Belgium 2026

Information from: Combat Poverty, Insecurity and Social Exclusion Service; Central Monitoring Council for Prisons (CTRG-CCSP); Federal Institute for the Protection and the Promotion of Human Rights (FIRM-IFDH); Flanders Human Rights Institute (FLANHRI); Institute for the Equality between Women and Men (IGVM-IEFH); Myria (Federal Centre for the analysis of migration flows, the protection of fundamental rights of foreigners and the fight against human trafficking); Unia (Interfederal centre for equal opportunities and opposition to racism and discrimination)

This country-specific report was coordinated by the Federal Institute for the protection and promotion of Human Rights (FIRM-IFDH). It was co-authored by four ENNHRI members: FIRM-IFDH, Unia, Myria, and the Combat Poverty, Insecurity and Social Exclusion Service, as well as three public institutions with human rights remit that are not members of ENNHRI: the Central Monitoring Council for Prisons (CTRG-CCSP), the Flanders Human Rights Institute (FLANHRI) and the Institute for the Equality of Women and Men (IGVM-IEFH).

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NHRIs' establishment, independence, effectiveness and resilience

International accreditation status and SCA recommendations

Belgium currently has two NHRIs accredited with B-status, signifying partial compliance with the Paris Principles.

In March 2023, the SCA accredited FIRM-IFDH with B-status. At that time, the SCA included recommendations in relation to the NHRI's human rights mandate, annual report, pluralism, selection and appointment, and adequate funding.

When the SCA accredited Unia with B-status, it included recommendations in relation to human rights mandate, interaction with the international human rights system, selection and appointment, full-time members, and functional immunity.

FLANHRI was created in 2022 with a broad human rights mandate within the competences of the Flemish Region and the Flemish Community. FLANHRI works in collaboration or in complementarity with other public institutions, both at the federal and the regional level

Follow-up to recommendations on NHRIs and relevant developments

NHRI follow-up on the SCA recommendations concerning their institution

FIRM-IFDH

In March 2023, GANHRI's Sub-Committee on Accreditation (SCA) accredited FIRM-IFDH with a B-status.

It formulated **two core recommendations**:

- The SCA recommends that FIRM-IFDH advocate for amendments to the legislation under which it was established, or for the adoption of other legal instruments, in order to expand and strengthen its residual mandate beyond the federal level. The SCA understands that the law establishing FIRM-IFDH envisages an inter-federalization agreement which, once enacted, would provide, inter alia, a legal basis for the operation of the Stakeholders Council. The SCA encourages FIRM-IFDH to continue advocating for the adoption of such an inter-federalization agreement and for the full implementation of its founding law.
- The SCA recommends that FIRM-IFDH advocate for amendments to its enabling law to grant it unannounced and unrestricted access to inspect and examine any public premises, including places of

deprivation of liberty, as well as any documents, equipment, and assets, without prior notice.

It also made **four additional recommendations**.

- The SCA recommends that FIRM-IFDH ensure that its annual report highlights key developments in the human rights situation in the country and provides a public account, and therefore public scrutiny, of its effectiveness as an NHRI.
- The SCA recommends that FIRM-IFDH advocate for the formalization of processes that ensure that the principles of pluralism and diversity are reflected in its composition and/or work. The SCA further recommends that the FIRM-IFDH take steps to ensure that these principles are implemented in practice.
- The SCA recommends that FIRM-IFDH advocates for the formalization and application of a process that includes the requirement to promote broad consultation and/ or participation, including of civil society organizations, in the application, screening, selection and appointment process.
- The SCA recommends that FIRM-IFDH advocates for the funding necessary to ensure it can effectively carry out its mandate.

In terms of **implemented SCA recommendations:**

- In 2024, the law establishing FIRM-IFDH was amended by the law of 21 April 2024. This transposed a number of SCA recommendations. Henceforth, the law provides that the annual report is sent to and discussed in Parliament (art. 19). The first presentation took place on 18 November 2025. FIRM-IFDH ensures that the principles of pluralism and diversity are reflected in its composition and/or work (art. 9); that civil society is involved in the selection process, in particular by widely disseminating the call for nominations to civil society or inviting them to the hearings of candidates by Parliament (art. 11).

In terms of **partially implemented SCA recommendations:**

- The law of 21 April 2024 grants free and unannounced access to all places of deprivation of liberty. However, this access is limited to the scope of the mandate of the National Prevention Mechanism, which was established as an autonomous unit within FIRM-IFDH. Together with the Central Prison Monitoring Council (CTRG-CCSP), the Federal Migration Centre (Myria) and the Standing Police Monitoring Committee (Committee P), the Preventive Mechanism monitors places of deprivation of liberty.

in terms of **unimplemented SCA recommendations:**

- The SCA recommended that FIRM-IFDH expand and strengthen its residual federal mandate through the adoption of an inter-federalization agreement, that would broaden FIRM-IFDH's mandate. However, such inter-federalisation - to be achieved through a cooperation agreement between state governments and the federal government - did not take place in the last legislature, even though it was provided for in the federal coalition agreement. FIRM-IFDH continues to advocate for such inter-federalisation.

NHRI follow-up on the recommendations issued by European actors

IGVM-IEFH

The Institute for the equality of women and men analyzes the implications for the implementation of the various relevant European directives and acts (such as the IA and DSA Acts) that impact the institution's operations, mandates, and powers, and will expand these. The Institute for the equality of women and men has already submitted recommendations on this matter in the context of the formation of the government and the appointment of its competent minister (**Égalité de genre : 9 axes prioritaires pour la législature 2024-2029 | Institut pour l'égalité des femmes et des hommes**), but will further intensify this on a customized basis.

This includes the following directives: the Equality Bodies Directive, the Pay Transparency Directive, the Women on Boards Directive, and the Gender-Related Violence Directive.

In its memorandum and other policy recommendations, the Institute for the equality of women and men also requested compliance with international and European recommendations on gender, including the CEDAW, Grevio, and COPA recommendations.

In particular, the Institute for the equality of women and men emphasizes the need for effective, efficient, sustainable, and robust implementation of the Equality Bodies Directive, in collaboration with the relevant stakeholders. In its memorandum, the Institute for the equality of women and men urged the government to consolidate a robust Institute with the specific mandate and necessary resources to protect and promote gender equality and to address recent and emerging challenges.

Regulatory framework and mandates

Changes in regulatory framework

FIRM-IFDH, CTRG-CCSP, Unia, Myria, IGVM-IEFH and Art. 77 of the EU AI Act

FIRM-IFDH, CTRG-CCSP, Unia, Myria, the Institute for the equality of women and

men, and the Flemish Human Rights Institute were added to the list of authorities protecting fundamental rights in Belgium in accordance with art. 77 of the AI Act. The designation was not accompanied by additional resources. However, support has been provided to Unia by the European Union under the multi-country Technical Support Instrument (TSI), co-funded and implemented by the Council of Europe, i.a. for the exercise of the mandate under Article 77 of the AI Act via the development of policy guidelines, training, methodology for handling cases of algorithmic discrimination individual complaints as well as for collective action proceedings.

For the institutions involved, it was foreseen that this designation would entail the ability to, *inter alia*, request information and testing on AI-systems that are deemed a risk to human rights. However, currently, proposed changes to the AI-Act in the Digital Omnibus on AI would limit the right to request information to Market Surveillance Authorities (MSA). Human rights supervisors would no longer be able to request this information from developers or deployers of AI-systems.

FIRM-IFDH - pensions

In last year's report, it was noted that no pension scheme existed for the permanent staff members and the Director of FIRM-IFDH. As a result, staff did not accrue rights to a retirement pension or derivative rights, such as a survivor's pension, through their employment. A legislative amendment was required to address this issue. On 5 November 2024, a bill was introduced to amend the Law of 12 May 2019 establishing the Federal Institute for the protection and promotion of Human Rights, with the aim of granting pension rights. The law was ultimately adopted on 14 July 2025 and published on 4 August 2025. With this amendment, the previously identified problem has now been resolved.

FIRM-IFDH - protection of whistleblowers

Since 2022, Belgium has transposed Directive (EU) 2019/1937 on the protection of whistleblowers through several legislative instruments. At the federal level, two key acts were adopted in 2022: the Act of 24.11.2022 (private sector) and the Act of 08.12.2022 (federal public sector). These laws granted several missions to FIRM-IFDH.

In 2025, a specific whistleblowing law applicable to members of parliamentary staff was adopted: the Act of 27 March 2025, which entered into force on 8 December 2025. This legislation provides new competencies and assigns new missions to FIRM-IFDH. However, these are more limited than those already granted to the Institute under the two previous federal laws.

Indeed, several essential missions entrusted to FIRM-IFDH under the other federal laws are not included, namely, serving as a central point for

information, promotion, and reporting. This is particularly regrettable given the importance of these missions towards ensuring the effectiveness of the whistleblower protection framework. FIRM-IFDH is therefore only competent in granting support measures, and these are restricted to providing comprehensive and independent information and advice on available procedures and remedies; effective assistance before any relevant authority, including certification that the individual benefits from the protection provided under this law; and legal assistance in certain proceedings. Financial support for judicial proceedings, as well as psychological, social, media, or technical (IT) support, is not provided - unlike what FIRM-IFDH can grant whistleblowers under other federal legislation.

In this context, FIRM-IFDH, in a letter sent in February 2025 to Parliament at the time of the adoption of the law, recommended harmonizing the proposed law with the existing legislation on the protection of whistleblowers in the federal public sector. Such harmonization would have ensured equivalent protection for all whistleblowers in the federal public sector, regardless of the organization in which they work.

FIRM-IFDH - SLAPP

At the end of 2022, FIRM-IFDH was given a mandate by the Justice Ministry to become Belgium's focal point on SLAPP. FIRM-IFDH has started to collect and share information regarding SLAPP. It attends the meetings of the Belgian anti-SLAPP working group as an observer. It has since published information regarding SLAPP on its website in three languages (Dutch, French and English), welcomed in a statement three advisory opinions in 2025 regarding the transposition of the EU anti-SLAPP directive into Belgian legislation. A first advisory opinion (02/2025 of 22 April 2025) related to a legislative proposal based on a model bill drafted by the Belgian anti-SLAPP working group. However, as this legislative proposal was introduced by an opposition party, it is not expected to pass parliament. Meanwhile the Minister of Justice had started preparations for a bill. A second advisory opinion (07/2025 of 24 July 2025), proactively addressed to the Minister of justice, aimed at securing a strong transposition of the EU anti-SLAPP directive. A third advisory opinion (10/2025, of 30 September 2025) commented on a first version of the Minister's draft bill. Currently, a more recent version of this draft bill has been submitted to the Council of State.

CTRG-CCSP

A law adopted on 14 July 2025 and published on 4 August 2025, amended the Basic Act of 12 January 2005 on the Prison System and the Legal Status of Detainees, providing for pension rights for the members of the Bureau of the Central Monitoring Council for Prisons.

