

Progressive realization

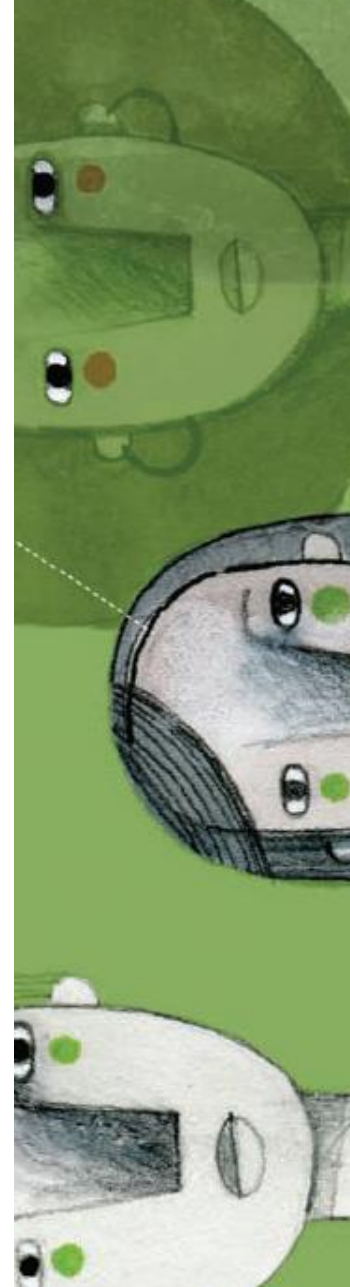
Article 2 & Governments' Budgets

ICESCR Article 2(1):

*Each State Party to the present Covenant undertakes to take steps, [...] especially economic and technical, to the maximum of its available resources, with a view to **achieving progressively the full realization** of the rights recognized in the present Covenant by all appropriate means [...]*

Progressive realization and budgets

- Relation between budgets and PR is less direct than with MAR and ND
- Budget is an indicator, but governments need also to use other indicators that directly reflect the actual realization of rights
- Budgets can increase and still not translate into a fuller enjoyment of rights

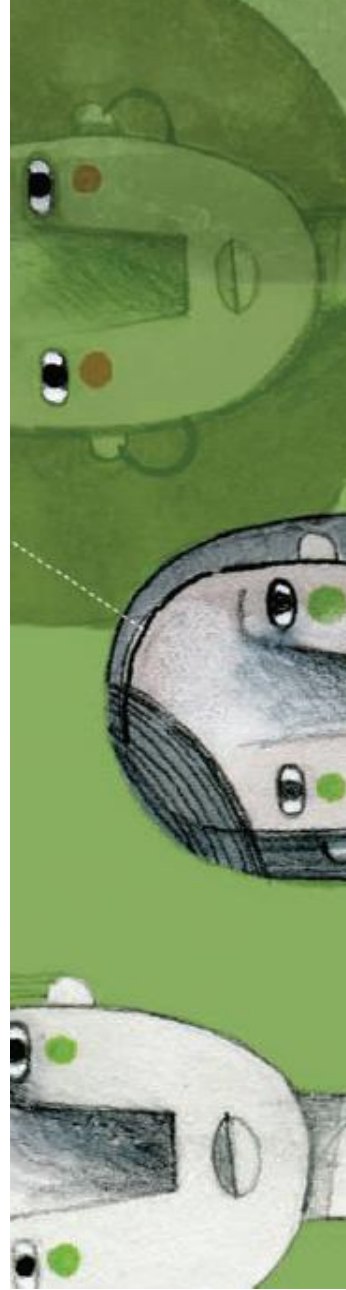


Review of progressive realization

- PR is realistic, but also demanding

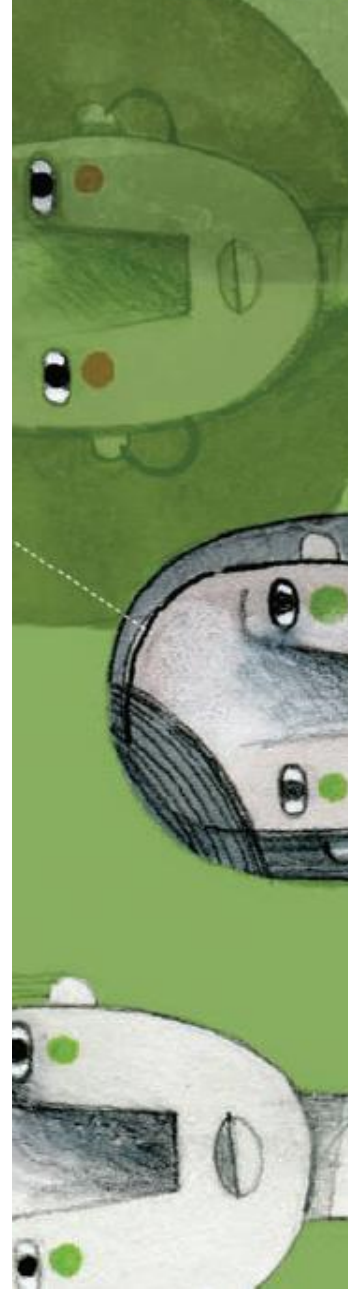
Governments must

- continuously improve conditions that are fundamental to the realization of ESC rights
- avoid retrogression
- implement protective measures during times of crises



