

Episode 5: Retrogression

- 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 (outlines many of the key obligations imposed by economic and social rights, including retrogressive measures)
- 'Letter from United Nations Committee on Economic Social and Cultural Rights Chairperson to States Parties on Austerity Measures' (16 May 2012), <http://www2.ohchr.org/english/bodies/cescr/docs/LetterCESCRtoSP16.05.12.pdf> (specifies the criteria to be applied to assess the ICESCR-compliance of post-crisis austerity measures, many of which qualify as retrogressive measures)
- Aoife Nolan, Nicholas J. Lusiani, Christian Curtis, 'Two Steps Forward, No Steps Back: Evolving criteria on the prohibition of retrogression in Economic and social right' in A. Nolan, *Economic and Social Rights after the Global Financial Crisis* (Cambridge: CUP, 2014) 121, https://iow.eui.eu/wp-content/uploads/sites/28/2017/04/Nolan-et-al_Two-Steps-Forward-No-Steps-Back-in-Economic-and-Social-Rights-after-the-Global-Financial-Crisis.pdf (an outline of the history, development and parameters of the obligation of non-retrogression)
- UN Committee on Economic, Social and Cultural Rights, *General Comment No.19 on the right to social security*, UN Doc. E/C.12/GC/19 (2008), para 48, http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=E/C.12/GC/19&Lang=en (a useful example of a statement by the Committee of the conditions that retrogressive measures in relation to a specific right – the right to social security – must satisfy)
- 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 (outlines how the Committee might apply the obligation to use the maximum of available resources specifically in the context of a complaint brought before it under the individual complaints system set out in the Optional Protocol to the Covenant, including with regard to assessing retrogressive measures)

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.