IGVM-IEFH

The founding law of the Institute for the equality of women and men is currently being analysed with a view to its rewriting as part of the implementation of the Equality Bodies Directive (Directive 2024/1499). The Institute will be designated as one of the trusted flaggers in line with the DSA Act.

Unia

Unia's cooperation agreement is currently being analysed with a view to its rewriting as part of the implementation of the Equality Bodies Directive (Directive 2024/1499). The deadline is June 2026.

FLANHRI

The Flemish government approved a first and (after receiving advice from various advisory bodies) a second draft decree amending the 10 July 2008 decree on a framework for equal opportunities and equal treatment policies in Flanders and the 28 October 2022 decree establishing a Flemish Human Rights Institute, regarding the partial implementation of European directives on equality bodies and pay transparency. The second draft has been submitted to the Flemish Parliament. Various amendments are proposed. For FLANHRI, the most fundamental amendments are as follows:

- FLANHRI will be able to submit written comments in court cases concerning the application of the prohibition of discrimination, either ex officio or at the request of the court.
- The Flemish Government will be obliged to seek advice from FLANHRI on preliminary draft decrees and draft regulations of the Flemish Government and on policy notes submitted to the Flemish Parliament that explicitly refer to or relate to discrimination within the Flemish competences.
- A new admissibility requirement for the Litigation Chamber and for mediation is created: If the complaint is or becomes the subject of legal proceedings for which no judgment or ruling has yet been handed down, the complaint will be inadmissible and/or the case will be closed.

Within the framework of the Pay Transparency Directive, FLANHRI will get a mandate to provide information on remuneration to staff members of the Flemish government, local authorities, and educational institutions. The Flemish government approved the Preliminary draft decree on pay transparency and measures for equal pay. FLANHRI has issued an advice upon request.Possibly, the draft decree will be amended in the coming months.

Since November 2025, FLANHRI acquired the mandate of a ‘trusted flagger’ from the Flemish Media Regulator. In that capacity, FLANHRI can – within the limits of its mandate – signal illegal online content, such as online discrimination, to online platforms and search engines. These reports must be

processed with priority (art. 22 Digital Services Act).

Combat Poverty, Insecurity and Social Exclusion Service

During the previous legislative period, a new text was drafted to replace the cooperation agreement on homelessness (2014). In the current cooperation agreement, the Combat Poverty Service has a mandate as a general gathering point for data on homelessness. However, the approval procedure for the new agreement could not be finalized due to the elections. The new text is currently being reviewed within the framework of the Interministerial Conference 'Policy on large cities, Social integration, and Fight against poverty' and will be finalized, including the mandate of the Combat Poverty Service with regard to homelessness.

Mandates

As mentioned previously, FIRM-IFDH, CTRG-CCSP, Unia, Myria, the Institute for the equality of women and men, and the Flanders Human Rights Institute were added to the list of authorities protecting fundamental rights in Belgium in accordance with art. 77 of the AI Act.

Aside from this new mandate, an NPM has been established within FIRM-IFDH, , with CTRG-CCSP, Myria and the Standing Police Monitoring Committee, taking up the role of NPM specialised bodies.

Unia and FLANHRI have acted as CRPD national monitoring mechanism. In terms of equality bodies, IGVM-IEFH, Unia and FLANHRI exercise this role. FIRM-IFDH serves as focal point on SLAPPs and Whistleblower support mechanism.

Unia and Myria have served as Monitoring Body on EU funds compliance with fundamental rights. Myria also acts as Independent National Rapporteur on Trafficking in Human Beings.

Finally, FLANHRI and Unia have "trusted flagger" status under the Digital Services Act (DSA). The Institute for the equality of women and men is in the process of being recognized as a trusted flagger under the DSA Act. The Institute for equality for women and men is in process of analysis and negotiations linked to the new mandates imposed on them by various directives. This includes, e.g., the following directives: the Equality Bodies Directive, the Pay Transparency Directive, the Women on Boards Directive, and the Gender-Related Violence Directive.

The Combat Poverty, Insecurity and Social Exclusion Service monitors social and economic rights. The statutory mandate of the CTRG-CCSP is the independent supervision of prisons, the treatment of detainees, and compliance with the regulations concerning them.

Challenges in implementing the multiple mandates of the NHRI

General

The Belgian institutional landscape is complex, with different levels of authority each having exclusive powers. There is no hierarchy between the different levels and multiple equality bodies and human rights institutions exist. A number of national and independent institutions are discussing a potential collaboration mechanism and protocol, which could serve as legal basis for the recognition as a NHRI with A-status. Since several years, the various governments within Belgium have announced that the interrelationship between these institutions would be organized through a formal, inter-federal cooperation agreement, but there is no ongoing initiative for such formal cooperation agreement.

NPM

The NPM, established in 2024 at the federal level within FIRM-IFDH, whose mission is carried out in close collaboration with specialized institutions such as CTRG-CCSP, Myria and the Standing Police Monitoring Committee, is insufficiently funded to carry out its tasks. Given its mandate as an independent CRPD mechanism and its expertise in monitoring places of internment, Unia should be able to be involved in the MNP.

FIRM-IFDH

Decisions by the federal Parliament (Finance Committee) to introduce a hiring freeze in 2026 and to maintain a recruitment stop from 2027 to 2029 for all institutions funded by Parliament limit FIRM-IFDH’s ability to recruit additional staff. Although FIRM-IFDH understands the contemporary budgetary constraints, it remains important that adequate resources be ensured for both FIRM-IFDH as a whole and for its NPM mandate in particular. Also, with regard to the expansion of FIRM-IFDH’s mandate concerning support for whistleblowers and, potentially, for victims of SLAPP, it remains important that any new mandate or any expansion of an existing mandate be accompanied by the allocation of sufficient additional resources.

CTRG-CCSP

Decisions by the federal Parliament (Finance Committee) to introduce a hiring freeze in 2026 and to maintain a recruitment stop from 2027 to 2029 for all institutions funded by Parliament limit CTRG-CCSP’s ability to recruit additional staff, notwithstanding the increasing number of prisons or detention houses to be supervised, and the persistent rise in workload related to the handling of detainees' complaints.

IGVM-IEFH

In its memorandum, the Institute for the equality of women and men referred

to the need for sufficient resources to meet the new mandates it must fulfill within the framework of the transposition of the new European directives and acts. Furthermore, the Institute for the equality of women and men also referred to the evolving society that presents new challenges. In this regard, the Institute refers not only to digitalization and the new European commitments associated with it (IA and DSA Acts), but also to the growing anti-gender movement. The Institute for the equality of women and men plays a vital role in promoting gender equality within Belgium and Belgian policy. Since the Institute for the equality of women and men is intertwined with developments in gender equality, it also faces the challenges described above.

The Institute for the equality of women and men has and will continue to request the government to effectively implement the Equality Bodies Directive and other European directives and acts with sufficient mandates and resources.

Unia

To date, no additional funding has been allocated for the two new mandates and/or powers as a DSA Trusted flagger and under art. 77 AI Act.

Furthermore, the effective reduction in Unia's budget from 2025 onwards has forced Unia to reduce its workforce, even though the tasks, mandates and workload are the same or greater than before (for example, the number of opinions and recommendations issued by Unia has risen sharply in one year: 18 in 2024, 31 in 2025).

The needs and type of support required to strengthen the NHRI in addressing these needs

IGVM-IEFH states that support from different stakeholders and targeted recommendations to the government regarding these requests are an added value that should not be underestimated.

NHRI structural challenges, threats and resilience

Structural challenges in the last year

NPM

As mentioned higher, decisions by the federal Parliament (Finance Committee) to introduce a hiring freeze in 2026 and to maintain a recruitment stop from 2027 to 2029 limit the organisations’ ability to recruit additional staff. Although the budgetary constraints in the current context are understandable (in view of the general economic situation), it remains important that adequate resources be ensured. This is especially important for the NPM, given its recent creation and the constraints of its initial budget. Because of these financial limitations,

the current NPM team within all institutions involved remains limited and cannot conduct preventive visits to places of deprivation of liberty at the frequency required under OPCAT. Moreover, the execution of NPM's other mandates - including its advisory function on relevant existing and future legislation and its role in raising public awareness - will also be significantly limited.

FIRM-IFDH - insufficient or inadequate resources

As mentioned, as regards the expansion of FIRM-IFDH's mandate concerning support for whistleblowers and, potentially, for victims of SLAPP, it remains important that any new mandate or any expansion of an existing mandate be accompanied by the allocation of sufficient additional resources.

In this context, the institution faces challenges in implementing its multiple mandates (including, as described higher, the NPM). Ensuring sustainable staffing and financial support is therefore a key institutional need.

FIRM-IFDH - lack of adequate follow-up to NHRI recommendations

As regards follow-up to recommendations, the following can be noted: FIRM-IFDH regularly issues recommendations, using several different formats to do so. Through its advisory opinions, it formulates recommendations to the government and parliament during legislative processes. These recommendations are sometimes incorporated, though not always, and they help shape and inform the broader debate surrounding the development of legislation. FIRM-IFDH also engages in regular consultations with policymakers and regularly presents its reports and accompanying recommendations in Parliament.

CTRG-CCSP

The institution reports having issues with the lack of adequate follow up to NHRI recommendations and insufficient or inadequate resources.

IGVM-IEFH

The Institute for the equality of women and men is facing budget cuts, despite new mandates and additional tasks. The government also announced an audit of the Institute for equality for women and men.

Unia

Unia reports facing a lack of adequate follow up to NHRI recommendations, structural challenges with financial autonomy, including budget determination processes and insufficient or inadequate resources.

Unia has lost 1 million euro from its 2025 budget and also for the coming years

(structural reduction) and onwards budget. Since the decision in the federal government agreement to reduce Unia's budget by 25%, Unia has been experiencing constant uncertainty about its budget (and cooperation agreement, which is currently being revised, probably for 2026). Although Unia would like to see the creation of an A-status NHRI in Belgium, it regrets the constant uncertainty surrounding the future of the human rights institutional landscape and its relationship with other institutions.

FLANHRI - lack of adequate follow-up to NHRI recommendations

In cases of alleged discrimination, individuals can file a complaint with FLANHRI, following initial assistance. Individual complaints may undergo mediation between parties, and if mediation proves unsuccessful or impossible, the Litigation Chamber can render a non-binding judgement. In 2025, FLANHRI received signals that a number of recommendations would not receive proper follow-up, some involving public actors such as provinces.

FLANHRI - structural challenges with financial autonomy, including in budget determination processes

FLANHRI's budget is currently approved on an annual basis by the Flemish Parliament, thereby constraining the organisation to short planning cycles. To ensure an effective and sustainable fulfilment of its mandate, it is essential that FLANHRI be provided with a multiyear budget framework, enabling long-term planning and greater stability and independence.

Combat Poverty, Insecurity and Social Exclusion Service - insufficient or inadequate resources

The budget of the Combat Poverty Service is laid down in the cooperation agreement concerning the continuation of the Poverty Reduction Policy (1999). However, this budget is no longer sufficient to finance a core staff and core operations. Additional funding is sought and requested annually, but this does not guarantee structural financial stability.

