

and of particular importance to persons with disabilities, such as the rights to dignity and equality.

Since the CRPD has been ratified by South Africa, it provides a clear instruction to South Africa to progressively realise the socio-economic rights therein. The CRPD requires regular reporting by States Parties on the status of the rights in each jurisdiction, and the CRPD also provides for the manner in which the implementation thereof is to be monitored.¹³⁸¹ A situation of non-compliance with the CRPD by a State Party will therefore be not be condoned, and will be re-assessed on a regular basis. It must be noted that compliance with the South African Constitution takes priority over the provisions of the CPRD, but, as has been mentioned, there are areas of overlap between the CRPD and the Constitution and the CRPD is currently the focus of much local and international attention.¹³⁸² Such focus must be utilised, and the opportunity taken to realised the rights of persons with disabilities.

The CPRD further provides for international co-operation in the implementation of programmes aimed at implementing the provisions thereof by States Parties.¹³⁸³ This means that States Parties are not only accountable to the UN, but also to each other.¹³⁸⁴ This manner of enforcement and monitoring must be utilised in order to ensure that there is no complacency regarded the implementation of the rights in the CRPD.

¹³⁸¹ See 4.4.9 above.

¹³⁸² On a local level, the new Draft National Disability Rights Policy has highlighted the need for compliance with the CRPD – see 5.4 above. On an international level, the submission of the various country reports ensures that compliance with the CRPD remains under scrutiny.

¹³⁸³ See 4.4.9 above.

¹³⁸⁴ See 4.4.9 above.

In conclusion, the right to social security and the right to an adequate standard of living of persons with disabilities are fundamental rights which require urgent realisation. However, sight must not be lost of the importance of the CRPD on a larger scale, which is to fully realise all the basic human rights of persons with disabilities in order to ensure that this group no longer experiences marginalisation and discrimination, but is able to achieve full inclusion and participation in society.



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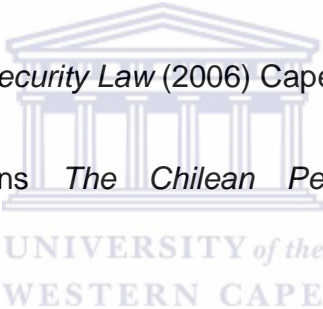
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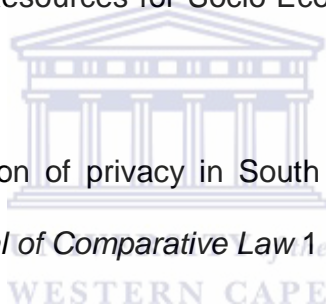
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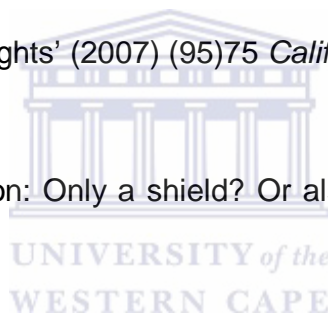
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WESTERN CAPE

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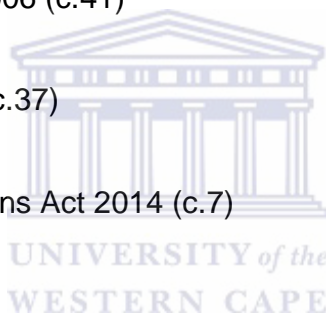
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