



## Making Human Rights a Reality



the right to

health

equality

work

dignity

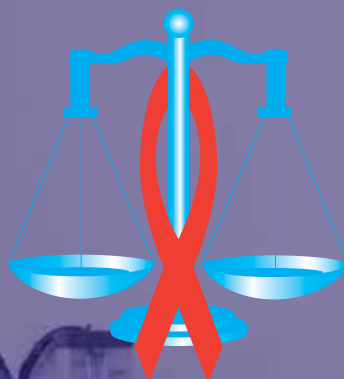
have a family

education

treatment

confidentiality

**BONELA**



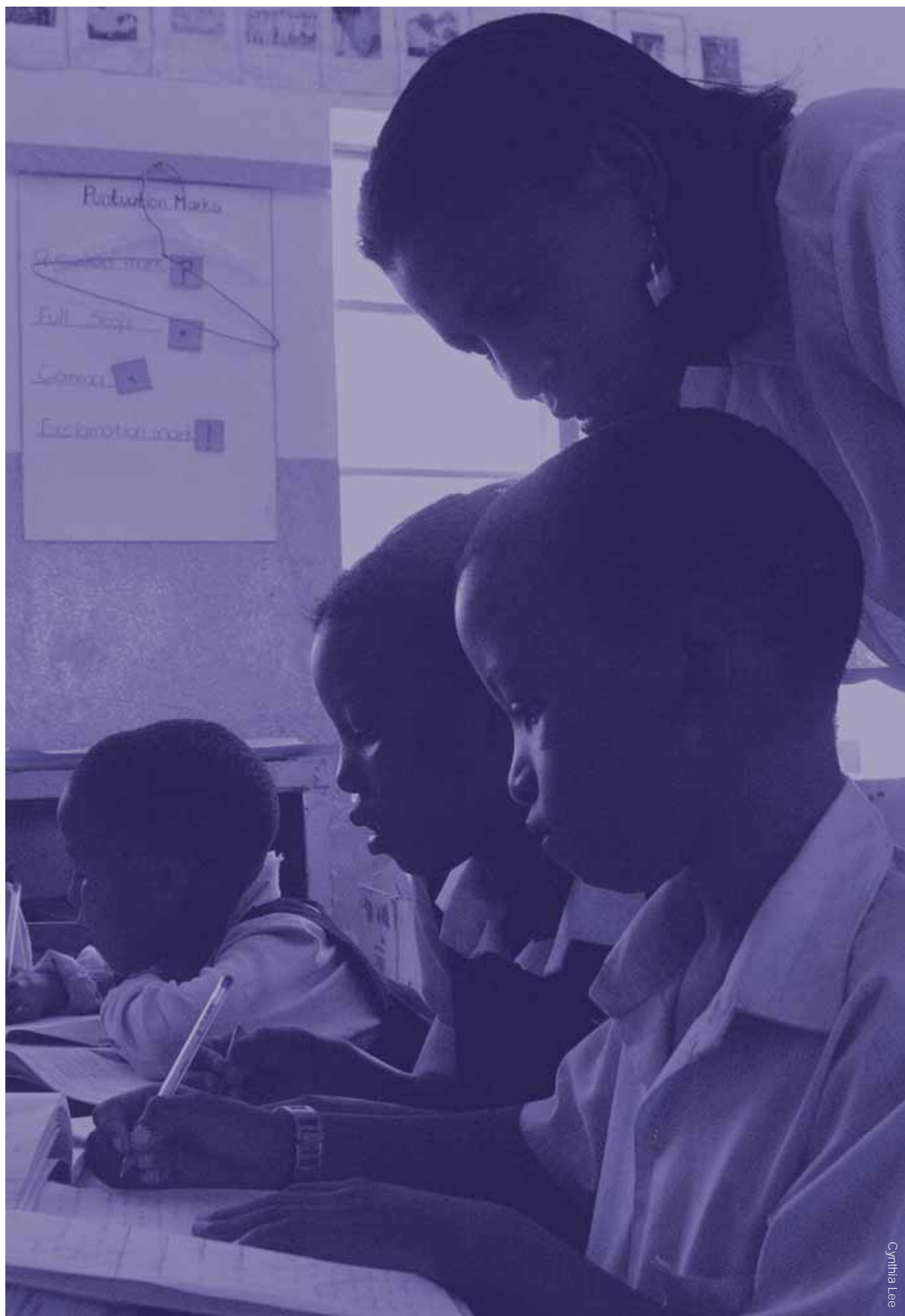
**The Botswana  
Network on  
Ethics, Law  
and HIV/AIDS**

