

THE INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

The Universal Declaration of Human Rights recognizes both sets of human rights. In transforming its provisions into legally binding obligations by way of international treaties the United Nations adopted two separate International Covenants which, taken together, constitute the bedrock of the international normative regime in relation to human rights.

The International Covenant on Economic, Social and Cultural Rights was adopted by the UN General Assembly in 1966, entered into force in 1976, and presently has about 120 States parties. States compliance with their obligations under the Covenant is monitored by an 18 member expert committee called the Committee on Economic, Social and Cultural Rights. It first met in 1987 and is only gradually beginning to assert itself vis-à-vis governments.

The materials hereunder are as follows:

- (1) a brief description of the Covenant's content;
- (2) an excerpt from the Committee's official interpretation of the Covenant's key provision (relating to the nature of the obligation undertaken by States parties);
- (3) a call by the Committee for States to take the Covenant more seriously;
- (4) a recent example of the Committee's "concluding observations" (relating to the present situation in Canada); and
- (5) an example of how the Covenant has been applied by other UN bodies, in this case the UN Human Rights Commission's Independent Expert on Guatemala (a German international and constitutional lawyer).

(1) Alston, US Ratification of the Covenant on Economic, Social and Cultural Rights: The Need for an Entirely New Strategy", 84 Am. J. Int'l L. 365 (1990).

I. AN OVERVIEW OF THE RIGHTS AND OBLIGATIONS

The Covenant is sometimes described by its critics as though it were really a "holidays with pay treaty." The reason is that some of its most persistent detractors have long singled out that particular provision as indicative of the utopian and highly demanding nature of all of the rights recognized in the Covenant.¹⁷ While it is tempting to be diverted into a debate on that issue, it must suffice in this context to note that although the right to take an occasional break from work (a sabbath, in religious terms) is an important one, it is perhaps less self-evidently fundamental than several of the other rights dealt with. They include the right to work, which, notwithstanding allegations to the contrary, has always been interpreted by international organizations so as to avoid the implication that a job is guaranteed by the state to all and sundry. The relevant provision, however, does indicate that the job in

question should be freely chosen or accepted (Art. 6(1)) and that appropriate policies should be pursued "under conditions safeguarding fundamental political and economic freedoms to the individual" (Art. 6(2)). The link between the two sets of rights is thus strongly reaffirmed.

Articles 7 and 8 deal with conditions of work, including fair pay, equal pay for work of equal value, safe and healthy working conditions, and the right to form and join trade unions. Article 9 provides for the right to social security—exactly the term the United States has opted for since the Great Depression. Article 10 confirms the importance of the family as a social group and calls for special protection for children and young persons and for mothers during a reasonable period before and after childbirth. None of these provisions appear to be controversial or out of step with widespread practice in the United States. The same can be said of Article 15, which in most respects raises issues that seem more relevant to the Covenant on Civil and Political Rights. It confirms the right to take part in cultural life, the right to enjoy the benefits of science and the right of authors to have their creative work protected.

The remaining articles (Arts. 11–14), however, are more problematic from a U.S. perspective. In essence, they deal with the rights to food, clothing and housing, the right of access to physical and mental health care, and the right to education. In terms of the "ratifiability" of the Covenants by the United States, the issues raised by that cluster of rights are twofold. Is the United States prepared to commit itself to the general proposition that there is indeed a human right to each of these social goods or, put differently, to the satisfaction of each of these basic human needs? And, even if it is, is it prepared to accept the specific level of obligation in that regard provided for by the Covenant?

The latter question raises the most technically complex and politically controversial issue pertaining to the Covenant: the precise scope and nature of its various obligations clauses. The most important of these is Article 2(1), which provides:

Each State Party to the present Covenant undertakes to take steps, individually and through international assistance and co-operation, 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, including particularly the adoption of legislative measures.

