

# ICLD

## Facilitator's guide



### Cape Town's Quest for Accessible Transportation

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**Photos:** Description: A MyCiTi bus at Civic Centre Station, Cape Town

**Photo Credit:** Jarrett Stewart, creative commons

#### Summary of the Case

As in many countries in the world, people with disabilities in South Africa face a number of social, attitudinal, structural and infrastructure barriers that inhibit their full participation in society. They are less likely to attain higher education, less likely to be employed and more likely to live in poverty than those without disabilities (Statistics SA, "Census 2011" 2014).

Accessible transportation can be one way to overcome some of these barriers and allow for access to education, employment, services, and social opportunities, particularly in sprawling and spatially segregated cities like Cape Town. Most people in South Africa use forms of communal or public transit regularly, however, these forms of transportation are rarely fully accessible to people with disabilities.

Cape Town City Council took advantage of the world stage offered by the hosting of the 2010 FIFA World Cup to develop bus rapid transit system called MyCiTi and develop a Universal Access Policy (UAP) putting forth ambitious goals for accessibility. MyCiTi was intended to fully comply with UAP and form part of an "integrated network of public transport services to create greater social and spatial equality and more efficient cities" (City of Cape Town, "About MyCiTi" n.d.). Although the UAP and MyCiTi network did come to fruition, transportation accessibility did not extend meaningfully beyond the new bus system and there continued to be gaps between policy and practice.

## How to introduce and explore the case

The case of Cape Town can be introduced as one where a municipal government sought to take action and leadership on a human rights issue and chose to ‘aim high’ with an ambitious policy that would tie the city to international human rights standards that seemed out of reach. This action speaks to the role that municipal governments can take, in areas within their jurisdiction, to meet international and domestic human rights commitments and redress inequality. It also, however, highlights potential gaps between these commitments and the resources available to municipalities. Is it appropriate to set goals that seem unreachable, or should policy objectives in this area be aspirational?

## Key concepts and tools

There are three concepts that can be useful in contextualizing the discussion:

- 1) Spatial Inequality is the idea that different populations have unequal access to areas that are desirable for their location and access to services and amenities. In South Africa, the apartheid regime legislated unequal access to land and forced many, mostly black, people to land that was remote from urban centers (South African History Online, “Native Land Act” 2021, “Group Areas Act” 2021). Although apartheid has been abolished, legacies of unequal access to land remain. In Cape Town, this means that many people must live distant from the city centre and travel long distances to work, usually by communal or public transit.
- 2) Social Inclusion is “the process of improving the terms of participation in society, particularly for people who are disadvantaged, through enhancing opportunities, access to resources, voice and respect for rights” (United Nations Department of Economic and Social Affairs 2016, p. 17). One way to guide social inclusion is through legislation and policies that give specific attention to people with disabilities and their inclusion in society.
- 3) Disability Rights: Internationally, South Africa is a party to the United Nations Convention on the Rights of Persons with Disabilities (CRPD). Article 9 of the CRPD requires countries to “take appropriate measures to ensure to persons with disabilities access, on an equal basis with others, to the physical environment, to transportation, to information and communications” including accessibility of “buildings, roads, transportation and other indoor and outdoor facilities, including schools, housing, medical facilities and workplaces” that are accessible to the public, whether privately or publicly operated.” South Africa’s constitutional Bill of Rights also specifically prohibits discrimination on the basis of disability (Government of South Africa 1996).

## Application

Begin by reviewing the case with the group, suggesting that participants read it as if considering what they might do as a Cape Town City Councillor approached by a disability association concerned about the need for accessible transportation in the city. Consider not only what needs to be done, but also how to frame the issue. What kind of a problem is this, who might you consult? Is transportation a human rights issue, why or why not and in what ways? In tackling the issue of accessible transportation consider the pluses and minuses of incremental versus ambitious or ideal policy benchmarks. Ask participants to reflect on how they might address the same set of issues in their home contexts. The three concepts outlined above can provide a framework to consider this topic that will also have implications on other topics and in other places.

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