Threats in the last year

IGVM-IEFH - audit

Besides the aforementioned challenges and budget cuts, the federal government agreement announced an audit of the Institute for the equality of women and men. It may also be considered in line with the announced simplification of the landscape, as the audit was mentioned in a paragraph regarding the expansion of maximum cooperation with human rights institutions. The concrete execution, scope, and implementation of these decisions have still not been finalized and communicated, nor is the possibility of officially consulting the institution regarding the implementation of this audit

clear. The impact of this decision on the potential financial stability and the execution of its tasks is also still unclear.

The Institute for the equality of women and men is operating in an environment with an increasing gender backlash, including verbal attacks.

Unia

Unia reports having faced verbal attacks against the institution, Head and/or staff. As an example, the chairman of VOKA OVL, a federation of employers, described Unia as 'madmen'.

Response to threats seeking to undermine the independence and effectiveness of NHRIs

IGVM-IEFH

Monitoring the implementation of these threats and movements, including the possible functioning of the institutions, their powers, mandates, resources (personnel, technical, and financial resources, as well as infrastructure), and the possibility of international watchdogs carrying out their mandates, is essential. The Institute for the equality of women and men explicitly calls for strengthening the legal basis of the institution to legally address certain challenges. For example, the Institute for the equality of women and men requests Gender Act be supplemented to better align it with the challenges facing society, as well as the implementation of a coordinated policy to combat sexism and the adaptation of its legal framework.

Unia

Some parliamentarians, academics, politicians from the current governments and civil society have shown their support for Unia by protesting against the verbal attacks and budget cuts. Following the budget cuts, Unia was heard by the Brussels Parliament and supported by the Minister for Equal Opportunities of the Walloon Region and the French Community. Unia has been awarded a doctorate honoris causa by UCLouvain Saint-Louis Brussels in October 2025.

Actions to strengthen NHRIs' resilience

FIRM-IFDH

FIRM-IFDH has increased its resilience through the development of partnerships with other institutions, including through its active participation in regular inter-institutional dialogue with other human rights institutions (the 'human rights platform' [mensenrechtenplatform; plateforme des droits humains] which gathers once a month). It also continues to diversity its mission and continues to pursue inter-federalisation, both of which it believes will further support and strengthen its resilience.

IGVM-IEFH

The Institute for the equality of women and men is strongly committed to strengthening, developing, and institutionalizing partnerships with various stakeholders. This includes fellow human rights institutions, social partners, relevant public, private, and civil society organizations, civil society organizations, inspectorates, judicial authorities, etc., at the national, European, and international levels.

In the context of the recent and new strategic multi-year plan, special attention has been and continues to be paid to actions in response to threats and new challenges such as emerging anti-gender movements, polarization, disinformation, digitalization, and pushback on gender equality. For example, in a new study, the Institute for the equality of women and men is exploring the opinions and experiences of sexism among Belgians with a view to strengthening its policies and recommendations: Devenons-nous plus ou moins sexistes ? L'Institut pour l'égalité des femmes et des hommes lance une nouvelle enquête | Institut pour l'égalité des femmes et des hommes

Combat Poverty, Insecurity and Social Exclusion Service

The Combat Poverty Service invests in collaboration with other institutions and organizations, within the various entities (federal and regional), and also with other human rights institutions. In doing so, it always strives to fulfill its mission of involving grassroot organizations and stakeholder.

NHRIs' recommendations to national authorities and regional authorities

FIRM-IFDH

FIRM-IFDH recommends that the federal government and federated entities work on a cooperation agreement to expand FIRM-IFDH's mandate to include matters falling under the competences of the communities and regions (with the exception of matters under the jurisdiction of the Flemish Region and the Flemish Community, for which the Flemish Human Rights Institute is responsible).

In parallel, the governments should expand FIRM-IFDH's NPM mandate (OPCAT) to cover places of deprivation of liberty under the competences of the relevant communities and regions.

Additional mandates and the extension of existing ones should receive sufficient funding.

IGVM-IEFH

In this context, the Institute for equality of women and men strives for effective and efficient implementation of the directives, and particularly the Equality Bodies Directive, which clearly demonstrates the importance and necessity of a clearly defined independent institution in the context of gender discrimination, which is structurally anchored in the human rights landscape.

FLANHRI

FLANHRI recommends implementing the proposals from the advisory report on the preliminary draft decree amending the decree of 10 July 2008 establishing a framework for Flemish equal opportunities and equal treatment policy and the decree of 28 October 2022 establishing a Flemish Human Rights Institute.

These are amongst others:

- To extend the 30-day period within which FLANHRI must provide advice in the legislative process.
- To not include the planned additional inadmissibility requirement for the Litigation Chamber.
- Additional budget and human resources, given that various extensions to FLANHRI's powers are envisaged.

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Human rights defenders and civil society space

Challenges for human rights defenders and restrictions to civil society space

Assessment of the situation of HRDs and their enabling environment

FIRM-IFDH

Since 2021, the CIVICUS Monitor has described civic space in Belgium as "narrowed". In line with these findings and as part of its mandate, FIRM-IFDH has been conducting research since 2022 on the quality of civic space in Belgium. For the first cycle of this study, 159 organisations responded to the questionnaire. Overall, the findings suggest that the conditions under which Belgian organisations and public institutions defend human rights are relatively good. However, most of them (55%) face harassment and intimidation, and many believe that the overall situation deteriorated between 2020 and 2022.

In 2025, FIRM-IFDH continued a new cycle of the research on the quality of civic space in Belgium by giving a voice to academics, artists, and journalists engaged in the promotion and defence of human rights. A total of 1433 academics, 390 artists, and 408 journalists responded to the questionnaire. Based on the interim analysis of these results, most respondents report being generally satisfied with artistic freedom, academic freedom, and press freedom in Belgium. However, it should be noted that a large part of the respondents in each target group observe a deterioration of the situation over the past five years.

The three negative experiences most frequently reported by the three target groups are disinformation campaigns, threats, and insults. A further in-depth analysis of the results will be published in the coming year.

In September 2025, FIRM-IFDH issued a negative advisory opinion on a draft law proposed by the Minister of the Interior. The law would authorize the government to ban associations, businesses, and *de facto* groups deemed extremist or radical and dangerous by the government, following an assessment by its security services. The law would enable the government to prohibit public activities, ban certain symbols and slogans, close locations, freeze assets, and in some cases dissolve legal entities. FIRM-IFDH identified serious human rights concerns:

- lack of clarity and vague key concepts violating the principle of legality
- disproportionate restrictions on freedom of association and expression
- excessive reliance on administrative law for matters already covered by criminal law
- unconstitutional preventive restrictions on freedom of association (prohibiting recreation of banned organizations)
- violations of procedural rights including the right to a fair trial and effective remedy.

FIRM-IFDH argued that such important and intrusive decisions entail a serious risk of human rights violations and cannot be left to the executive without any intervention of the courts and without any procedural safeguards.

In November 2025, FIRM-IFDH published its first Biannual evaluation report on the implementation of federal whistleblower legislation. It provides an in-depth

analysis of whistleblowers' pathways, psychosocial impacts, and the legal framework, and also presents statistics and FIRM-IFDH's work. The report formulates 53 recommendations. While overall protection at the federal level is considered strong – particularly due to the existence of extrajudicial protection measures and extensive support mechanisms – the system remains overly complex and uneven, with differing scopes of application across laws and significant procedural uncertainty. FIRM-IFDH moreover pointed out the inconsistencies in protection and support to whistleblowers between the federal and regional legislation in Belgium. Legislative and practical adjustments are therefore deemed necessary.

Finally, ENNHRI 2024 and 2025 Rule of Law Report both noted an increase in *ex parte* petitions and penalties, placing the right to strike under pressure. Emergency unilateral proceedings against trade unions are used by employers to restrict the right to strike without giving the opportunity to the strikers and the trade unions that support them to defend themselves before the court. Those petitions were deemed to be a violation of the right to strike in the 2011 decision of the European Committee of Social Rights *F.G.T.B, C.S.C. and C.G.S.L.B. v. Belgium*. Despite this decision, unilateral proceedings kept being favourably received by Belgian labour tribunals. Their use reached a high point in 2023, in the context of several large-scale labour disputes. In 2024, the Constitutional Court found the legitimate use of the right to strike did not constitute a cause of absolute necessity that justified the use of emergency unilateral applications to forbid picketing. The Court found that the "ordinary" emergency procedures – which allow the defendant to be represented – were already sufficient to cover the situations brought to its attention, such as the need to restore access to a picketed store. However, a little more than a month after this decision of the Constitutional Court, the Gent Labour Court found that one of the retail chains had been justified in using the emergency unilateral procedure against the trade unions, arguing that the strike actions had been a threat to the store's property right. In 2025, to the knowledge of FIRM-IFDH, no new decision were issued based on an emergency unilateral application to prohibit a strike. However, a law proposal was introduced in Parliament in order to allow emergency unilateral applications against strikers, in order to safeguard the "right to work". FIRM-IFDH issued a negative advisory opinion on this law proposal, following a request from Parliament.

IGVM-IEFH

In the context of the new government's appointment, the Institute for the equality of women and men has specifically requested, also in accordance with international recommendations on the matter, the necessary strengthening of funding and support for civil society organizations. More specifically:

1. Support for umbrella organizations that promote gender equality and those that defend the interests of trans and intersex people by

amending the relevant royal decree and providing the necessary budgets;
2. Indexing of the funding established by the royal decree on the award of annual subsidies to associations that advocate for gender equality;
3. Advocate for more resources: the Institute for the equality of women and men needs to coordinate cooperation with civil society organizations.

FLANHRI

Flanders traditionally benefits from an active, diverse and well-established civil society sector that plays a central role in democratic participation, social cohesion and the protection and promotion of human rights. Over the past year, however, several policy developments have raised concerns regarding a potential narrowing of civic space. Without being exhaustive, FLANHRI would like to point towards three developments:

- In December 2025, an amendment to the Flemish Public Finance Codex introduced a provision excluding any legal costs directly or indirectly related to administrative or judicial procedures initiated against the Flemish authorities as subsidized costs. This measure, effective as of 1 January 2026 (article 75/1), may have a deterrent effect on organisations engaging in strategic litigation or oversight of public decision making. It risks limiting CSOs' and HRDs' access to justice mechanisms and reducing their ability to challenge potential human rights violations.
- In October 2025, the Flemish Government approved an Action Plan for the Prevention of Violent Radicalisation, Extremism and Terrorism. The plan proposes to introduce a binding clause in the Flemish Public Finance Codex enabling authorities to refuse, suspend or withdraw subsidies for organisations suspected of involvement in, or support for, violent extremism. Already when involvement is suspected, the minister can immediately suspend the subsidy pending further verification.
- In 2025, several sociocultural organisations experienced reductions or withdrawals of operational subsidies, despite a positive evaluation by an independent assessment commission. The recognition of organizations is strongly linked to political decision-making power: the Flemish Government decides on the operating subsidy for the next policy period for socio-cultural adult organizations, based on article 30 of the decree. Statements in Parliament by the competent minister indicated that these decisions resulted from political compromise.