• • •
The Covenant makes clear that the responsibility for monitoring and promoting the implementation of the various rights is principally incumbent upon the state party itself. This fact is sometimes downplayed by human rights advocates, who are anxious to emphasize the element of international accountability but do so at the expense of underestimating the central importance of domestic activities in this regard. The sole international implementation mechanism provided for in the Covenant consists of the duty assumed by each state party to report at regular intervals on the measures adopted, the progress made and the difficulties encountered in fulfilling its obligations.¹⁸ If the United States were to ratify the Covenant, it would be required under existing arrangements to produce an initial comprehensive report within 2 years and to submit follow-up (or so-called periodic) reports at 5-year intervals thereafter.¹⁹ These reports are examined by the UN Committee on Economic, Social and Cultural Rights,²⁰ to which they are presented by representatives of the state parties with expertise in at least some of the fields covered. On the basis of these presentations, members of the Committee pose questions, to which answers are expected at a later stage. The procedure is based on the assumption that a constructive dialogue between the Committee and the state party, in a nonadversarial, cooperative spirit, is the most productive means of prompting the government concerned to take the requisite action. The process can be expected to become gradually more sophisticated and effective over time as the Committee improves its procedures, develops greater expertise and elicits enhanced responsiveness from governments.

(2)

(2) Text of general comment 3 (1990)

The nature of States parties obligations (article 2, paragraph 1)

1. Article 2 is of particular importance to a full understanding of the Covenant and must be seen as being a dynamic relationship with all of the other provisions of the Covenant. It describes the nature of the general legal obligations undertaken by States parties to the Covenant. Those obligations include both what may be termed (following the work of the International Law Commission) obligations of conduct and obligations of result. While great emphasis has sometimes been placed on the difference between the formulations used in this provision and that contained in the equivalent article 2 of the Covenant on Civil and Political Rights, it is not always recognized that there are also significant similarities. In particular, while the Covenant provides for progressive realization and acknowledges the constraints due to the limits of available resources, it also imposes various obligations which are of immediate effect. Of these, two are of particular importance in understanding the precise nature of States parties obligations. One of these, which is dealt with in a separate general comment ¹ is the "undertaking to guarantee" that relevant rights "will be exercised without discrimination ...".

2. The other is the undertaking in article 2(1) "to take steps", which in itself, is not qualified or limited by other considerations. The full meaning of the phrase can also be gauged by noting some of the different language versions. In English the undertaking is "to take steps", in French it is "to act" ("s'engage à agir") and in Spanish it is "to adopt measures" ("a adoptar medidas"). Thus while the full realization of the relevant rights may be achieved progressively, steps towards that goal must be taken within a reasonably short time after the Covenant's entry into force for the States concerned. Such steps should be deliberate, concrete and targeted as clearly as possible towards meeting the obligations recognized in the Covenant.

3. The means which should be used in order to satisfy the obligation to take steps are stated in article 2(1) to be "all appropriate means, including particularly the adoption of legislative measures". The Committee recognizes that in many instances legislation is highly desirable and in some cases may even be indispensable. For example, it may be difficult to combat discrimination effectively in the absence of a sound legislative foundation for the necessary measures. In fields such as health, the protection of children and mothers, and education, as well as in respect of the matters dealt with in articles 6 to 9, legislation may also be an indispensable element for many purposes.

4. The Committee notes that States parties have generally been conscientious in detailing at least some of the legislative measures that they have taken in this regard. It wishes to emphasize, however, that the adoption of legislative measures, as specifically foreseen by the Covenant, is by no means exhaustive of the obligations of States parties. Rather, the phrase "by all appropriate means" must be given its full and natural meaning. While each State party must decide for itself which means are the most appropriate under the circumstances with respect to each of the rights, the "appropriateness" of the means chosen will not always be self-evident. It is therefore desirable that States parties reports should indicate not only the measures that have been taken but also the basis on which they are considered to be the most "appropriate" under the circumstances. However, the ultimate determination as to whether all appropriate measures have been taken remains for the Committee to make.

5. Among the measures which might be considered appropriate, in addition to legislation, is the provision of judicial remedies with respect to rights which may, in accordance with the national legal system, be considered justiciable. The Committee notes, for example, that the enjoyment of the rights recognized, **without discrimination**, will often be appropriately promoted, in part, through the provision of judicial or other effective remedies. Indeed, those States parties which are also parties to the International Covenant on Civil and Political Rights are already obligated (by virtue of articles 2(1), 2(3), 3 and 26) of that Covenant to ensure that any person whose rights or freedoms (including the right to equality and non-discrimination) recognized in that Covenant are violated, "shall have an effective remedy" (article 2(3)(a)). In addition, there are a number of other provisions, including articles 3, 7(a)(i), 8, 10(3), 13(2)(a), 13(3), 13(4) and 15(3) which would seem to be capable of immediate application by judicial and other organs in many national legal systems. Any suggestion that the provisions indicated are inherently non-self-executing would seem to be difficult to sustain.

