

European Rule of Law Mechanism: input from Belgian College of Courts and Tribunals

2026 Rule of Law Report

The written input from Member States is a key source of information for the annual Rule of Law Report, as clearly set out in the Report's methodology. As every year, the Commission would hereby like to invite the national contact points to provide their input to the 2026 Rule of Law Report. Based on this input, further targeted questions may follow, as it was the case in previous years, to ensure that the Commission has all relevant information from Member States for the preparation of the 2026 Rule of Law Report. Such further targeted input will be sought in particular in the context of country visits or bilateral contacts, as well as during the consultation on the draft country chapters prior to the Report's adoption.

The 2026 Rule of Law Report will continue to assess rule of law related developments under the existing four pillars and will follow-up on the implementation of the recommendations to Member States that were issued as part of the 2025 Rule of Law Report. To facilitate the preparation of input by Member States, this year's questionnaire has been adapted. Member States are asked to provide information about:

- (1) developments and measures taken in relation to the recommendations in the 2025 report,
- (2) developments that are relevant for updating and following up on the assessment of the topics covered in the 2025 country chapter, as well as
- (3) any other new developments related to the rule of law.

The input under these points should cover any developments since the adoption of the 2025 Rule of Law Report. The annex to this request for input sets out a checklist/guidelines on relevant topics falling within the Report's scope to help Member States prepare their input, building on experience from previous years.

Nature of the contribution

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 consent 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) 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.

Type of information to be included

A) Legislative developments

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

B) Policy developments

- Implementation and enforcement 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.

Template for input

This template for input indicates the type of contribution sought from Member States for the 2026 Rule of Law Report and provides a suggested format of reply. However, Member States are free to decide on the precise format of their contribution, as long as the key points are covered.

(1) Information on developments and measures taken to implement each of the recommendations addressed to your Member State in the 2025 Rule of Law Report

In the below box, please describe relevant developments and the measures taken with a view to implement the recommendations, following the order of the recommendations as they were addressed to your Member State in the 2025 Rule of Law Report.

Continue ongoing efforts to address the structural resource deficiencies in the justice system, taking into account European standards on resources for the justice system.

In 2024, the Collège des cours et tribunaux commissioned an objective assessment of the workload borne by the judiciary. The resulting report sets out in detail the needs and requests for the organization, not with a view to improving case-handling performance, but simply to ensuring that the current caseload can be processed under conditions that are acceptable for both magistrates and judicial staff.

The College also published a memorandum addressed to the incoming Federal Government, reiterating the essential requirements for the proper functioning of the courts and tribunals.

Despite these efforts, no genuine structural progress has been achieved. Additional staff and budgetary resources have indeed been announced, but they remain significantly below the identified needs and fall short of the demands formulated in the memorandum.

Moreover, the Act “on the Social Status of Magistrates”, which entered into force on 1 January 2025, has created an organisational imbalance within the judiciary. This impact had neither been anticipated nor subsequently assessed. No accompanying or compensatory measures have been provided for or announced.

Documents : [memorandum](#), [rapport de la mesure de la charge de travail](#)

Continue ongoing efforts to improve the efficiency of justice, particularly to reduce the

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.

length of proceedings based on comprehensive statistical data.

Ensuring that citizens' cases are handled within a reasonable period of time lies at the very heart of the concerns of the Collège des cours et tribunaux, whose remit includes, inter alia, the adoption of measures applicable to the courts and tribunals with a view to guaranteeing swift and high-quality justice (Article 182 of the Code judiciaire).

Accordingly, the Collège has requested the adoption of management agreements with the Minister of Justice, with the dual aim of, first, establishing the foundations necessary for the development of time standards (indicators, tools and monitoring mechanisms) and, second, optimally allocating resources with a view to improving case-processing times. The project of autonomous management, on the table since 2014 and under development ever since, could not be brought to fruition during the previous legislative term.

A specific project concerning case-processing times is currently being carried out by the Service d'appui of the Collège des cours et tribunaux. Its objective is to provide an accurate initial picture of processing times and of the volume of pending cases, by type of case, for all judicial entities in the country. This analysis is based on indicators constructed from reliable statistical data and is conducted in close cooperation with practitioners in the field. The project consists of the following phases:

1. Finalisation of the case-processing time mapping project and updating of the data for the entities already supported.

The objective is to complete, by mid-2026, the support provided to the management committees in identifying their processing times, on the basis of updated data (including data for 2025). Updating the data for entities that have already been visited constitutes an integral part of this component.

2. Integration of the relevant indicators into the management and monitoring tools of the comités de direction (existing dashboards). This step is currently under implementation.

3. Support to the conferences (groups of courts and tribunals per type) in establishing "ideal" standards wherever feasible, as well as in analysing potential areas for improvement. This phase is scheduled for 2026.

4. Support to the entities in identifying the causes of processing times deemed excessively long (compared with the median), and assistance in addressing certain causes of unreasonable delays. This phase remains to be scheduled.

Since 2014, the Collège has established a comprehensive statistical production system, despite major obstacles such as insufficient data quality, a shortage of analysts, dependency on the Service Public Fédéral de la Justice for data extraction, and the evolving landscape of operational ("business") applications. These factors significantly complicate statistical collection. Processing times have now been published for all jurisdictions since 2005, and average processing times since 2024, in the operational reports. Nevertheless, it remains difficult to provide a detailed analysis at divisional or cantonal level, which has led the Collège to initiate a reflection on the underlying logic and the categories currently used.

Furthermore, in order to enhance the monitoring tools available to courts and tribunals and to establish a link between actual staffing levels and processing times, the Collège requested in 2023 an extraction of the PersoPoint data relating to the courts and tribunals (HR-related data). This request for access was refused by the Service Public Fédéral de la Justice.

Documents : [reaction to the report of the Cour des comptes](#)

(2) Information on developments that are relevant for updating and following up on the

assessment of the topics covered in the respective country chapter of the 2025 Report, including possible clarifications

In the below box, please describe developments (updates or feedback) related to the topics covered your country chapter of the 2025 Report (if not already covered under point (1)). You are invited to follow the order of topics as presented in the country chapter and insert direct references to the country chapter text, if convenient.

I. Justice Systems

Transfer of budgetary powers

The transfer of competences – including budgetary competences, insofar as it concerns supporting certain areas for which the Judiciary could be granted responsibility – to the Judiciary by the Government has, since the General Policy Statement issued by the Government in early 2025, been made conditional upon the prior reform of the disciplinary system applicable to magistrates.

A preliminary draft bill on this matter – which also covers the reform of the evaluation framework for magistrates, on the one hand, and for heads of judicial bodies (chefs de corps) of the courts and tribunals, on the other hand – was prepared by the Minister of Justice's cabinet in December 2025 and is currently the subject of discussions with the relevant stakeholders.

Discussions on the autonomous management of the judiciary are expected to resume in the course of 2026, following several postponements.

As regards the publication of your written input, please indicate whether you²:

☒ Consent

☐ Do not consent

² Should you wish to amend the input submitted ahead of the Report's publication, please simply indicate so to the Commission services which will ensure that the correct version is published.