**Annual Report 2004/5**

Making Human Rights a Reality

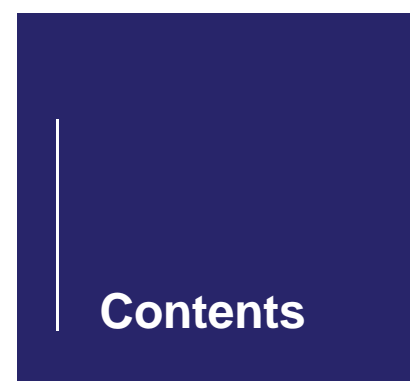
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Koreen Reece



Cynthia Lee

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## A Note from BONELA's Director



“Only when we assist people in becoming agents of their own destiny in an environment that protects and respects their human rights, will we make a real change to the HIV epidemic in Botswana.”

Dear Friends, Members and Partners of BONELA,

The following pages are a somewhat brief account of the many exciting and innovative activities in which BONELA was engaged during 2004 and 2005. This annual report is presented as a double edition because the 2004 report was only distributed to a few stakeholders. Due to the steady growth in people supporting our work, BONELA, undoubtedly, has changed a lot in the past two years, enormously increasing its activities in terms of coverage, scope and volume. A huge change from our humble beginnings as a small, one-woman office, we have not only been able to appoint a number of new staff but have also been fortunate to find many international and local volunteers eager to get involved. They have worked in such diverse areas as human-rights research, training and the provision of legal aid. We are truly grateful to all of them and to the agencies supporting their placements, such as World University Service of Canada and Human Rights Internet in Canada.

These past two years have been as hectic as they have been exciting. The publication of *Human Rights and HIV: A Manual for Action*, BONELA's 14-module training manual on the subject, has assisted us in formalising our education programme. As a result, almost 200 people all over the country have become 'experts' on the many challenges HIV poses to the protection of, respect for, and fulfillment of human rights of those affected by the epidemic. It is amazing to see how the training has led to a clear identification of advocacy issues at the community level, giving us an opportunity to engage in meaningful lobbying as part of our media and advocacy work. We continue to see BONELA's strength in engaging with policy makers, legislators and the public around pertinent issues in pursuit of making human rights a reality for all in Botswana. This process of policy dialogue may not always be a comfortable one but it is part of striving to achieve our goal to "ensure that human rights, legal and ethical considerations constitute the foundation of any response to the HIV epidemic in Botswana". While the human rights approach to HIV has come under increasing attack at national and international levels, we continue to believe that, only when we assist people in becoming agents of their own destiny in an environment that protects and respects their human rights, will we make a real change to the HIV epidemic in Botswana.

The year 2005 also saw the election of a new board for BONELA at the Annual General Meeting held in November. While it was sad to bid farewell to the outgoing board, which had substantially influenced the growth and programmatic outlook of the organisation, it was exciting to gather a new team. With its new energy, this diverse group will undoubtedly contribute to the way we conduct our programmes and advocacy over the next two years.

All of our achievements in the last couple of years would not have been possible without the secretariat's success in increasing donor assistance to BONELA activities. In addition to Hivos and NACA, we have been able to receive support from the Global Fund to Fight HIV, TB and Malaria, the US Embassy in Botswana, the POLICY Project, Centres for Disease Control/BOTUSA, and the Finnish Embassy in South Africa. We are truly grateful for their support.





To end, I would like to extend a thank you to our friends, members, donors, partners in government and development agencies for all your support and assistance. We are looking forward to a continued and fruitful relationship with all of you in the years to come.