6. Where specific policies aimed directly at the realization of the rights recognized in the Covenant have been adopted in legislative form, the Committee would wish to be informed,

inter alia, as to whether such laws create any right of action on behalf of individuals or groups who feel that their rights are not being fully realized. In cases where constitutional recognition has been accorded to specific economic, social and cultural rights, or where the provisions of the Covenant have been incorporated directly into national law, the Committee would wish to receive information as to the extent to which these rights are considered to be justiciable (i.e. able to be invoked before the courts). The Committee would also wish to receive specific information as to any instances in which existing constitutional provisions relating to economic, social and cultural rights have been weakened or significantly changed.

7. Other measures which may also be considered "appropriate" for the purposes of article 2(1) include, but are not limited to, administrative, financial, educational and social measures.

8. The Committee notes that the undertaking "to take steps ... by all appropriate means including particularly the adoption of legislative measures" neither requires nor precludes any particular form of government or economic system being used as the vehicle for the steps in question, provided only that it is democratic and that all human rights are thereby respected. Thus, in terms of political and economic systems the Covenant is neutral and its principles cannot accurately be described as being predicated exclusively upon the need for, or the desirability of a, socialist or capitalist system, or a mixed, centrally planned, or *laissez-faire* economy, or upon any other particular approach. In this regard, the Committee reaffirms that the rights recognized in the Covenant are susceptible of realization within the context of a wide variety of economic and political systems, provided only that the interdependence and indivisibility of the two sets of human rights, as affirmed *inter alia* in the preamble to the Covenant, is recognized and reflected in the system in question. The Committee also notes the relevance in this regard of other human rights and in particular the right to development.

9. The principal obligation of result reflected in article 2(1) is to take steps "with a view to achieving progressively the full realization of the rights recognized" in the Covenant. The term "progressive realization" is often used to describe the intent of this phrase. The concept of progressive realization constitutes a recognition of the fact that full realization of all economic, social and cultural rights will generally not be able to be achieved in a short period of time. In this sense the obligation differs significantly from that contained in article 2 of the Covenant on Civil and Political Rights which embodies an immediate obligation to respect and ensure all of the relevant rights. Nevertheless, the fact that realization over time, or in other words progressively, is foreseen under the Covenant should not be misinterpreted as depriving the obligation of all meaningful content. It is on the one hand a necessary flexibility device, reflecting the realities of the real world and the difficulties involved for any country in ensuring full realization of economic, social and cultural rights. On the other hand, the phrase must be read in the light of the overall objective, indeed the *raison d'être* of the Covenant which is to establish clear obligations for States parties in respect of the full realization of the rights in question. It thus imposes an obligation to move as expeditiously and effectively as possible towards that goal. Moreover, any deliberately retrogressive measures in that regard would require the most careful consideration and would need to be fully justified by reference to the totality of the rights provided for in the Covenant and in the context of the full use of the maximum available resources.

10. On the basis of the extensive experience gained by the Committee, as well as by the body that preceded it, over a period of more than a decade of examining States parties reports the Committee is of the view that a minimum core obligation to ensure the satisfaction of, at the very least, minimum essential levels of each of the rights is incumbent upon every State party. Thus, for example, a State party in which any significant number of individuals is deprived of essential foodstuffs, of essential primary health care, of basic shelter and housing, or of the most basic forms of education is, *prima facie*, failing to discharge its obligations under the Covenant. If the Covenant were to be read in such a way as not to establish such a minimum core obligation, it would be largely deprived of its *raison d'être*. By the same token, it must be noted that any assessment as to whether a State has discharged its minimum core obligation must also take account of resource constraints applying within the country concerned. Article 2(1) obligates each State party to take the necessary steps "to the maximum of its available resources". In order for a State party to be able to attribute its failure to meet at least its minimum core obligations to a lack of available resources it must demonstrate that every effort has been made to use all resources that are at its disposition in an effort to satisfy, as a matter of priority, those minimum obligations.

