within FIRM-IFDH. On April 21, 2024, Parliament enacted legislation establishing the prevention mechanism within the FIRM-IFDH, in compliance with the provisions of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT). The mechanism aims to prevent torture and degrading or inhuman treatment, particularly through regular visits to all places of deprivation of liberty under federal jurisdiction. FIRM-IFDH will execute this mandate in close collaboration with the specialised thematic institutions: Myria for closed centres for foreigners, the Central Supervisory Council for Prisons (CCSP-CTRG), and Committee P for places of detention under police jurisdiction. The law stipulates clearly that the Prevention Mechanism must operate as an independent entity within FIRM-IFDH.
- FIRM-IFDH has maintained its active role in providing guidance and oversight, publishing 3 advisory opinions, 1 general opinion, and 13 reports in 2024. This demonstrates the Institute's continued commitment to its mandate of promoting and protecting human rights in Belgium.

Following the extension of his mission relating to whistleblowers, the Federal Ombudsman was able to recruit three new employees in 2024 for his Integrity Centre (handling whistleblower reports and complaints of reprisals/ requests for protection from whistleblowers). Justified by a significant and constant increase in the number of complaints (concerning the acts and operation of the federal administrative authorities) handled by the ombudsteams (20.3% compared with 2022, 32.7% compared with 2020 and 66.6% compared with 2016), the House of Representatives approved in 2024 the reinforcement in terms of case managers, by an extension of the framework of 4 statutory FTE.

On 1 June 2024, the Data Protection Authority's (DPA) amended Organic Law came into force. Following this amendment, the DPA adopted new internal rules. These two instruments have led to changes in the internal organisation, composition and operation of the DPA. Certain procedures within the DPA have been modernised, which should optimise its efficiency and operation. In addition, the Management Committee has been given a more active coordinating role, particularly in terms of prioritisation, internal policies and collaboration between the DPA's departments. Finally, from May 2025 onwards, the DPA should be able to call on a permanent list of external experts, drawn from a variety of disciplines and valid for two years at a time. The new text allows it to call on external expertise in view of the complex matters and technological developments that the DPA faces, without the latter having decision-making powers.

³⁵ Cf. the website of the European Court of Auditors: <https://www.eca.europa.eu/en/Pages/SupremeAuditInstitutions.aspx#>

- *Statistics/reports concerning the follow-up to recommendations by National Human Rights Institutions, ombudsman institutions, equality bodies, and supreme audit institutions in the past two years.*

As regards complaints about the operation of the federal administrative authorities, the [Federal Ombudsman](#) issued ten recommendations in 2023-2024, including two to Parliament, six to the administrations and two to the Government. Five recommendations were closed (followed or partially followed).

Within the framework of the 'Integrity' investigations, the Federal Ombudsman issued :

- 5 recommendations in 2023, all 5 were met
- 19 recommendations in 2024, 4 were met and 15 are still in progress.

Every year, the [House Committee for Petitions](#) holds an exchange of views with the federal ombudsmen on the annual report they prepare on their operations, including handling complaints and reports by whistleblowers. On 4 December 2024, an exchange of views was held on the 2023 annual report. The report of that exchange of views (DOC 56 0648/001) can be consulted [here](#).

C. Accessibility and judicial review of administrative decisions

☒ No developments

☐ If there have been developments related to the accessibility and judicial review of judicial decisions please specify which, in particular regarding topics listed below: ...

Relevant topics to be covered in your contribution include:

- *Transparency of administrative decisions and sanctions (incl. their publication and rules on collection of related data)*
- *Judicial review of administrative decisions: short description of the general regime (in particular competent court, scope, suspensive effect, interim measures, and any applicable specific rules or derogations from the general regime of judicial review).*
- *Rules and practices related to the application by all courts, including constitutional jurisdictions, of the preliminary ruling procedure (Art. 267 TFEU)*
- *Implementation of final judgments by the public administration and State institutions and follow-up given to supranational judgments, including decisions from the European Court of Human Rights, as well as available remedies in case of non-implementation*

D. The enabling framework for civil society

☐ No developments

☒ If there have been developments related to the enabling framework for civil society, please specify which, regarding topics listed below:

Relevant topics to be covered in your contribution include:

- *Measures regarding the framework for civil society organisations and human rights defenders (e.g. legal framework and its application in practice incl. registration, transparency and dissolution rules)*
- *Rules and practices having an impact on the effective operation and safety of civil society organisations and human rights defenders. This includes measures to protect them from attacks – verbal, physical or on-line –, intimidation, legal threats incl. SLAPPs, negative narratives or smear campaigns, measures capable of affecting the public perception of civil society organisations, etc. It also includes measures to monitor threats or attacks and dedicated support services, as well as available remedies.*

As mentioned above, the SLAPP Directive is currently being transposed and should provide additional protection for fundamental rights defenders.

At the end of 2022, Federal Institute for Human Rights (FIRM-IFDH) was designated as the national contact point to respond to the request made by the Commission in its Recommendation on the protection of journalists and human rights defenders participating in public life from manifestly unfounded or abusive legal proceedings ('strategic lawsuits against public participation').

- *Organisation of financial support for civil society organisations and human rights defenders (e.g. framework to ensure access to funding, and for financial viability, taxation/incentive/donation systems, measures to ensure a fair distribution of funding)*

For the Flemish Region and Community: Until recently, CSOs working on equality issues with regard to gender, SOGIESC and disability were funded on an annual basis. The new framework decree, in force since June 1st 2024, now provides for the recognition of so-called partner organisations. The conditions and procedure for the recognition of these partner organisations are outlined in the framework decree and are further detailed in the Flemish Government Order implementing the framework decree. The recognised partner organisations enter into a five-year cooperation agreement with the Flemish Government. The cooperation agreement contains the strategic and operational objectives and the corresponding indicators. In execution of the cooperation agreement, the partner organisations will draw up an annual plan and budget for each working year. On this basis, the minister can award an annual general operating grant to the recognised partner organisations within the available budget appropriations.

E. Initiatives to foster a rule of law culture

☐ No developments

☒ If there have been developments related to initiatives to foster a rule of law culture, please specify which, (e.g. debates in national parliaments on the rule of law, public information campaigns on rule of law issues, contributions from civil society, education initiatives, etc.): ...

- *debates in national parliaments on the rule of law*

Parliamentary debates on domestic issues related to well-defined aspects of the rule of law have continued to take place regularly within the House of Representatives since December 2023:

- in the autumn of 2024, several written parliamentary questions have been addressed to the Government on the recommendations formulated by the European Commission in the 2024 Rule of Law report and on the planned measures to address those recommendations; see, for example, the Bulletin of Questions and Answers of 1 October 2024 ([QRVA 56 001](#));
- during the plenary sitting of 28 November 2024, for example, several oral questions were put to the Minister of Justice regarding the unsafe working conditions of investigating judges who are threatened by members of organized crime ([CRIV 56 PLEN 014](#)).

- *education initiatives*

During the "[Week of the Rule of Law](#)" teachers are able to call on (law) students to give lessons on the rule of law in class. The aim is to raise awareness among young people about the rule of law and to inform them well about the importance of powers and countervailing powers. In 2024, the week took place from 18 until 22 November 2024.

Other – please specify