Structural challenges for CSOs and HRDs

FIRM-IFDH - lack of adequate funding for CSOs and HRDs

Based on the results of the first cycle of the *Defend the Defenders* research, nearly half of the participating organisations (47%) consider that their financial situation (seriously) deteriorated between 2020 and 2022. For 20% of organisations, this negative perception may be explained by repeated experiences of threats to, or actual reductions in, their current or future funding and/or uncertainty about access to such funding.

The findings indicate that participating organisations perceive a form of financial pressure, as a result of political interventions of government bodies (federal, regional, or local) that affect the sustainability and predictability of funding of civil society. through the adoption of legislative and other regulations.

Based on the results of the second cycle of research, academics (38%), journalists (53%), and a large majority of artists (87%) report concerns about their financial situation.

FIRM-IFDH - laws and/or policies which negatively impact on right to association or assembly and to protest

Although demonstrations occur on a daily basis in Belgium – mostly without any problems -, human rights violations of participants of peaceful assemblies have been observed in 2025. On 14 March 2025, the Brussels Civil First Instance Tribunal found that the Belgian State, the Brussels mayor and the local police had committed a violation by illegal use of the kettling technique (encircling protesters to prevent them from moving), illegal use of handcuffs, illegal arrest of demonstrators and even passers-by including minors in Brussels in 2021. The Court decision found also an inhuman and degrading treatment in verbal and physical violence and the detention conditions at the police premises. Referring to ECtHR case-law Auray v. France, the judgment held that there is no clear legal basis in the Belgian law to use the kettling technique. The Brussels mayor stated to the press that this kettling technique would be ‘assessed according to the circumstances and could be used again’. The use of this illegal technique was subsequently reported by the media, for example during the trade-union demonstration on 14 October 2025.

In 2025, CSOs and journalists associations have reported intimidation or arrests of citizens or journalists filming the police during demonstrations, including allegations of assaults of a journalist filming the dispersal of a pro-Palestine protest in Brussels on 2 October 2025. According to the CJEU (Buivids), and the ECtHR (Steel et Morris v. UK), protection for journalistic activities must also apply to persons who are not professional journalists and who disseminate information of general interest to the public. The narrowly phrased exception for journalistic purpose in the 2018 Belgian Act on personal data therefore appears to be contrary to EU law and has not been modified as recommended by FIRM-IFDH since 2024. Reports have been made of

citizens receiving municipal administrative sanctions for having peacefully filmed police interventions, based on local regulations sanctioning the lack of respect for a police injunction.

Strict authorisation procedures and the application of municipal administrative sanctions to participants still contribute to the weakening of the right to protest in Belgium in 2025, as reported by different actors including Amnesty international in a comprehensive report (see also the annual report 2024 by FIRM-IFDH). These regulations carry a high risk of human rights violations as it allows the punishment of individuals exercising their fundamental rights without resorting to violence or disturbing public order. Individuals who have participated peacefully in trade union or political demonstrations have been subjected to municipal administrative sanctions solely because these demonstrations had not been explicitly authorised by the municipality. In October 2025, the police tribunal of Antwerp observed that some individuals were punished by the municipality, despite no disturbance to public order, for peacefully expressing a political message in support of Palestine that the authorities wrongly deemed unauthorised.

According to a research published in 2025 commissioned by Unia the “disparity in police and administrative responses based on the political content of demonstrations (…) suggests that [municipal administrative sanctions] may be used as a tool of political deterrence, contributing to the targeted repression of certain social movements perceived as more disruptive or confrontational.”

FIRM-IFDH - excessive administrative controls or audits

Nearly one in ten organisations who replied to the questionnaire of FIRM-IFDH’s research on human rights defenders report that they have been disproportionately controlled by an (official) administrative body after communicating openly on a sensitive and controversial subject or carrying out a contested action.

IGVM-IEFH

In terms of structural challenges, IGVM-IEFH cites the lack of adequate funding for CSOs and HRDs and excessive administrative controls or audits and others as detailed below.

CSOs and HRDs are threatend by multiple new challenges such as emerging anti-gender movements, polarization, disinformation, digitalization, and pushback on gender equality. In a new study, the Institute for the equality of women and men is exploring the experiences of sexism among Belgians with a view to strengthening its policies and recommendations: Devenons-nous plus ou moins sexistes ? L’Institut pour l’égalité des femmes et des hommes lance une nouvelle enquête | Institut pour l'égalité des femmes et des hommes.

Unia

In terms of structural challenges, Unia cites the lack of adequate funding for CSOs and HRDs and laws and/or policies which negatively impact on right to association or assembly and to protest as particularly prevalent.

More and more associations active in the fight against racism are denouncing the reduction in their funding and recent changes to subsidy rules implemented by certain governments in Belgium. These changes are increasingly excluding associations from stable funding. These organisations are being forced to lay off staff, work on their own funds when available, and rely on volunteers to continue their work. For example, read this article.

FLANHRI

FLANHRI cites the lack of adequate funding for CSOs and HRDs, explicit barrier to access to funding – i.e. laws and/or policies which negatively impact on right to association or assembly and to protest as structural challenges affecting civil society organisations and human rights defenders.

Combat Poverty, Insecurity and Social Exclusion Service

The Combat Poverty Service would like to point out that various field organizations active in the fight against poverty are being confronted with cuts to their budgets. This obviously has an impact on their operations, as well as on access to rights for those who wish to turn to these organizations. At the same time, this goes hand in hand with a discourse by certain policy actors and in broader society, in which people receiving benefits are viewed in a stigmatizing and accusatory way, which runs counter to a human rights–based approach.

Threats to CSOs and HRDs

FIRM-IFDH - verbal attacks on CSOs and/or HRDs

FIRM-IFDH has carried out research into the quality of civic space and the threats and pressures faced by civil society organisations. 159 organisations responded to its questionnaire, a majority of whom (55%) said they had experienced at least one form of intimidation and aggression between 2020 and 2022. These attacks could take several forms including:

- legal intimidation (24%);
- negative media campaigns (22%);
- online attacks on their digital infrastructure (19%);
- political sanctions (17%);
- destruction of material goods belonging to employees or to the organisation itself (12%);
- regular verbal attacks (11%);
- physical attacks (such as being slapped or pushed) (10%);

- and illegitimate acts of violence committed by members of the police (such as unjustified arrests, use of force disproportionate to the type of action taken) (5%).

Based on the preliminary results of the second *Defend the Defenders* research cycle, it appears that a large part of the three target groups (journalists, artists and academics) has experienced, at least once over the past two years some or all of the following: insults/verbal abuses; disinformation campaigns and threats. Many artists and journalists also reported that they have experienced censorship on social media, at least once over the past two years.

According to the participants in the survey, across the three groups, the general public is a significant source of threats and pressures. Artists and academics reported a strong institutional pressure from one or more colleagues or employer/institution. The journalists reported also that these negative experiences were carried out, to a lesser extent, by Belgian political decision-makers or pressure groups/activist organisations.

FIRM-IFDH's study on the threats faced by civil society organisations defending human rights also show that (actual or assumed) personal characteristics – such as gender, sex, sexual orientation and physical appearance – are often the target of online and offline verbal aggression against human rights defenders. This is specifically the case where individual employees are targeted, as reported by four out of every ten participating organisations. Employees working for organisations that defend women's rights and/or LGBTQIA+ rights are (much) more likely to be confronted with misogynistic and/or transphobic comments.

In FIRM-IFDH's research on the situation of human rights defenders in Belgium (covering the timespan between 2020-2022), 8% of the organisations surveyed reported online bullying against employees. Online verbal attacks, which are initially directed at organisations, increasingly target employees, mainly via social networks. Staff members are repeatedly confronted with hate messages and insults, often in the form of online trolls. These are presumably members of the public but may also be members of extremist political parties who have organised to take coordinated online action.

More than 1 in 3 of the surveyed organisations reported offline verbal attacks. These may take the form of recurring and even threatening phone calls. Negative and threatening speeches – in which, for example, the raison d'être of organisations is publicly questioned – are sometimes made by politicians during parliamentary debates.

The perpetrators of those threats and intimidation attempts have a diverse profile. Threats to individuals mostly appear to come from members of the general public. Organisations (as legal entities) tend to be targeted by actors from political circles.

The area of human rights defended by the organisations influences their experiences of pressure and threats. Those working on 1) racism, migrants and refugees and/or 2) LGBTQIA+ are most often targeted, particularly by verbal attacks. They are also more likely to be threatened, particularly by politicians. These threats take the form, for example, of proposals to defund the organisation in question in policy papers; the making and relaying of threats against them via the press and other media; or disproportionate and unforeseen monitoring of activities (by a public service responsible for employment or social security, for example).

FIRM-IFDH also cites physical attacks on CSOs and/or HRDs, negative narratives of civil society and/or HRDs by public authorities, online threats or harassment, intimidation, harassment or violence before, during or after protests as threats affecting CSOs and HRDs.

FIRM-IFDH - surveillance by state actors

In FIRM-IFDH's research on the situation of human rights defenders in Belgium (covering the timespan between 2020-2022), 6% of the organisations surveyed suspected having been kept under surveillance by state actors, either by Belgian or foreign governments. Organisations report suspecting they were being targeted because the organisation's actions were sometimes prevented due to pressure from representatives of foreign governments, even though no communication on the action had yet been made; or because they were the subject of verbal attacks based on such personal data (about members of their family, for example, or private experiences) that only a secret service could discover. In addition, several organisations reported they have discovered that the phones of some members of the organisation had been put under surveillance using Pegasus spyware.

FIRM-IFDH - Strategic lawsuits against public participation (SLAPPs)

According to the respondents of the survey, threats or legal and/or administrative intimidation occur occasionally and more often against staff members than against organisations (±15% compared to ±10%). At least 5% of organisations report that they have been the subject of (threats of) legal proceedings ('SLAPP') from natural or legal persons, organisations and/or public authorities who have initiated (or threatened to initiate) proceedings against them (such as claims for damages, criminal charges, injunctions, administrative actions or fines and tax complaints).

FIRM-IFDH - Cases of transnational repression

FIRM-IFDH's study on human rights defenders highlighted that 6% of the participating organisations had suspected surveillance by national or foreign security services in 2021-2022. A situation of physical aggression committed by representatives of a non-European state during a demonstration in Belgium

to denounce violations committed by the leaders of that state was also reported by one of the participating organisations active abroad.

FIRM-IFDH - Promotion and protection of journalism and safety of journalists

A 2025 study by Lamot, Beckers & Van Aelst confirms the problem of violence against political journalists (the object of this particular study). The research showed that they face substantial risks, especially in a digital context. The research pointed also at politicians as both direct aggressors (14%) or at least catalysts for public violence towards journalists. While this does not ostensibly lead to journalists not reporting on sensitive topics, the study did find evidence that some journalists practice self-censorship. Also “significant psychological toll” and “considerable stress” were noted.