11. The Committee wishes to emphasize, however, that even where the available resources are demonstrably inadequate, the obligation remains for a State party to strive to ensure the widest possible enjoyment of the relevant rights under the prevailing circumstances. Moreover, the obligations to monitor the extent of the realization, or more especially of the non-realization, of economic, social and cultural rights, and to devise strategies and programmes for their promotion, are not in any way eliminated as a result of resource constraints. The Committee has already dealt with these issues in its general comment No. 1.

12. Similarly, the Committee underlines the fact that even in times of severe resources constraints whether caused by a process of adjustment, of economic recession, or by other factors the vulnerable members of society can and indeed must be protected by the adoption of relatively low-cost targeted programmes. In support of this approach the Committee takes note of the analysis prepared by UNICEF under the title of Adjustment With a Human Face: Protecting the Vulnerable and Promoting Growth, the analysis by the United Nations Development Programme in its Human Development Report 1990 and the analysis by the World Bank in the World Development Report 1990.

13. A final element of article 2(1), to which attention must be drawn, is that the undertaking given by all States parties is "to take steps, individually and through international assistance and co-operation, especially economic and technical ...". The Committee notes that the phrase "to the maximum of its available resources" was intended by the drafters of the Covenant to refer to both the resources existing within a State and those available from the international community through international co-operation and assistance. Moreover, the essential role of such co-operation in facilitating the full realization of the relevant rights is further underlined by the specific provisions contained in articles 11, 15, 22 and 23.

(3) STATEMENT TO THE WORLD CONFERENCE ON HUMAN RIGHTS ON BEHALF OF
THE COMMITTEE ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

(adopted by the Committee on 7 December 1992)

• • •

9. Democracy, stability and peace cannot long survive in conditions of chronic poverty, dispossession and neglect. Political freedom, free markets and pluralism have been embraced with enthusiasm by an ever-increasing number of peoples in recent years, in part because they have seen them as the best prospect of achieving basic economic, social and cultural rights. If that quest proves to be futile the pressures in many societies to revert to authoritarian alternatives will be immense. Moreover, such failures will generate renewed large-scale movements of peoples involving additional flows of refugees, migrants and so-called "economic refugees", with all of their attendant tragedy and problems. • • •

10. The increasing emphasis being placed on free market policies brings with it a far greater need to ensure that appropriate measures are taken to safeguard and promote economic, social and cultural rights. Even the most ardent supporters of the free market have generally acknowledged that it is incapable, of its own accord, of protecting many of the most vulnerable and disadvantaged members of society. For that reason the concept of social safety nets has been widely promoted. While this concept has much to recommend it, it is imperative that it be defined so as to cover the full range of human rights and that it be formulated in terms of rights rather than charity or generosity. Safety nets which can be removed at the whim of the Government or other actors cannot therefore provide adequate protection for economic, social and cultural rights.

11. Despite the particular problems confronting many developing countries and other countries in transition, the failure to take seriously the denial of economic, social and cultural rights has not been the exclusive preserve of any particular group of countries. Indeed, the situation in those countries

is too often the subject of gross over-generalizations which ignore the fact that some of the Governments concerned have done far more to promote the realization of economic, social and cultural rights than have others.

12. The same is true of Governments in the industrialized countries. Some of them tend to assume that the existence of a genuinely democratic system and the generation of relatively high levels of per capita income are sufficient evidence of comprehensive respect for human rights. Yet, the Committee's experience shows that such conditions are perfectly capable of coexisting with significant areas of neglect of the basic economic, social and cultural rights of large numbers of their citizens. High infant mortality rates, a significant incidence of hunger or malnutrition, mass unemployment, large-scale homelessness and high drop-out rates from educational institutions are all indicators, at least *prima facie*, of violations of economic, social and cultural rights and hence of human rights.

13. Despite the fact that some progress has been made in recent years, the Committee believes that there remain many steps which urgently need to be taken in order to promote effectively the progressive realization of these rights in the years ahead.

14. The first step is for all States Members of the United Nations to ratify or accede to the two International Covenants on Human Rights. The Committee notes that there are more than 60 States which have not yet taken this step and it urges them to give the most careful consideration to ratification or accession. In addition, those States which have become parties to only one of the International Covenants, but not the other, should take careful account of the implications of such selectivity in terms of the basic notion of the interdependence of the two categories of rights.

