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BRIEFLY NOTED*

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Judicial and Similar Proceedings

1. European Commission v. Hungary (Court of Justice of the European Union – April 21, 2026)

https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:62022CJ0769

On April 21, 2026, the Court of Justice of the European Union held that Hungary failed to fulfil its obligations under EU law by adopting legislation restricting minors' access to content portraying or promoting homosexuality, gender reassignment, or deviation from the sex assigned at birth. The case was brought by the European Commission under Article 258 of the Treaty on the Functioning of the European Union (TFEU) and concerned Hungary's 2021 amendments to its laws on child protection, advertising, media services, public education, and criminal records.

The Court found that the Hungarian measures infringed multiple provisions of EU law, including Article 56 TFEU, several directives governing audiovisual media, electronic commerce, and services, as well as Articles 1, 7, 8(2), 11, and 21 of the Charter of Fundamental Rights. In particular, the Court concluded that the measures led to discrimination on the basis of sex and sexual orientation by treating content concerning non-cisgender and non-heterosexual persons differently from content concerning cisgender and heterosexual persons.

The Court rejected Hungary's reliance on the protection of minors as a justification, holding that such objectives could not justify restrictions which are incompatible with the fundamental rights guaranteed by the Charter.

Significantly, the Court also held that Article 2 Treaty on the European Union (TEU) is legally binding and may be relied upon in infringement proceedings under Article 258 TFEU. While not every breach of EU law amounts to a breach of Article 2 TEU, the Court held that Hungary's conduct, taken together with the relevant violations, constituted a manifest and particularly serious breach of the EU's values.

Resolutions, Declarations, and Other Documents

1. Report of the Independent International Commission of Inquiry on Ukraine (Submitted to the UN Human Rights Council – March 9, 2026)

https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/coiukraine/a-hrc-61-61-auv.pdf

On March 9, 2026, the Independent International Commission of Inquiry on Ukraine submitted its latest report to the UN Human Rights Council. The report includes findings on violations committed in the context of Russia's full-scale invasion of Ukraine.

The Commission concluded that Russian authorities committed crimes against humanity and war crimes through the deportation and forcible transfer of Ukrainian children to Russia or Russian-occupied areas. It verified cases involving 1,205 children from five oblasts and found that Russian authorities failed to disclose their whereabouts, obstructed returns, and pursued long-term placement of children with families or institutions in Russia.

The Commission further found that Russia committed the crime against humanity of enforced disappearance of children and the war crime of unjustifiable delay in repatriation. According to the report, approximately 80 percent of the children whose cases were examined have not returned to Ukraine. Parents and legal guardians often remain unaware of the children's fate or location, while children who returned described trauma, fear, and anxiety.

The report also addressed trials of Ukrainian civilians and prisoners of war before courts in Russia and Russian-occupied territories. The Commission found that these proceedings systematically violated fair trial guarantees and the Russian authorities fabricated or obtained evidence through torture or ill-treatment.

*With thanks to Özge Karsu for her assistance in drafting these summaries.

With respect to Ukraine, the Commission raised concerns regarding the broad definition of "collaborative activities" under Ukrainian law which raises uncertainty and risks encompassing conduct that does not threaten national security. It also documented violations by Ukrainian authorities in the context of military mobilization, including irregular detention, denial of access to legal counsel, and instances of violence against conscientious objectors.

2. Resolution A/80/L.65 – Advisory opinion of the International Court of Justice on the obligations of States in respect of climate change (U.N. G.A. – May 20, 2026)

https://docs.un.org/en/A/80/L.65

On May 20, 2026, the United Nations General Assembly adopted a resolution welcoming the International Court of Justice's advisory opinion on the obligations of states in respect of climate change. The resolution was adopted by 141 votes in favor, eight against, and 28 abstentions.

The resolution follows the ICJ's July 2025 advisory opinion, in which the Court clarified that states have obligations under international law to protect the climate system from greenhouse gas emissions. The Court found that these obligations arise not only from climate treaties, such as the UN Framework Convention on Climate Change and the Paris Agreement, but also from customary international law, human rights law, international environmental law, and the law of the sea.

In the resolution, the General Assembly called on states to comply with their international legal obligations concerning climate change. It emphasized that states must act with due diligence to prevent significant environmental harm, cooperate in good faith, and take necessary measures to protect human rights from the adverse effects of climate change. The resolution also referred to the legal consequences of failing to comply with climate obligations. It recalled the ICJ's finding that a breach of these obligations may amount to an internationally wrongful act. In such cases, responsible states may be required to cease the wrongful conduct, offer assurances of non-repetition, and provide full reparation.

3. Report of the Independent International Commission of Inquiry on Ukraine (March 9, 2026)

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4. **Resolution 80/251 – Mandate creation, implementation and review for an efficient and effective United Nations (UN General Assembly – March 31, 2026)**

   https://docs.un.org/en/A/RES/80/251

   On March 23, 2026, the United Nations General Assembly adopted a resolution to strengthen and improve the management of mandates across the UN system. This resolution established a structured approach to mandate UN lifecycles, which will shape how decisions are developed, implemented, and reviewed throughout the organization.

   This reform aims to resolve long-standing issues resulting from the high volume of mandates issued by UN bodies. The resulting complexity has led to duplicated efforts, increased reporting, and limited visibility and oversight, making effective implementation more difficult. By introducing a systematic approach, the resolution will help member states in managing mandate complexity, reducing duplication and inefficiencies, and improving coordination. It is expected to produce clearer mandates, more consistent reviews, and greater transparency.

   The President of the General Assembly, Annalena Baerbock, stated that the reform will "make the UN more agile, more efficient, more effective, and fit for the future, so it can better deliver for the people we serve." Overall, the resolution marks a significant step toward a more coherent, accountable, and effective United Nations.

5. **Proposal for a Regulation on the welfare of dogs and cats and their traceability (European Union – April 28, 2026)**

   https://www.europarl.europa.eu/RegData/commissions/agri/lcag/2025/12-10/AGRI_LA(2025)005958_EN.pdf

   On April 28, 2026, the European Parliament voted for the first time to establish EU standards that would protect cats and dogs from abuse. With 558 votes in favor, 35 against, and 52 abstentions, the proposal was approved to establish EU standards for the breeding, housing, traceability, importation, and handling of cats and dogs. The adopted proposal seeks to stop abusive practices by restricting cruel business practices and protecting the health and welfare of cats and dogs.

   The new rules target the commercial breeding industry by cracking down on "illegal operators," who have long benefited from minimal penalties and the high profits associated with abusive acts toward cats and dogs.

   The new obligations included requiring all dogs and cats kept in the EU to be microchipped and registered in interoperable identification systems. For private pet owners who did not sell animals, this obligation would take effect after 10 years for dogs and 15 years for cats. Breeding between related animals, as well as breeding practices intended to exaggerate traits that pose serious health risks, would also be banned. The new proposal further prohibits the mutilation of cats and dogs for shows, exhibitions, or competitions.

   The new law would cover both imports for commercial purposes and non-commercial animal movements. Dogs and cats imported from non-EU countries had to be microchipped and registered in the national database before entering the EU.

   The proposal responded to a strong call from EU citizens to improve the welfare of their pets. However, the legislation will still need to be adopted by the Council before it can enter into force.