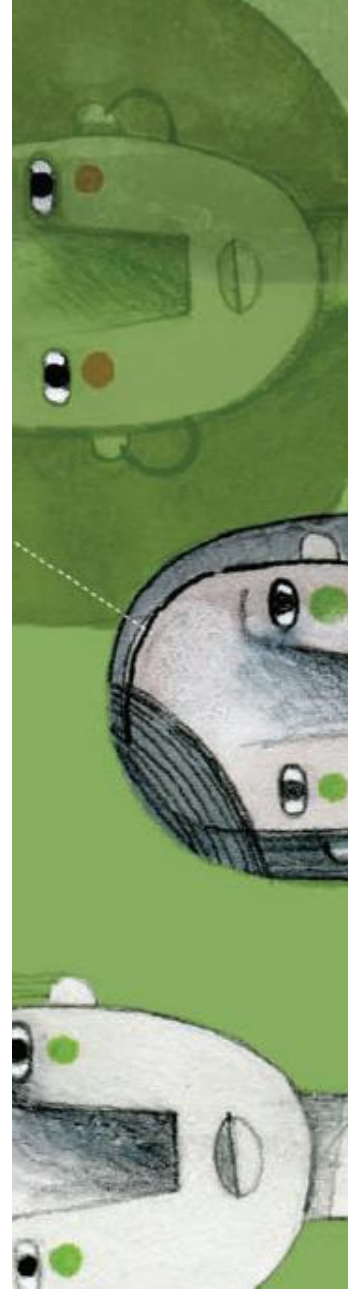
PR is realistic, but also demanding

- Realistic: Takes time and resources to realize ESC rights, but...
- Demanding: Governments need to demonstrate that they are using MAR
- TAC case study - if governments are failing to use MAR to progressively realize rights, they can be held accountable in court



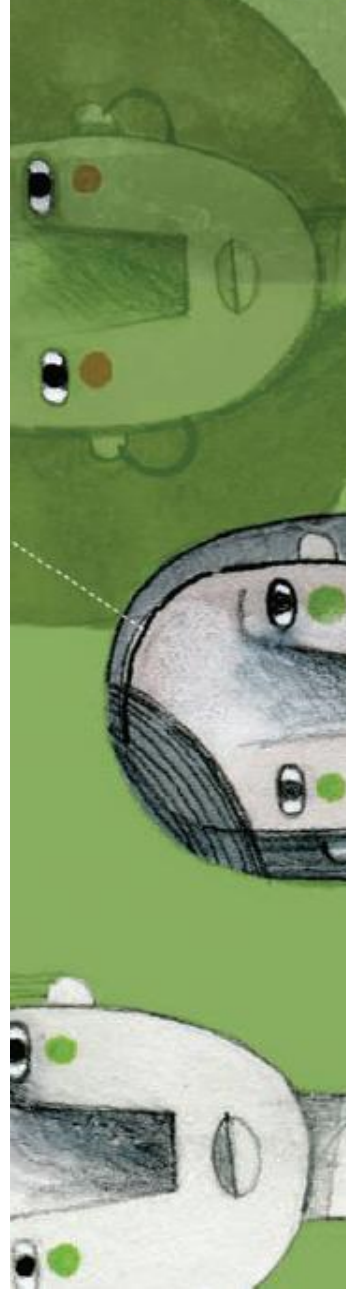
Continuously improve conditions

- Immediate steps: plans, processes, policies
- Further steps: Funds for ESC rights must increase in the same proportion as overall budget
- The effect of increased allocations for ESC rights has to be tested
- Guatemala case study - more resources do not automatically mean that rights are being more fully realized



Avoid retrogression

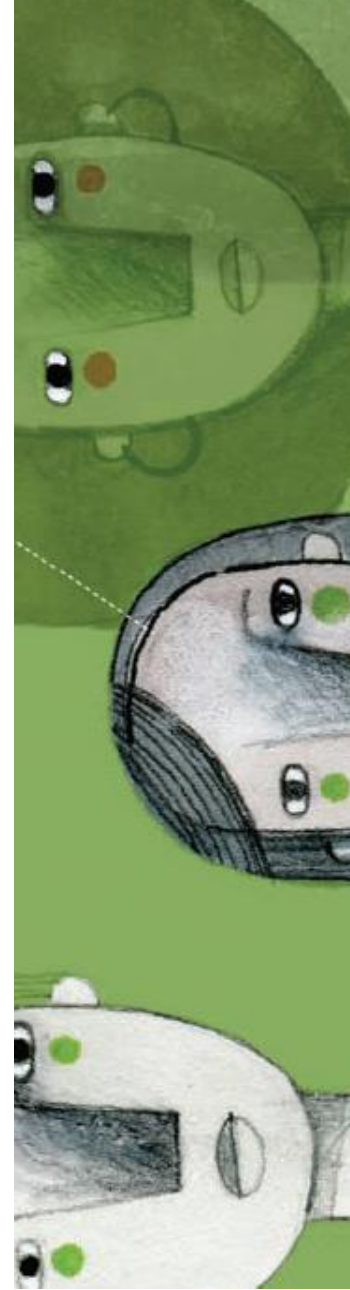
- Retrogression - government actions that diminish people's enjoyment of rights
- If funds for ESC rights are cut, governments must demonstrate that:
 - less money is used more efficiently
 - needs have diminished
 - compensatory measures are in place
- Brazilian case study - a tax reform that would have been retrogressive



Implement protective measures in times of crises

In times of crises:

- Vulnerable members of society must be protected and minimum standards have to be maintained
- If budgets have to be cut, governments have to demonstrate that they have done everything possible and used MAR to avoid the cuts



Download the complete handbook on
Article 2 & Governments' Budgets at:

www.internationalbudget.org/publications/ESCRArticle2