Yours,

Christine Stegling  
Director



Cynthia Lee



Cynthia Lee



Meranti Chirambo



Cynthia Lee

## Introduction

Not too long ago, BONELA consisted of a one-woman, one-room office. That little organisation grew and, today, its voice resonates in Botswana's fight against the HIV/AIDS pandemic. Throughout 2004 and 2005, the NGO grew in leaps and bounds in both its organisational structure and its activities.

This double-edition annual report features the changes and developments that BONELA experienced over this two-year period. Among the many achievements in this time, the organisation launched a comprehensive training and education programme, published a human rights training manual, and continued to expand its legal aid project.

Highlighted in this report are the various activity areas in which BONELA is engaged: training, education and awareness-raising; a media campaign and media relations; legal assistance; advocacy and outreach; research; policy development; and publications. Collectively, these endeavours are aimed at reaching out to empower the diversity of communities in Botswana and at making human rights a reality.

## About BONELA

The Botswana Network on Ethics, Law and HIV/AIDS is a non-governmental organisation committed to integrating an ethical, legal and human rights approach into Botswana's response to the HIV/AIDS epidemic.

### Brief History

The concept of BONELA arose as a component of the Shared Rights, Shared Responsibilities Project in September 1995; the organisation was registered under the Societies Act in early 2002.

BONELA is governed by a Board, and its daily work is carried out by full-time staff. With a non-profit mandate, BONELA primarily receives financial assistance from local and international donor organisations but also raises funds through the sale of publications, and the support of individuals and members.

# BONELA



**The Botswana  
Network on  
Ethics, Law  
and HIV/AIDS**

### BONELA's objectives are:

- To integrate an ethical, legal and human rights dimension into the response to the epidemic
- To strengthen NGOs to participate effectively in the policy forums both in Botswana and at the international level
- To promote and encourage networking among NGOs and individuals with similar goals to facilitate joint problem-solving initiatives
- To promote a culture of self-reliance and encourage committed participation from NGO members and their communities
- To address the human rights of people affected by HIV/AIDS in order to eradicate the discrimination and marginalisation of such people
- To support public health interests by establishing an environment that enables people to protect themselves and others from infection—without violating basic human rights
- To lobby against the use of punitive action as a legal instrument to address the epidemic since this approach has proved not only ineffective but also detrimental to the struggle against AIDS
- To educate the general public on issues of human rights within the context of HIV/AIDS and to train stakeholders nationwide to assist with the dissemination of such information
- To research the human rights situation of people affected by HIV and AIDS in Botswana; and
- To network with regional stakeholders to establish and maintain a common response to ethical and legal challenges.

## From the beginning to today...

In 2004 and 2005, the BONELA Secretariat was well-served by its Board members, many of whom had been working with the NGO since its inception. Their presence and contribution carried BONELA through significant growth in staff, activities and outreach.

### The Board consisted of:

• Chairperson	Martin Mosima (Institute for Development Management)
• Vice Chairperson	Dr. Tiny Masupe (Private Practitioner)
• Treasurer	Bontle Keitumetse (Institute for Development Management)
• Secretary	Maame Awuah (Awuah, Khan and Partners)
• Vice Secretary	Gloria Jacques (University of Botswana, Department of Social Work)
• Additional Member	Patrick Chengeta (Botswana Federation of Trade Unions)
• Additional Member	Kenole Leinatsela (Student, University of Botswana)

To facilitate strategising, planning and oversight of BONELA's operations, the Board met 12 times during the period 2004 (January, March, June, July, August, September and December) and 2005 (April, May, July, September and November).

In February 2004, BONELA held the Annual General Meeting at Maharaja Conference Centre, playing host to an engaging discussion about past projects and future programmes.

## A change for tomorrow...

A year and a half later, a new BONELA Board was ushered in after an election held during the Annual General Meeting in November 2005. Contributing their knowledge and experience, these individuals bring with them a range of professional and personal interests which are relevant and important to BONELA's work.