Moreover, several alerts were made to the Council of Europe’s Platform to promote the protection of journalism and safety of journalists in 2025, including:

- An alert regarding a journalist of ZIN TV who was violently arrested in Brussels while reporting on 13 November 2024. The French Association of Professional Journalists (AJP) also voiced its concern about the incident.
- An alert related to the police raid on the premises of Kurdish-language television channels Stêrk TV and Medya Haber (Medya News) in the night of 22 to 23 April 2025. This raid was organized in the context of a European Investigation Order into terrorist financing. The Flemish Association of Journalists (VVJ) condemned the intimidation that accompanied the raid and called for clarification.
- An alert related to the arrest and subsequent custody of two journalists working for a French media outlet and covering a civil disobedience action in Antwerp on 26 October 2024.
- An alert related to the prosecution of a journalist for an investigation into the intimidation, sexist behaviour and bullying of a former mayor of the Belgian town of Andenne. The former mayor initiated legal procedures against the journalist, followed by the Andenne city council. The case was dismissed in February 2026 and the journalist was awarded 4000 euros as a contribution to legal costs.
- An alert related to the administrative detention of a journalist in Brussels who was covering a civil disobedience action.
- An alert related to the attack on 27 October 2025 of a local news crew in Brussels by unidentified individuals.
- An alert related to letter of formal notice served on 31 July 2025 by the president of Belgium's leading French-speaking party, to the owner of a political news Instagram account.
- An alert related to a threat regarding the physical safety of an RTBF journalist by the same president of Belgium’s leading French-speaking

party.
- An alert related to the targeting of two exiled Congolese journalists, including a physical assault on one of them in August 2025.
- An alert related to the assault by police of a journalist covering a protest in Brussels.

IGVM-IEFH

The Institute for the equality of women and men cites physical attacks on CSOs and/or HRDs, negative narratives of civil society and/or HRDs by public authorities, online threats or harassment, intimidation, harassment or violence before, during or after protests as threats to CSOs and HRDs.

The Institute for the equality of women and men would like to point out the rising trend of sexism and digital violence (including hate speech) against female HRD, journalists, and politicians. The Institute would like to refer to the research the Institute for the equality of women and men commissioned, among other things: **Étude relative au sexisme durant la période électorale de juin 2024 en Belgique**. The survey shows that sexism during elections, especially online, disproportionately affects female candidates through negative comments, remarks about appearance, and intimidation. This leads to a "chilling effect" (self-censorship), where women alter their behavior, clothing, and topics, harming their political engagement and democratic representation. It can even lead to them no longer wanting to engage in politics or leaving politics prematurely, which is a major problem for democracy in the long run. It forms as well as a deterrent to new female candidates, making it difficult for women to participate in politics.

The Institute for the equality of women and men calls for more policy and legal measures to better combat sexism and hate speech.

FLANHRI

FLANHRI received several complaints from CSOs, and also picked up additional signals through their general human rights monitoring and from the civil society working group regarding the Flemish Action Plan for the Prevention of Violent Radicalisation, Extremism and Terrorism from the Flemish Government. The proposed measures allow the competent minister, based solely on suspicion of involvement and without prior judicial review, to suspend funding. This raises serious human rights concerns related to legal certainty, transparency, procedural safeguards, and proportionality. CSOs are concerned that access to funding may become dependent on political assessment, potentially creating a chilling effect that undermines their autonomy and capacity to operate critically and independently.

National frameworks to support and protect human

rights defenders and civil society organisations

Gaps in the protection of HRDs nationally

FIRM-IFDH

In 2024, FIRM-IFDH published a research report on the protection of HRDs in Belgium. A majority of the consulted human rights organisations had recently faced pressure and intimidation. Many indicated that the situation as a whole had deteriorated over the past two years. More protection for the civic space and HRDs is needed. The most important gaps in the protection of HRDs are as follows:

- Several human rights organisations reported having experienced difficulties in obtaining a local permit to organise demonstrations. Many local police regulations prohibit demonstrations except with the mayor's prior consent.
- A large proportion of the organisations considers that their financial situation deteriorated (sharply) between 2020 and 2022. In addition, they indicated that they were regularly subjected to financial intimidation, such as threats from certain political actors, or had seen their subsidies reduced, which contributed to their negative perception of their financial situation.
- Human rights organisations reported to have repeatedly been faced with problems taking part in the political decision-making process.
- More than half of the human rights organisations surveyed reported that they had been subjected to intimidation or aggression during 2020-2022, both online and offline.
- Organisations reported they had sometimes been exposed to legal threats designed to hamper their participation in the public debate.
- The study shows that many organisations – especially smaller NGOs and de facto associations - do not have any formal mechanisms in place to help their staff deal with the impact of intimidation and aggression. Nevertheless, many organisations do offer in-house support. Because of the high cost of external support programmes, organisations with limited budgets rarely avail of them.
- Human rights organisations indicated that they are in need of structural mechanisms, where they can share knowledge, resources, and strategies to tackle external threats.

FIRM-IFDH's research report on human rights defenders in Belgium found that nearly four surveyed organisations in ten reported that the incidents against members of staff were perpetrated with explicit reference to their gender or sex, especially in organisations that defend the human rights of women and the LGBTQI+-community. Amongst staff members, women, and especially women of colour, Muslim women and queer women, were found to be targeted in a disproportionate, aggressive and orchestrated manner. Any measure taken

to better protect HRDs in Belgium should take this gendered reality into account.

Activities of NHRIs to support civil society space and human rights defenders

NHRI initiatives in 2025 to promote civil society space and human rights defenders

FIRM-IFDH - promotion and/or communication campaigns

Every year, FIRM-IFDH sets up a campaign to raise awareness on human rights. This year's campaign focussed on the importance of human rights in our everyday lives. Furthermore, FIRM-IFDH regularly communicates on the importance of civil society and human rights defenders. For example, FIRM-IFDH presented its report on the rule of law in Belgium in the federal parliament and also reached out to the press. An interview with FIRM-IFDH's director was aired on several widely listened-to radio programs and on the radio news. The report was also mentioned in several newspapers. In addition, the negative advisory opinion issued by FIRM-IFDH on the above-mentioned legal proposal to allow government to ban alleged radical organisations received widespread coverage in the media as well.

FIRM-IFDH - joint meetings and/or roundtables

As part of the Defend the Defenders research, focus groups were conducted to explore key themes and major challenges in greater depth. These discussions provide an indirect space to address the (external) threats faced by HRDs and CSOs and to reflect on ways to respond to them.

FIRM-IFDH also took part in several events dedicated to this subject matter, including the NHRI Academy 2025 focused on supporting National Human Rights Institutions (NHRIs) to use their mandates for the protection of fellow human rights defenders (June 2025). FIRM-IFDH also was a member of an advisory group aimed at supporting a study on safeguarding civil space for a vital democracy, conducted by a consortium of Belgian universities. Finally, FIRM-FIDH shared its views and concerns on these topics during widely attended panel debates with civil society actors (e.g. Festival of equality in Ghent in December 2025, Facts to Act Festival of the Hannah Arendt Institute in Mechelen in November 2025).

IGVM-IEFH - awarding of structural grants and collaboration with CSOs

The Institute for the equality of women and men awards structural grants to associations that promote gender equality, with the aim of strengthening democratic debate and advocacy. For the 2024-2028 period, 15 key associations have been selected, which, in collaboration with over 70 other

organizations, address themes such as migration, justice, health, and socio-economic independence. Collaboration with civil society is a key element in the Institute for the equality of women and men's operations and implementation of its missions.

IGVM-IEFH - joint meetings and/or roundtables

The Institute for equality for women and men regularly organizes round tables within the framework of its own strategic and operational policy and consults with NGOs in order to prepare policies such as National Action Plans (LGBTQI/GBV) or specific policy recommendations (such as the recent inspiration day on safety in public spaces: Après-midi d'inspiration | (In)sécurité dans l'espace public : une question de genre ? | Institut pour l'égalité des femmes et des hommes Study day on trans in Belgium: https://igvm-iefh.belgium.be/fr/actualites/journee-detude-trans-en-belgique. The Institute for the equality of women and men also provides legal support in matters of sexism with regard to HRD.

The Institute for the equality of women and men also organizes training for national authorities.

Unia

In terms of capacity building, Unia has organised training courses to LGBTQ+ federation Prisme (maisons arc-en ciel) and training courses to regional integration centers. Unia has also participated and supported the first Limburg Pride.

Unia also organised training courses to the civil society, on digital inequalities, among other topics and training courses for the local authorities.

FLANHRI - joint meetings and/or roundtables

FLANHRI systematically involves civil society representatives and people with lived experience in its work, ensuring their expertise directly informs FLANHRI’s annual planning, reporting processes, and strategic priorities.

FLANHRI established, in 2025, a permanent *Werkgroep Middenveld* (Civil Society Working Group) as a structured platform for dialogue between FLANHRI and a broad spectrum of human rights and antidiscrimination organisations. This working group has an explicit advisory role and ensures that civil society expertise is integrated into FLANHRI’s annual planning, reporting and strategic priorities. In its plenary capacity, it meets at least twice a year and brings together organisations active on general human rights, specific discrimination grounds, and thematic expertise. The establishment of (broader) thematic working groups is also possible. Through this structure, CSOs can directly influence FLANHRI’s priorities, share early warning signals, and collaborate on

strengthening human rights protection.

In line with the UN Convention on the Rights of Persons with Disabilities (CRPD), FLANHRI established the *Klankbordgroep Handicap* (Disability Advisory Group). This group consists of people with disabilities and representative organisations and plays an essential role in advising us on priorities, monitoring, and the implementation of disabilityrelated rights. The group meets multiple times per year and offers structured input for year plans, evaluations, monitoring exercises, and policy advice. By institutionalising this participatory mechanism, FLANHRI ensures that disability rights defenders and organisations are meaningfully involved in all stages of FLANHRI's work. The group meets multiple times per year and offers structured input for year plans, evaluations, monitoring exercises, and policy advice. By institutionalising this participatory mechanism, FLANHRI ensures that disability rights defenders and organisations are meaningfully involved in all stages of our work.

FLANHRI - training for national authorities

Additionally, FLANHRI provides training courses on discrimination law to local authorities.

NHRI actions to protect civil society space and human rights defenders (HRDs)

FIRM-IFDH - monitoring

As mentioned above, FIRM-IFDH conducts research into issues relating to the quality of civic space and the pressure and intimidation experienced by human rights defenders. It ensures that its studies complement those undertaken by other observers, whether they come from other public institutions or from civil society. FIRM-IFDH also formulates recommendations aimed at HRDs and policy makers and follows up on them.

FIRM-IFDH - recommendations

FIRM-IFDH's report on the quality of civic space in Belgium contain a number of recommendations aimed at better protecting civil society space and HRDs' in Belgium.

