

## Episode 4: Maximum Available Resources

- International Covenant on Economic Social and Cultural Rights, <http://www.ohchr.org/EN/ProfessionalInterest/Pages/CESCR.aspx> (the leading international human rights treaty that sets out economic and social rights and the central framework for these materials)
- UN Committee on Economic, Social and Cultural Rights, *General Comment No. 3 on the nature of States parties' obligations (art. 2, para.1 of the Covenant)* (Fifth session, 1990), UN Doc. E/1991/23 (1990), [http://tbinternet.ohchr.org/Treaties/CESCR/Shared%20Documents/1\\_Global/INT\\_CE\\_SCR\\_GEC\\_4758\\_E.doc](http://tbinternet.ohchr.org/Treaties/CESCR/Shared%20Documents/1_Global/INT_CE_SCR_GEC_4758_E.doc) (outlines many of the key obligations imposed by economic and social rights, including maximum available resources)
- UN Committee on Economic, Social and Cultural Rights, 'Statement on the Evaluation of the Obligation to Take Steps to the "Maximum of Available Resources" under an Optional Protocol to the Covenant', UN Doc. E/C.12/2007/1 (2007), [http://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=E%2fC.12%2f2007%2f1&Lang=en](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=E%2fC.12%2f2007%2f1&Lang=en) (outlines how the Committee understands the obligation to use the maximum of available resources and might apply it specifically in the context of a complaint brought before it under the individual complaints system set out in the Optional Protocol to the Covenant)
- UN Committee on Economic, Social and Cultural Rights, Concluding Observations: United Kingdom E/C.12/GBR/CO/6 (2016), para 48, [http://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=E/C.12/GBR/CO/6&Lang=En](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=E/C.12/GBR/CO/6&Lang=En) (where the Committee addressed the relationship between UK fiscal policy (including tax policy) and the obligation to use the maximum of available resources).
- A. Blyberg & H. Hofbauer, 'The Use of Maximum Available Resources' in *Article 2 and Government Budgets* (Washington: IBP, 2014), <https://www.internationalbudget.org/wp-content/uploads/Maximum-Available-Resources-booklet.pdf> (outlines the principal guidance that the Committee has provided on what the obligation to use the maximum of available resources means, particularly for governments' budgets)
- R. Balakrishnan, D. Elson, J. Heintz, N. Lusiani, *Maximum Available Resources & Human Rights* (Centre for Women's Global Leadership: New Jersey, 2011), <http://www.cwgl.rutgers.edu/economic-a-social-rights/380-maximum-available-resources-a-human-rights-analytical-report-> (outlines numerous questions and issues that are relevant in the context of evaluating whether a state is using the maximum resources available for the realisation of economic and social rights)
- A. Nolan & M. Dutschke, 'Article 2(1) ICESCR and States Parties' Obligations: Whither the Budget?' (2010) 3 *European Human Rights Law Review* 280, [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=1663230](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=1663230) (considers the implications of Article 2(1) ICESCR from the perspective of state budgets, including the obligation to use the maximum of available resources)
- UN Committee on the Rights of the Child, *General Comment No. 19 on public budgeting for the realisation of children's rights (art. 4)*, UN Doc. CRC/GC/19 (2016),

[http://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=CRC%2F19&Lang=en](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC%2F19&Lang=en) (the body responsible for monitoring the UN Convention on the Rights of the Child outlines how states parties to that treaty should implement of article 4 of that Convention (which is similar to article 2(1) ICESCR in some respects) in relation to public budgets)

We would be delighted to add further relevant resources to this list. If you would like to recommend some, please contact [aoife.nolan@nottingham.ac.uk](mailto:aoife.nolan@nottingham.ac.uk).