# SLAPP-Directive implemented in Belgium

The SLAPP (Strategic Lawsuits Against Public Participation) Directive of the EU (2024/1069 of 11 April 2024) is transposed in Belgian law by the Act of 30 May 2026. The Act was published in the Belgian Official Journal on 12 June 2026 (see the French version and the Dutch version), and will enter into force on 22 June 2026.

The main features of the Act are:

- it inserts a new chapter in the Judicial Code on the "Protection of Persons involved in Public Debate against Manifestly Unfounded Claims or Abuse of Procure" (Part IV, Book IV, new Chapter XXVII);
- it allows the court to, upon request by the defendant or of its own motion, oblige the plaintiff to provide security for costs in the case of a SLAPP;
- it provides for early dismissal of a SLAPP (at any time during the procedure);
- it makes such early dismissal possible at the introductory session or at a speedy date;
- it places the burden of proof on the plaintiff to show that the claim against public participation is not manifestly unfounded;
- it inserts an extra basis of jurisdiction in the Private International Law Code (echoed in the Judicial Code) to allow persons residing in Belgium who were subjected to a SLAPP outside the EU to bring a claim for damages and costs at the place of their residence in Belgium (new Art. 96/1);
- it adds a ground for refusal of judgments from States outside the EU if the judgment was based on a procedure that falls in the definition of a SLAPP (Art. 25 §1, 10°);
- it reaffirms the role of the Belgian Federal Institute for Human Rights (IFDH / FIRM) as the central contact point for SLAPP cases. This institute can intervene in cases by simple letter to the registrar of the court.

Despite earlier discussions about the matter, the Act is limited to civil proceedings, and not extended to criminal proceedings, which the IFDM / FIRM

regrets.