FIRM-IFDH - specific mandates

Additionally, FIRM-IFDH has been designated as SLAPP focal point in 2022. It collects and shares information regarding SLAPP in Belgium, mainly through its website. Furthermore, it issued three advisory opinions in 2025 regarding the transposition of the EU anti-SLAPP directive into Belgian legislation. The federal government is currently working on a draft bill that would reinforce this competence within FIRM-IFDH, as well as providing a way to dismiss SLAPPs early in civil trial.

FIRM-IFDH also has a mandate as a whistleblowers-supporting authority.

CTRG-CCSP

In terms of actions undertaken to protect civil society space and human rights defenders (HRDs), CTRG-CCSP cites monitoring, complaints handling, recommendations to national authorities and work through a specific mandate.

The statutory mandate of CTRG-CCSP is the independent supervision of prisons, the treatment of detainees, and compliance with the regulations concerning them. CTRG-CCSP draws up an annual report on these matters.

CTRG-CCSP provides advice, either ex officio or upon request, to Parliament and the Ministers responsible for Justice and Penitentiary Health regarding the prison system and the implementation of custodial sentences.

CTRG-CCSP establishes a monitoring board at each prison. Each of these boards is mandated to supervise the prison for which it is responsible and must draw up an annual report.

Every monitoring board includes a complaints commission. Detainees may lodge a complaint against a decision taken in respect of them by the prison management. The decisions of the complaints commission are binding and enforceable. Appeals against decisions of the complaints commission can be brought before the appeals commission (which is part of CTRG-CCSP).

IGVM-IEFH

In terms of actions undertaken to protect civil society space and human rights defenders (HRDs), IGVM-IEFH cites complaints handling, legal assistance, recommendations to national authorities and work through specific mandate.

The Institute for the equality of women and men pays particular attention in its various actions to protection against (digital) violence, sexism, and discrimination. This is one of its strategic priorities and inherent to the Institute for the equality of women and men's policy. We can refer in this regard to its complaint handling, where the Institute for the equality of women and men also handles complaints from HRD's concerning sexism and discrimination; and to specific research and actions on sexism, violence, and discrimination against, among others, female politicians (see question 14) and LGBTQI+ individuals (**Entre discrimination persistante et bien-être fragile : les défis des personnes transgenres et non binaires en Belgique | Institut pour l'égalité des femmes et des hommes**).

The Institute for the equality of women and men provides structural subsidies, including to LGBTQI organizations. In its memorandum to the government, the Institute for the equality of women and men requested additional resources

and support from civil society.

Unia - complaints handling

Unia plans to file a collective complaint with the European Committee of Social Rights in the near future to denounce Belgium's failure to adequately address the digital inequalities experienced by many vulnerable citizens. Unia has succeeded in mobilising more than 50 associations working with the most digitally vulnerable groups (the elderly, people with disabilities, people in precarious situations, etc.) as well as international European non-governmental organisations around this project.

Unia- legal action: Unia against Iriscare

Following the decision by the Brussels Region to end the budgets allocated to people with disabilities to enable them to live independently, Unia has decided to take legal action in support of the action brought by civil society to defend the maintenance of personal assistance budgets.

Unia - research

Unia conducted research about discriminations based on age with a methodology based of a large participation of the civil society.

Unia - recommendations to national authorities

In 2024, Unia and the Central Prison Monitoring Council visited five Belgian prisons with psychiatric or social-defense units. They spoke with patient-prisoners and staff, confirming once again the urgent problems facing interned persons. In 2024 and 2025 reports were sent to each prison, and a booklet for authorities outlines key findings and recommendations to ensure internees receive appropriate care and support for reintegration. Both organisations warn that many internees spend years in prisons that do not meet minimum healthcare standards.

FLANHRI - complaints handling

A core component of FLANHRI’s mandate consists of providing a safe, accessible, and protective complaints and reporting mechanism through which individuals, civil society organisations, and Human Rights Defenders can raise concerns about human rights violations. FLANHRI helps complainants formulate their concerns, document incidents, and understand their rights and possible pathways to remedy. Mediation can be provided for alleged discrimination complaints. In addition, the Litigation Chamber (Geschillenkamer) functions as FLANHRI’s quasi-judicial body responsible for issuing decisions in cases where discrimination is alleged. Following its examination, the Litigation Chamber issues a reasoned decision, which is not legally binding but carries authoritative weight and may have significant persuasive or precedent-like

value, in discrimination matters. Through this independent and structured procedure, the Litigation Chamber provides an essential avenue for rightsholders and civil society actors to seek redress and contributes directly to the protection of civic space.

The most important needs to advance the protection of HRDs nationally

FIRM-IFDH

FIRM-IFDH, based on its research, has the following recommendations:

- Support educational initiatives that inform the general public about human rights issues and the efforts by human rights organisations.
- Develop a policy that tackles hate speech and remove the legal obstacles that stifle an effective policy.
- Protect human rights defenders against manifestly unfounded or abusive legal action. See to an ambitious transposition of the EU Directive on protecting persons who engage in public participation from mani festly unfounded claims or abusive court proceedings (SLAPP).
- As human rights organisations, reflect on the creation of (and participation in) an own network and partnership between human rights organisations to discuss and tackle (external) threats.

IGVM-IEFH

The Institute for the equality of women and men calls for strengthening the policy and legal framework regarding hate speech and sexism, undesirable behavior, and discrimination in the workplace; as well as the expansion of, among other things, the Gender Act and the Sexism Act.

It therefore calls:

1. To deepen and improve the Gender Act, in particular by adopting or amending certain royal decrees such as those on essential and determining occupational requirements, on positive action in the public sector, and on the supply of goods and services exclusively or essentially intended for members of one sex;
2. To evaluate existing protection measures and procedures for people confronted with inappropriate conduct in an employment context;
3. To adapt the legislative framework by clarifying and revising the Act of 22 May 2014 on combating sexism in the public space, by providing for concrete provisions for alternative sanctions, awareness-raising and education about sexism, and, finally, more training for the parties involved;
4. Following international recommendations, implement a coordinated policy to combat sexism and amend Article 150 of the Constitution to

place press crimes motivated by sexism and transphobia under the jurisdiction of the criminal court;
5. Strengthen the handling of online hate crimes and -speech and establish an online platform for reporting online content that incites hatred to the police;
6. Amend the Judicial Code and the Code of Criminal Procedure to ensure that images and recordings of a sexual nature distributed without consent are deleted and provide for an increase in police and judicial resources to combat this phenomenon, thus implementing the law of 4 May 2020

NHRI's recommendations to national and regional authorities

FIRM-IFDH

On human rights defenders:

1. Ensure that the space for human rights organizations to defend and promote human rights is preserved at all times.
2. Facilitate the development of human rights organizations that monitor human rights compliance and continue to foster mutual engagement between authorities and human rights organizations.
3. Ensure that human rights organisations have access to sustainable and predictable funding. Providing organisations with resources cannot have a negative impact on their independence in the performance of their work and cannot prevent them from adopting a critical stance on policies.
4. Work towards increasing awareness of the importance of human rights and the role of human rights organisations in order to foster a culture that values the work human rights defenders do. This includes supporting educational initiatives that inform the general public about human rights issues and likeminded efforts by human rights organisations.

Belgium 2026

Information from: Combat Poverty, Insecurity and Social Exclusion Service; Central Monitoring Council for Prisons (CTRG-CCSP); Federal Institute for the Protection and the Promotion of Human Rights (FIRM-IFDH); Flanders Human Rights Institute (FLANHRI); Institute for the Equality between Women and Men (IGVM-IEFH); Myria (Federal

Centre for the analysis of migration flows, the protection of fundamental rights of foreigners and the fight against human trafficking); Unia (Interfederal centre for equal opportunities and opposition to racism and discrimination)

Democracy - checks and balances, disinformation, and law-making processes

Disinformation

Rights/democratic processes significantly impacted by the spread of disinformation

FIRM-IFDH

FIRM-IFDH cites the right to freedom of thought and the right to hold opinions without interference Rights/democratic processes significantly impacted by the spread of disinformation, the right to freedom of expression, the right to participation in public life, including elections, trust in democratic institutions and others as rights/democratic processes significantly impacted by the spread of disinformation.

Research on the quality of civic space in Belgium shows that 22% of organisations that responded to the survey have been the target of negative media campaigns. Organisations that took part in the roundtable discussions convened by FIRM-IFDH explain that these are mainly disinformation campaigns, often taking the form of an “ecosystem”, in the sense that messages conveyed about them (or about one of their staff members or volunteers) are taken up by different actors and disseminated through various channels. As a result, the repeated circulation of the same message amplifies its impact, even though the information published is not, according to them, systematically verified by some journalists. According to these organisations, negative media campaigns are conducted on social media as well as through online and print media.

Some organisations state that this type of pressure may lead them to become “less critical” and less responsive or outspoken when addressing problematic situations experienced by the people they support.

While they are aware that silencing certain viewpoints can weaken the defence of otherwise legitimate positions in the field of human rights, each organisation reports considering the most appropriate strategy to remain as close as possible to the people whose rights they defend, while at the same time smoothing their communication on issues deemed sensitive.

Based on the preliminary results of the second *Defend the Defenders* research cycle, it appears that numerous members of all three target groups (journalists, academics and artists) have experienced disinformation campaigns at least once over the past two years. This type of pressure may contribute to the perceived deterioration of press, academic, or artistic freedom reported by each target group. However, this hypothesis would need to be further verified through subsequent analyses.

The Belgian National Risk Assessment 2023-2026 (p. 17) identifies disinformation as a risk with a very high probability of materializing. In its 2025 annual Intelligence Report(January 2026) (p. 10), the Belgian Intelligence Service referred to several disinformation campaigns organized by Russian services. These included a pressure campaign surrounding the question of frozen Russian assets at Brussels-based Euroclear, and overall attempts to stir up resentment against Belgian support for Ukraine.

The 2025-2029 federal coalition agreement (pp. 150-151) refers to special attention to be devoted to the problem of disinformation and 'fake news', and the risk of undue influence on elections. It promises a focus on awareness raising, cooperation between different governmental authorities, technology companies and media organisations, legislative initiatives to enhance transparency and responsibility of online platforms, and international cooperation.

A project launched in 2025 by media organisations in Belgium and the Netherlands focuses on medical disinformation on social media, with a focus on young audiences.

IGVM-IEFH - right to freedom of thought and the right to hold opinions without interference

There has been a significant increase in online digital violence, as evidenced by various studies conducted by the Institute for the equality of women and men, and this trend is also reflected in the number of complaints filed.

The rise of sexism and the gender backlash in Europe, including in Belgium, is a significant warning sign: despite real legal progress, violence, stereotypes, and resistance to equality persist and are even becoming commonplace. The polarization of opinions, the spread of antifeminist rhetoric, and the denial of "everyday" sexism create a less favorable environment for recognizing and preventing discrimination and harassment, including in the workplace (see the 2025 report on gender equality in Europe and **La Belgique à la 7e place de l'indice européen de l'égalité de genre 2025 | Institut pour l'égalité des femmes et des hommes**.).