15. The Committee also wishes to emphasize the importance that it attaches to the reporting obligation accepted by States parties when they ratify or accede to the Covenant. Failure to report at all, or failure to do so within a reasonable period, constitute a breach of an important obligation contained in the Covenant vis-à-vis the international community. It is therefore desirable that means be explored by the World Conference to emphasize the unacceptability of such practices.

16. In the case of States which are parties to the Covenant, the most pressing challenge is to demonstrate that their commitment to economic, social and cultural rights is a genuine and enduring one. As the Committee has previously observed, this can best be done by the establishment by each State party of benchmarks which enable the Government concerned to ascertain the full extent to which the minimum core content of the basic rights in question is being satisfied. In addition, Governments should establish appropriate national and local mechanisms by which they and other relevant actors can be called to account in relation to situations in which the enjoyment of economic, social and cultural rights is clearly being denied.

17. It has often been suggested that these rights are not justiciable, by which it is meant that they are lacking in any elements which might be susceptible of determination by the courts. It is clear, however, that many and perhaps all of the rights do have at least some elements which are already, in the law and practice of some States justiciable. Moreover, there are many more innovative approaches by which meaningful administrative or judicial remedies might be provided to individuals or groups claiming that their economic, social and cultural rights have been violated. These possibilities have been given insufficient attention in most countries not because of their legal or other complexities but because Governments have not been prepared to show the necessary political will and the commitment to economic and social justice. . . .

(4) CONCLUDING OBSERVATIONS IN RELATION TO THE REPORT OF CANADA

Adopted by the Committee on ESCR in May 1993

...

D. Principal subjects of concern

12. In view of the obligation arising out of article 2 of the Covenant to apply the maximum of available resources to the progressive realization of the rights recognized in the treaty, and considering Canada's enviable situation with regard to such resources, the Committee expresses concern about the persistence of poverty in Canada. There seems to have been no measurable progress in alleviating poverty over the last decade, nor in alleviating the severity of poverty among a number of particularly vulnerable groups.

13. In particular the Committee is concerned about the fact that, according to information available to it, more than half of the single mothers in Canada, as well as a large number of children, live in poverty. The State party has not outlined any new or planned measures to remedy this situation. Of particular concern to the Committee is the fact that the federal government appears to have reduced the ratio of its contributions to cost-sharing agreements for social assistance.

14. The Committee received information from non-governmental organizations about families being forced to relinquish their children to foster care because of inability to provide adequate housing or other necessities.

15. The Committee is concerned that there seems to exist no procedure to ensure that those who must depend entirely on welfare payments do not thereby derive an income which is at or above the poverty line.

16. A further subject of concern for the Committee is the evidence of hunger in Canada and the reliance on food banks operated by charitable organizations.

17. The Committee is concerned that the right to security of tenure is not enjoyed by all tenants in Canada.

18. The Committee learned from non-governmental organizations of widespread discrimination in housing against people with children, people on social assistance, people with low incomes, and people who are indebted. Although, prohibited by law in many of Canada's provinces, these forms of discrimination, are apparently common. A more concerted effort to eliminate such practices would therefore seem to be in order.

19. The Committee notes the omission from the Government's written report and oral presentation of any mention of the problems of homelessness. The Committee regretted that there were no figures available from the Government on the extent of homelessness, on the numbers of persons evicted annually throughout the country, on the lengths of waiting lists or the percentage of houses accessible to people with disabilities.

20. Given the evidence of homelessness and inadequate living conditions, the Committee is surprised that expenditures on social housing are as low as 1.3% of government expenditures.

21. The Committee is concerned that in some court decisions and in recent constitutional discussions, social and economic rights have been described as mere "policy objectives" of governments rather than as fundamental human rights. The Committee was also concerned to receive evidence that some provincial governments in Canada appear to take the position in courts that the rights in article 11 of the Covenant are not protected, or only minimally protected, by the Charter of Rights and Freedoms. The Committee would like to have heard of some measures being undertaken by provincial governments in Canada to provide for more effective legal remedies against violations of each of the rights contained in the Covenant.

22. The Committee was very concerned to learn that the "Court Challenges Programme" has been cancelled.

23. The Committee is concerned to learn that in a few cases, courts have ruled that the right to security of the person in the Charter does not protect Canadians from social and economic deprivation, or from infringements of their rights to adequate food, clothing and housing.

