IX THE FUTURE

82. Although the primary purpose of human rights law is remedial and not punitive, it is fundamental that any violation of human rights be dealt with speedily and effectively. The law requires the NHRC to refer to the appropriate authorities any breach for either criminal action or disciplinary proceedings. We observe however that legal proceedings before our Courts are unduly protracted. Similarly, disciplinary proceedings are also subject to delays. In so far as the police is concerned the mechanism adopted is unsatisfactory in that police officers below the rank of Assistant Superintendent are in the end judged by their peers. It appears to the Commission that these are issues that must be addressed at the earliest. [See paragraphs 43 and 44].

83. With the coming into force of the Sex Discrimination Act 2002, the jurisdiction and scope of the NHRC will be considerably enhanced. A Sex Discrimination Division will be set up within the NHRC with a Vice-Chairperson and another member. Henceforth the Commission will handle complaints of sex discrimination and sexual harassment.

84. National human rights institutions of member nations are being called upon by the United Nations to participate in the preparation and adoption of an international treaty specially focused on the rights of disabled persons. Unfair and
discriminating treatment towards disabled persons constitutes inhuman treatment and is in breach of our Constitution.

85. Finally respect for human rights can only contribute towards good governance at a time when it is of utmost necessity in our country.