IGVM-IEFH - AI threats

Artificial intelligence (AI) is a rapidly developing technology that is increasingly being used in the labor market. While promising, the application of AI and similar systems entails risks of reinforcing inequalities and gender discrimination. In recent years, numerous examples have emerged of AI systems exhibiting (gender) bias or discriminating – usually without the user's initial awareness. From this perspective, AI is a relevant topic for the Institute for equality for women and men, and the Institute has been granted the status of Article 77 of the AI Act as one of the Belgian authorities for the protection of fundamental rights. It recently commissioned a study and issued recommendations on the use of AI and automated decision-making systems in recruitment and selection processes. See this article from the Institute.

IGVM-IEFH - impact on vulnerable groups

The Institute for equality for women and men emphasizes the continuing vulnerable position of women, transgender, and intersex people in various areas, as well as intersectional discrimination. The Institute for equality of women and men identifies vulnerable groups, along with LGBTQI+ (https://igvm-iefh.belgium.be/fr/presse/les-cas-de-violences-et-de-discrimination-legard-des-personnes-lgbti-sont-particulierement), as well as young people, women originating outside the EU l'EU (Emploi des femmes d'origine externe à l'UE : une étude pointe des inégalités persistantes et recommande des politiques plus inclusives | Institut pour l'égalité des femmes et des hommes).

In this regard, the Institute for equality for women and men requests that its resources be strengthened and that the Equality Bodies Directive, as well as the AI and DSA Acts, be properly implemented.

FLANHRI

FLANHRI cites the right to freedom of expression, the right to privacy, the right to participation in public life, including elections and trust in democratic institutions as rights/democratic processes significantly impacted by the spread of disinformation. Groups particularly affected include digitally vulnerable persons (e.g., older people), younger users, and minorities who are more frequently exposed to harmful or discriminatory narratives. FLANHRI will continue to address these risks through its monitoring work and its mandate as a Trusted Flagger under the Digital Services Act.

Actions taken by the Institution to address disinformation

FIRM-IFDH

In its 2024 research report "Shrinking space for human rights defenders in Belgium", FIRM-IFDH found that human rights defenders are confronted with disinformation campaigns. FIRM-IFDH wrote an advisory opinion on two

legislative proposals enabling victims of cyberbullying to take legal action, by identifying the perpetrators. While welcoming the legal avenue for combating cyberbullying, including the spread of disinformation, FIRM-IFDH proposed several revisions to the legislative proposals to better respect human rights.

IGVM-IEFH

The necessary approach to combating disinformation was highlighted and demonstrated in the memorandum, various press releases, and advisory reports: **La Belgique à la 7e place de l'indice européen de l'égalité de genre 2025 | Institut pour l'égalité des femmes et des hommes.** The Institute for equality for women and men also pays particular attention to gender backlash in its new strategic and operational action plan, including various tasks such as research, legal assistance, and future policy recommendations.

FLANHRI

FLANHRI acquired 'Trusted Flagger'-status (art. 22 Digital Services Act). This makes the institute more effective to combat illegal disinformation under Flemish competences.

Any counter-disinformation measures taken that raised human rights concerns

FIRM-IFDH

FIRM-IFDH wrote an advisory opinion on two legislative proposals enabling victims of cyberbullying to take legal action, by identifying the perpetrators.

Law-making processes

Significant challenges affecting law-making processes

FIRM-IFDH - wide application of fast-track procedures or emergency procedures

FIRM-IFDH is regularly consulted in the process of adopting new legislation, either by the federal government or the federal parliament. It also issues advisory opinions on its own initiative. In 2025, FIRM-IFDH issued thirteen advisory opinions, six of which were upon request.

Following the 2025 coalition agreement, the new Belgian federal government introduced several key socio-economic reforms, including reforms of unemployment benefits, pension and for the return to work of people suffering from long-term illnesses. For many of these reforms, the government requested and obtained the application of the emergency procedure provided for in the rules of the House of Representatives. As a result, consideration of

the bill is not subject to the rules prescribing deadlines and priorities. The speaking time for members of parliament may be reduced to five minutes per speaker and the number of speakers significantly reduced. The reforms may also be adopted without many of the consultations usually associated with such legislation (social partners, representatives of civil society, data protection authority, prevention services, human rights protection institutions, academics, etc.).

The ability to pass laws under emergency procedure is an important prerogative of parliament. However, the use of emergency procedure for the adoption of these bills is raising concerns among several independent institutions (Council of State, FIRM-IFDH, etc.). These reforms will have an important impact on human rights, especially the rights to social security and non-discrimination. In such a case, the quality of the parliamentary deliberation process and the public justification of legislative interference in a human right is in and of itself an important aspect of respect for the principle of proportionality, as emphasized by the European Court of Human Rightsin several decisions. The Court explicitly underlines the importance of the quality of parliamentary scrutiny in assessing the proportionality of a general measure. A law that is the result of mature and well-informed debate within and outside a parliamentary assembly is not sufficient to make it compliant with human rights, but it does reduce the risk of it being found contrary to the European Convention on Human Rights.

The use of an emergency procedure for such legislation is also contrary to the OSCE Guidelines on Democratic Legislative Process, which emphasize, in particular, the importance of broad consultation and access to the legislative process for different stakeholders (principle 7) and the need to devote sufficient time to debating legislation that has an impact on human rights (principle 8).

FIRM-IDFH - lack of mechanisms and processes in place to facilitate both general and targeted participation in the law-making process

Finally, in its study on human rights defenders (2024), FIRM-IFDH surveyed more than 150 civil society organizations about the ease or difficulty they experienced in participating in public policy-making process within the last two years. Many organizations reported difficulties in participating, underlining that communication between civil society and public authorities is sometimes broken. This situation mainly affected organizations that denounce human rights violations, primarily through actions to support target groups, by organizing social and cultural gatherings, demonstrations, or protests. The organisations describe those as activities that do not correspond to what political representatives would like to see. Some organizations also say they sometimes feel “exploited” by public authorities, that they are being used as a “moral cover” for authorities who finalize their plans (for example, a circular)

before even consulting them.

IGVM-IEFH - strengthening of the gender mainstreaming process

In its memorandum, the Institute for equality for women and men proposed several concrete legislative amendments to improve the fight against sexism and discrimination, and to improve the position of vulnerable groups such as transgender and intersex people (**Égalité de genre : 9 axes prioritaires pour la législature 2024-2029 | Institut pour l'égalité des femmes et des hommes**).The Institute for equality for women and men also calls for strengthening the gender mainstreaming process. It asks political parties to commit to implementing the Gender Mainstreaming Act of January 12, 2007, and all its provisions, to integrate the gender dimension into all policies, programs, and actions, and to allocate the necessary resources to support and implement this process. For further concrete policy proposals, see this **publication.**

MYRIA

There is no mechanism to ensure the participation of human rights institutions, civil society or experts in the legislative process. In 2025, several bills raising important issues concerning the fundamental rights of foreigners were passed by Parliament through emergency procedures without seeking the opinion of human rights institutions and despite the requests from several parliamentarians for such official opinions (see for examples Act of 17 July 2025 on family reunification, Act of 14 July 2025 on asylum, Act of 14 July 2025 on reception of asylum seekers). In some other cases Myria was asked to provide an official opinion.

Combat Poverty, Insecurity and Social Exclusion Service - limited use of impact assessments, including human rights impact assessments

The Combat Poverty Service does a lot of work on ex ante poverty impact analysis. It contributes to the development of the methodology for such poverty testing, with the involvement of people living in poverty and their organizations. However, such impact analysis is not yet sufficiently systematic in Belgium.

Unia

Unia cites limited time of consultations, lack of mechanisms and processes in place to facilitate both general and targeted participation in the law-making process and wide application of fast-track procedures or emergency procedures as significant challenges affecting law-making processes.

Unia was asked on numerous occasions in 2025 to give its opinion on draft legislation.

NHRIs' actions or initiatives to address challenges identified in the context of law-making processes

FIRM-IFDH

FIRM-IFDH has written several advisory opinions on the use of the emergency procedures to adopt legislation with a large impact on human rights. In its latest one, published in December 2025, it underlined that using emergency legislation is not only a problem for democracy and the rule of law but could also lead to a stricter control by the Constitutional Court and other courts, making some key reforms of the government more vulnerable to judicial challenges.

Furthermore, FIRM-IFDH has formulated several recommendations to strengthen civil society organizations' access to democratic participation, all addressed to policymakers:

- They must ensure that they promote a culture of dialogue and openness between human rights organizations and public authorities;
- Facilitate the participation of human rights organizations in political decision-making, in particular by allowing them to take part in public and political debate on decisions that contribute to the promotion and protection of human rights and the rule of law, as well as other relevant decisions;
- And ensure that human rights organizations have access to the information they need to participate effectively in political decision-making.

CTRG-CCSP

The CTRG-CCSP issued an advisory opinion on the draft law aimed at introducing drug testing in prisons. During the discussion of the bill, Parliament paid no attention to this advice—despite it being based on scientific data—and approved the draft without any amendment.

When amending some statutory provisions on the disciplinary regime in prison, the advice of the CTRG-CCSP was partially considered.

In addition, the CTRG-CCSP also issued an opinion on prison regulation as a means of structurally addressing the problem of prison overcrowding.

Unia

Through its participation in civil society advisory councils and its contacts with administrations and authorities, Unia obtains information on the legislative work of governments. Unia then draws up its own opinions on these matters.

FLANHRI

FLANHRI requested to be consulted more frequently in the legislative process, to comply with Directive 2024/1499 and Directive 2024/1500 and to obtain information on the follow-up to these opinions. See more on this above and in FLANHRI's advisory report.

MYRIA

Myria has issued several opinions to Parliament and the government concerning proposals and draft bills:

- Comments submitted to members of the government regarding family reunification for beneficiaries of international protection, April 2025;
- Opinion to the Committee on the Interior, Security and Migration on the revocation of nationality, November 2025;
- Opinion to the Minister for Asylum and Migration on the preliminary draft law on home visits, July 2025.

Combat Poverty, Insecurity and Social Exclusion Service

The Combat Poverty Service has organized a seminar on ex ante poverty impact analysis and advocates for the application of such impact analysis at various policy levels, both in relation to the measures in the poverty reduction plans of the various authorities and for the Belgian Social Climate Plan.

NHRI's recommendations to national and regional authorities

Concerning disinformation

IGVM-IEFH

The Institute for the equality of women and men calls for strengthening the policy and legal framework regarding hate speech and sexism as well as the expansion of, among other things, the Gender Act and the Sexism Act. It also demands a stronger commitment and implementation of the gender mainstreaming act and the implementation of article 15 of the Equality Bodies Directive where equality bodies should be consulted as well on this matter. The Institute will expand its expertise on gender disinformation.