24. The Committee is concerned that provincial human rights legislation has not always been applied in a manner which would provide improved remedies against violations of social and economic rights, particularly concerning the rights of families with children, and the right to an adequate standard of living, including food and housing.

• • •

(5)

Report by the independent Expert, Mr. Christian Tomuschat,
on the situation of human rights in Guatemala, prepared in
accordance with paragraph 13 of Commission resolution 1992/78

• • •

D. Right to health

222. The Human Rights Procurator himself notes in his report "The First Constitutional Period 1986-1992" that "Guatemala is one of the Latin American countries with the lowest levels of welfare and satisfaction of its people's basic needs. The social profile has deteriorated in recent years owing to the country's economic crisis which has eroded the purchasing power and quality of life of Guatemalans". The Ministry of Public Health covers only 25 per cent of the population; the Guatemalan Social Security Institute (IGSS) covers 15 per cent, and the private sector 14 per cent. The total cover is thus 54 per cent of the population, concentrated exclusively in urban areas. This means that the remaining 46 per cent (i.e. 4.5 million people) is not provided with any kind of health service, not even a defective one. Most of these people are rural and indigenous.

223. In addition to these structural shortcomings, it must be pointed out that, according to an official estimate, the installations in 70 per cent of the country's 35 main hospitals are in a state of disrepair; many of them have already reached the end of their useful life. Basic equipment such as boilers, laundries, electricity plant, lifts, etc., are in a state of deterioration and in 45 per cent of the hospitals the support services such as radiology, laboratories, blood banks and sterilization facilities are described as "60 per cent in poor condition".

224. In his written opinion of 9 April 1992 concerning the operating conditions in the Escuintla regional hospital, the Human Rights Procurator stated that "the investigations carried out have shown that this hospital is in a very poor state which makes it difficult to operate normally, to the

detriment of the population of the region which it serves, who are denied the right to health or can exercise it only in precarious conditions which actually endanger their health. For example, the hospital does not have drinking water in its various services, and there is insufficient medical and nursing staff to care for all the cholera patients, who do not even have bedpans." This opinion blames the Government for violating the right to health, "as it lacks the will to apply the health policies", the Ministry of Public Health and Social Assistance "for its plain inability to carry out these policies effectively", and the former director of the hospital "for his poor management".

225. In contrast, the Expert visited on 5 October 1992, accompanied by the President of the Republic, the facilities of what will be the new departmental hospital of Huehuetenango, to be opened in March 1993 in the departmental capital. The hospital is of modern design and will have a capacity of 172 beds; its final cost, including equipment, is estimated at about 20 million United States dollars. However, the hospital will have to cater to the needs of a very large population (about 80,000 in the town and 600,000 in the department).

226. All these factors explain why the infant mortality rate remains high. Current data indicate that about 100 children die every day in Guatemala, most of them from hunger and causes connected with malnutrition, and that 58 per cent of Guatemalan children aged between 3 and 36 months suffer from some degree of malnutrition; this figure rises to 72 per cent in rural and poor areas.

227. The Government has undertaken to eradicate neonatal tetanus by 1995, to eliminate the indigenous transmission of the measles virus by 1997, to eradicate poliomyelitis, and to keep the other immuno-preventable diseases under control. But the Ministry of Public Health stressed that until all the municipalities of the country are effectively covered, epidemics may break out.

228. The Human Rights Commission of Guatemala (CDHG) reported to the United Nations Subcommission on Prevention of Discrimination and Protection of Minorities in July 1992 about the defects in health services in rural areas, where there is only one doctor for every 25,000 inhabitants, and the shortages in the main State hospitals. According to this non-governmental organization, which has its headquarters in Mexico, statistics produced by several specialized bodies indicate that 80 per cent of the rural population does not have access to medical services. It adds that 68 per cent of health personnel works in hospitals, 25 per cent in health centres, and 7 per cent in rural communities; 45 per cent of the doctors live in the capital, where 20 per cent of the total population is concentrated.

229. According to the assessment of the Human Rights Procurator, "the health problems can be summed up as excessive bureaucratization, duplication of effort, waste of resources and bad management, and lack of transparency in budgetary spending in this sector, for corruption levels have been extremely high since the 1980s, and corruption has continued although at a different level".

. . .
