



FOR IMMEDIATE RELEASE
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Socio-economic rights optional protocol heralds a new dawn in the enforcement of these rights

The Campaign for South Africa's Ratification of the International Covenant on Economic, Social and Cultural Rights, joins other civil society groups and human rights advocates across the world in celebrating the entry into force of the Optional Protocol to the International Covenant on Economic, Social Cultural Rights (OP-ICESCR).

The coming into force today of the OP-ICESCR marks the beginning of a new dawn in the enforcement of socio-economic rights at the international level, with consequential positive impacts at the national level. According to Prof. Lilian Chenwi, Associate Professor at the Wits School of Law, the OP-ICESCR "would encourage State parties to ensure more effective local remedies for socio-economic rights violations".

The OP-ICESCR was adopted in December of 2008 and opened for ratification in September 2009. It required the ratifications of ten countries before it could come into force. On 5 February 2013, Uruguay became the 10th country to ratify the OP-ICESCR thereby setting the stage for its coming into force. Prior to this time, the United Nations Committee on Economic, Social and Cultural Rights, responsible for monitoring States' implementation of the main treaty on socio-economic rights at the United Nations level, the International Covenant on Economic, Social and Cultural Rights (ICESCR), could not receive complaints from individuals or States regarding violations of socio-economic rights or non-compliance with related obligations. This situation was viewed as a serious handicap for the realisation of socio-economic rights at the international level. The OP-ICESCR now allows individuals or group of people to lodge complaints at the international level regarding violations of their

socio-economic rights. According to Ebenezer Durojaye of the Community Law Centre University of the Western Cape, 'this will further strengthen the accountability mechanisms for the realisation of socio-economic rights at national and international levels'.

The entry into force of the OP-ICESCR therefore presents an opportunity for individuals and civil society groups to further ensure the realisation of socio-economic rights. It is an important tool to strengthen the promotion and protection of socio-economic rights worldwide. Jackie Dugard of the Socio-Economic Rights Institute of South Africa (SERI) notes that 'the coming into force of the OP to the ICESCR is a momentous milestone in the struggle for recognition that socio-economic rights are equally as critical as civil and political rights'. The OP-ICESCR will help in empowering the vulnerable and marginalised groups across the world to realise their socio-economic rights. It also serves as an important mechanism for poverty reduction in the world. Prof. Chenwi adds that "poverty is a huge challenge facing many countries, especially in Africa, and is exacerbated by socio-economic rights violations. In exposing socio-economic deprivations that are linked to poverty, the OP-ICESCR thus opens up a new avenue for combating poverty."

South Africa is not free from the poverty challenge. Therefore, as the Campaign joins the international community to celebrate the entry into force of this important human rights instrument, it once again calls on the South African government to ratify the ICESCR and the OP-ICESCR as soon as possible. It would be recalled that South Africa signed the ICESCR in 1994 and played an important role in the drafting and negotiation of the OP-ICESCR. Moreover, South Africa's Constitution guarantees a number of important socio-economic rights that are complimentary to the provisions of the ICSECR and the OP-ICESCR. Therefore, the ratification of these instruments will further reaffirm South Africa's avowed commitment to addressing poverty and improving living conditions within and outside the country. Cabinet's announcement in October 2012 of South Africa's intention to ratify the ICESCR has raised the hopes of many people who are desirous of seeing this intention attained. We trust that the government will keep to its words by not only ratifying the ICESCR but going a step further to ratify the OP-ICESCR.

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Issued by the Campaign for South Africa's Ratification of the ICESCR and its Optional Protocol which comprises:

Community Law Centre

Black Sash

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Global Call to Action against Poverty South Africa

Socio-Economic Rights Institute of South Africa (SERI)

Studies in Poverty and Inequality Institute (SPII)

For more information or interview requests, please contact:

Lilian Chenwi, Associate Professor, Wits School of Law: 072 172 6346 /

lilian.chenwi@wits.ac.za

Jackie Dugard, Senior Researcher, Socio-Economic Rights Institute of South Africa (SERI):

084 240 6187 / jackie@seri-sa.org

Ebenezer Durojaye, Project Head & Senior Researcher, Socio-Economic Rights Project,
Community Law Centre (CLC): 084 577 0757 / edurojaye@uwc.ac.za