Concerning law-making processes

IGVM-IEFH

In this regard, the Institute for equality for women and men calls for the concrete and efficient application of the Equality Bodies Directive, the improvement of the gender mainstreaming process, and strengthening of the implementation of the relevant legal provisions. Furthermore, the

implementation of Article 5 of the Equality Bodies Directive is a key factor.

Belgium 2026

Information from: Combat Poverty, Insecurity and Social Exclusion Service; Central Monitoring Council for Prisons (CTRG-CCSP); Federal Institute for the Protection and the Promotion of Human Rights (FIRM-IFDH); Flanders Human Rights Institute (FLANHRI); Institute for the Equality between Women and Men (IGVM-IEFH); Myria (Federal Centre for the analysis of migration flows, the protection of fundamental rights of foreigners and the fight against human trafficking); Unia (Interfederal centre for equal opportunities and opposition to racism and discrimination)

Other challenges to the rule of law and human rights

Structural human rights issues which reflect persistent challenges for the rule of the law in 2025

Follow-up to the ECHR case of L.B. and W.D. v. Belgium

In December 2024, the Committee of Ministers of the Council of Europe, following the intervention of Unia, FIRM-IFDH and CTRG-CCSP, adopted an interim resolution in the case of L.B. and W.D. v. Belgium. This case concerns the continuing detention of internees in prison psychiatric wings without adequate therapeutic support. In this resolution, it reminded Belgium of its international obligations regarding internment. The Committee urged the authorities to adopt all relevant measures to remedy the situation, speed up the creation of places for internees outside prisons and reinforce care services.

The general situation of internees who remain in prison without sufficient and appropriate therapeutic support remains catastrophic. Consequently, in January 2026, Unia, CTRG-CCSP and FIRM-IFDH, referring to the Belgian State's action plan of 18 December 2025, sent a joint rule 9 submission to the Committee, underlining the fact that the number of internees in prison keeps rising every year, aggravating a significant human rights violation which has been ongoing for nearly two decades.

The Committee will resume consideration of this group of cases in March 2026. Despite some recent – but insufficient – efforts by the government, no solution

appears to be in sight.

MYRIA

The so called “reception crisis” and failure to enforce court rulings mentioned in the 2025 report remain a challenge. FIRM–IFDH and Myria have once again submitted their comments to the Council of Ministers of the Council of Europe concerning the enforcement of the Camara v. Belgium judgment, which found a systematic failure to enforce final court decisions.

In response to a call by several European Heads of State to reinterpret the European Convention on Human Rights, Myria, Unia, the Combat Poverty Service, FIRM-IFDH, the Central Monitoring Council for Prisons and the Institute for the equality of women and men have voiced strong concerns in a public statement. They warn that such initiatives risk undermining the authority and independence of the European Court of Human Rights. In this statement was also highlighted the **broader trend from Belgian authorities of challenging the authority of the judiciary and undermining the separation of powers**. Human Rights institutions have repeatedly expressed concern over the non-enforcement of both domestic and international court decisions in Belgium - especially in matters such as detention conditions, asylum reception, and the length of legal proceedings. The persistent failure to implement court rulings, combined with calls to reinterpret the Convention, risks weakening the foundations of the rule of law. See Six Belgian human rights institutions urge federal government to uphold the independence of the ECtHR | EMN

FLANHRI

Despite repeated condemnations by the European Court of Human Rights and national courts, as well as increased supervision by the Committee of Ministers, overcrowding in Belgian prisons and the number of prisoners sleeping on the floor continue to rise.

FLANHRI reported this in preparatory documents for international reports wherever possible, and participated in preparatory discussions regarding the implementation of the Optional Protocol to the Convention against Torture on the Flemish side. The aim is to establish a National Preventive Mechanism (NPM) to monitor places where people are deprived of their liberty. Moreover, it has been decided that the FLANHRI will coordinate the NPM at the Flemish level.

Additionally, while the Flemish governments has taken steps to ensure digital inclusion, levels of vulnerability to digital exclusion remain high in Belgium (roughly 40%). Simultaneously, more and more public services are offering their services through (uniquely) digital platforms. FLANHRI has made a number of recommendations to ensure access to public services for digitally

vulnerable persons.

CTRG-CCSP

A flawed acceptance by prison administration of the right of prisoners to complain against decisions of the prison director, a lack of material and personnel support for prison directors, and the severe strain on the prison system caused by chronic overcrowding mean that the cooperation of prison directors in the complaint procedure and the implementation of decisions made by the complaint and appeals committees – despite being legally binding – are not structurally guaranteed.

CTRG-CCSP submitted a report within the framework of the Universal Periodic Review. In this submission the CTRG–CCSP focuses on the recommendations on prison overcrowding and the imprisonment of persons with psychiatric conditions or internees. The CTRG-CCSP emphasizes that prison overcrowding remains a serious and growing issue and has a profound negative effect on the detention conditions in Belgian prisons. Despite several calls for action from various stakeholders, no mechanism for prison regulation is in place today. The presence of internees in prison is another challenging aspect. Although internees can legally be placed in designated sections in prison, the capacity of these facilities is not sufficient, and what's worse, even within these designated sections, access to adequate healthcare remains insufficient.

IGVM-IEFH

In addition to the structural and new challenges mentioned above, IGVM-IEFH would particularly like to point out specific structural issues that intersex people face, such as the fact that people with variations in sex characteristics are routinely subjected to non-emergency medical interventions on their sex characteristics without their consent. These interventions often prove to be a source of trauma later in life. Belgian laws and institutions are not always adapted to the reality of intersex people, and knowledge and understanding of their situation are insufficient, particularly among healthcare professionals.

The Institute for equality for women and men has therefore submitted policy recommendations to the relevant government and is conducting research, in collaboration with the University of Antwerp, into all the problems intersex people face, with the aim of gathering policy-relevant information to improve the position and rights of intersex people. This research is being conducted in close consultation with relevant civil society organizations.

Gender and health

In its new multi-year strategic objective, the Institute for equality for women and men has developed a new strategic axis around gender and health. Over the next six years, the Institute for equality for women and men will specifically

address the existing (systemic) inequalities in gender and health, including, for example, safeguarding sexual and reproductive rights. See also **Publication**.

Several policy recommendations have already been developed on this topic, including **Recommandation gestation pour autrui | Institut pour l'égalité des femmes et des hommes**. In recent years, the Institute for equality for women and men has received several reports and requests for information regarding the topic 'Gestational surrogacy'. While there is currently no legal framework in Belgium, it is not explicitly prohibited. This not only creates uncertainty but also leads to inequality and discrimination regarding (among other things) gender and sex. Gestational surrogacy does occur in Belgium and is subject to the general legal framework, which is not (always) tailored to the specific realities of the issue.

Following the reports received by the individual legal support team, these inequalities were further investigated. This ultimately resulted in a recommendation that provides more information about the (lack of) legal framework in Belgium, its consequences, and how a uniform legislative framework can address these issues

FIRM-IFDH

In its 2025 Report on the Rule of Law, the European Commission urged the Belgian State to "*continue ongoing efforts to improve the efficiency of justice, particularly to reduce the length of proceedings based on comprehensive statistical data*".

The Committee of Ministers of the Council of Europe Council of Europe recently assessed the execution of the European Court of Human Rights' judgments on this matter. It found that, despite progress, Belgian authorities needed to further accelerate efforts to address the longstanding problem regarding the length of judicial proceedings. The Committee notably invited Belgian authorities to maintain efforts to permanently clear the judicial backlog. It also encouraged them to strengthen management tools, in order to prioritize support and reinforcement for the courts most affected by a significant backlog and a high volume of new cases, such as the Brussels Court of Appeal. It invited Belgian authorities to adapt the legal frameworks for judicial staff accordingly.

Jeanty v. Belgium (lack of psychiatric care for vulnerable prisoners)

In June 2025, CTRG-CCSP and FIRM-IFDH sent a joint Rule 9 submission to the Committee of Ministers of the Council of Europe, highlighting that psychiatric care is insufficiently available not only for internees but for prisoners with psychological vulnerabilities in general. Consequently, such prisoners still end up in solitary confinement during crisis situations instead of receiving adequate therapeutic support."

Other persisting challenges or key developments for the rule of law in 2025

FIRM-IFDH

In 2025, FIRM-IFDH started its second study on the quality of civic space in Belgium, giving a voice to academics, artists, and journalists engaged in the promotion and defence of human rights.

The survey was completed by 1433 academics, 390 artists and 408 journalists. Most of journalists who completed the survey say they are satisfied or very satisfied with press freedom in Belgium. However, a large majority of journalists also say that press freedom has (significantly) deteriorated over the past five years.

Perceived threats to press freedom in Belgium include: the negative influence of social media (online trolls, hate campaigns, disinformation); the concentration of media companies; political pressure or interference by governments; political attacks targeting the credibility of the media or journalists; and self-censorship or the avoidance of controversial topics.

Nearly one quarter of participating journalists say they are sometimes concerned about their own safety, and slightly more than half say they are sometimes or even always concerned about their financial situation.

One in four journalists report having experienced censorship (pressure not to publish an article) at least once during the past two years. Participating journalists (+-30%) also report experiencing external pressure several times a year to remove critical perspectives or to limit, modify, or reframe media coverage. Journalists mainly point to Belgian political officials and direct supervisors as sources of interference and pressure.

For nearly half of the journalists surveyed, these negative experiences have a psychological impact, and for one in four journalists, they affect their professional functioning (censorship).

Unia

Artificial intelligence

In 2025, Belgium designated Unia as one of the fundamental rights authorities under article 77 of the AI Act. Unia has prepared to take on this role mainly through a project which was co-financed by the EU and the Council of Europe and included an analysis of current legal and governance framework for AI and a training for staff in human rights institutions, supervisory authorities, ministries and civil society. This training will continue in 2026, as well as the development of policy recommendations and case handling and assessment

tools. However, Unia has not yet received any additional funding at Belgian level to carry out this new mission.

Also, the provisions of the EU AI Act relating to the designation of national competent authorities entered into force on 2 August 2025. However, Belgium has not yet officially designated the Belgian Market Surveillance Authority (MSA).

As a result, the establishment of collaboration protocols between the MSA and other national fundamental rights authorities (pursuant to Article 77 of the AI Act) is itself delayed, preventing redress mechanisms from becoming fully operational.

Municipal administrative sanctions (GAS) in Belgium

The study commissioned by Unia shows that municipal administrative sanctions (GAS/SAC) can produce unequal treatment across Belgian municipalities.

Differences in local rules, such as varying age limits for minors or profile-specific regulations, create legal uncertainty. SAC measures tend to reinforce existing vulnerabilities, especially in disadvantaged neighborhoods. Groups such as homeless people, young people with a migration background, and individuals living in poverty are over-represented among those sanctioned.

About 12% of nuisance-related SAC cases have a potentially discriminatory dimension. The most affected groups include men, young people, individuals of foreign nationality, tenants, people with low education, and inactive individuals (students or unemployed).

Co-funded by the European Union