

mary Health Care Development Agency, established in 1992; problems in health care delivery arising from funding constraints; the Education For All objective; problems and challenges related to the education system (e.g., infrastructure, gender disparity); institutions established to provide services for target groups vis-à-vis basic education; the Family Support Programme (FSP); and creation of the Ministry for Women's Affairs.

The Committee's concluding observations and comments (E/C.12/1/Add.23) welcomed the government's presentation of its initial report but expressed regret that: an expert delegation was not available from Lagos; the report did not conform with the Committee's guidelines; additional information was received too late to allow for its translation; the delegation was not equipped with the detailed and up-to-date facts and statistics required to answer satisfactorily the list of issues submitted by the Committee to the government eleven months earlier; and the additional information promised by the government delegation during the dialogue was never received.

The factors hindering implementation of the Covenant were noted as including: the absence of the rule of law; the existence in Nigeria of military governments; the suspension of the Constitution in favour of ruling by military decrees; the concomitant resort to intimidation and the negative effects that widespread corruption has on the functioning of governmental institutions; the absence of the necessary judicial protection of human rights since the judiciary is being undermined by "ouster clauses" attached to many military decrees as well as by the government's refusal to implement the judiciary's decisions; and the negative attitude of the government with regard to the promotion and protection of human rights in general, and economic, social and cultural rights in particular.

The Committee welcomed the establishment of the Nigerian Human Rights Commission and its recommendations in the field of human rights — including that prison committees be created — but noted that the powers and independence of the Commission have been the subject of criticism and many of its recommendations have been ignored. The Committee also welcomed: the establishment of a Ministry for Women's Affairs, responsible for the welfare of women and children; small improvements in women's participation in the political process, for example in representation in the Cabinet; the establishment of the National Child Rights Implementation Committee and the preparation of a National Child Plan of Action; and the fact that, as of 1998, more attention was given, and budgetary allocations substantially increased, for infrastructure, health and education.

The Committee noted with regret that the Special Rapporteur of the UN Commission on Human Rights had not been permitted to visit the country. The Committee also noted with regret that the government had failed to heed the appeals and concerns expressed by the U.N. Secretary-General's fact-finding mission, the decisions of the African Commission on Human and Peoples' Rights, the statements of the Nigerian Human Rights Commission,

those of the Commonwealth Ministerial Action Group and of the International Labour Organization.

With regard to the right to work and workers' rights, the principal subjects of concern identified by the Committee included, *inter alia*: the decision of the authorities to expel an estimated half a million Chadian and other nationality workers in inhuman and undignified circumstances, some of whom had been legally established for many years with residence permits and had participated in, and contributed to, the social security system; the apparent failure to pay adequate compensation to the majority of the workers expelled; the high percentage of unemployment and underemployment among Nigerian workers, particularly among agricultural workers; discrimination against women in the workplace, particularly with regard to access to employment, promotion to higher positions and equal pay for work of equal value; the 1994 decision to dissolve three major trade unions and the appointment of military administrators to run them; the decision of the government to decrease the number of labour unions from 42 to 29 and prohibit unions from associating with international federations of labour unions; the imprisonment without charge or trial of the General Secretaries of two of the major unions; repeated violations of the right to strike; the policy of retrenchment aimed at expelling up to 200,000 employees in the public sector, without adequate compensation; an inadequate social security system and the fact that the National Nigerian Insurance Trust Fund does not cover all the needy; and that, in the private sector, social security benefits are left to the employers' discretion.

On issues affecting women and girls, the Committee expressed concern over: the failure of the government to abolish female genital mutilation, noting an estimate by UNICEF that the practice affects 50 per cent of the female population; the continuing existence of legal provisions which permit the beating ("chastisement") of women by their husbands; the fact that polygamy, a practice which is very often incompatible with the economic, social and cultural rights of women, is widespread in Nigeria; and the rising number of homeless women and young girls who are forced to sleep in the streets where they are vulnerable to rape and other forms of violence.

The Committee also expressed concern over: the tendency of children to resort to prostitution to feed themselves; a primary school drop-out rate of more than 20 per cent; information indicating that as many as 12 million children hold one job or another; overcrowding in, and the dilapidated condition of, schools; failure in law to provide equal treatment to children born in wedlock and those born out of wedlock; the widespread problem of children suffering from malnutrition; the fact that 21 per cent of the population live below the poverty line despite the country's rich natural resources; and the fact that due to economic and administrative mismanagement, corruption, runaway inflation and the rapid devaluation of the Naira, Nigeria now ranks among the world's 20 poorest countries.