### Current BONELA Board

• Chairperson	Duma Boko (Boko, Motlhale & Company)
• Vice Chairperson	Masego Justin (Kotoloname Primary School)
• Treasurer	P.P. Motau (University of Botswana, Department of Finance and Accounting)
• Secretary	Johannah Tlhomelang (Princess Marina Hospital)
• Vice Secretary	Kido Mazwiduma (Botswana Federation of Secondary School Teachers)
• Additional Member	Martin Mosima (Institute for Development Management)
• Additional Member	Godisang Mookodi (University of Botswana, Department of Sociology)

**BONELA**  
**Board**





Staff at the November 2005 launch of *Human Rights and HIV: A Manual for Action*, BONELA's human rights training manual



Cynthia Lee



## BONELA Activities

### TRAINING, EDUCATION AND AWARENESS RAISING

#### Education and Awareness-Raising Workshops

From the very beginning, BONELA has conducted workshops with a variety of private- and public-sector organisations in an attempt to raise awareness about the human rights implications inherent to the HIV/AIDS epidemic. Our aim is to encourage consideration of human rights perspectives in HIV/AIDS programmes as well as policy development and implementation.

In 2004, BONELA was awarded funding from the Global Fund to Fight HIV/AIDS, TB & Malaria to conduct workshops nation-wide with healthcare workers and a variety of community service providers and community members. These education and awareness workshops began in May 2005, using training materials especially developed by BONELA.

BONELA's programme builds capacity in two stages. The first is an awareness-raising phase when participants are expected to understand basic concepts and identify basic human rights violations in the context of HIV/AIDS. The second stage is a more intensive Training of Focal Persons (to begin in early 2006) in which approximately 20 per cent of all participants from the first stage are trained as Resource Focal People. In this capacity, they may represent a human rights interest in their respective communities by contributing to technical advisory committees, giving presentations on human rights approaches to HIV/AIDS, and acting as community mediators.

All of these workshops employ a participatory approach that values the opinions, experiences, knowledge and skills of participants in the learning process. BONELA trainers strive to facilitate an equitable learning environment where shared authority on knowledge is asserted and work hierarchy (e.g., supervisors vs. employees) or social status (e.g., chiefs vs. citizens) are respected but not observed.

In 2005, eight workshops were conducted with healthcare workers, community service providers and PLWA groups in and around Gaborone, Francistown, Maun, Orapa and Jwaneng, reaching approximately 190 people. Participants included: support groups of people living with HIV/AIDS; DMSAC; Botswana Local and Tribal Police; all Courts of Law; Botswana Defence Forces; Tebelopele (voluntary counseling and testing) branch officers; and, other relevant sectors.

#### Workshops with Health Care Practitioners

For people affected and infected by HIV/AIDS, the right to health and treatment is necessary if they are to enjoy all other rights. Actors in the public health system have a critical role to play in ensuring access to these rights. These players include, but are not limited to: doctors, nurses, laboratory and pharmacy technicians, lay counselors, clinical social workers, family welfare officers and auxiliary officers.

BONELA strives to sensitise these players to situations where the rights of clients, as well as staff, are threatened or in conflict with one another. When such a conflict arises, it may be confusing or difficult to resolve without an awareness of human rights approaches. BONELA's engagement with healthcare workers on these approaches is aimed at building commitment to ethical, equitable and quality provision of HIV-related healthcare services for the people of Botswana.

#### Learning Lessons from the Workshops

In reality, the rights to health and to treatment of people living with and affected by HIV/AIDS have been violated in the public and private healthcare systems. Through the workshops and other activities, BONELA has helped identify and address the circumstances under which these violations occur.

Healthcare practitioners themselves have identified some reasons why their rights may conflict with those of clients as well as each others. These reasons include: stigma surrounding HIV/AIDS; fear of HIV infection; and, burnout from workload. In other cases, some healthcare practitioners noted that human rights may have been inadvertently violated because of a lack of knowledge, skills and guidance to respond appropriately.



While most healthcare practitioners are committed, compassionate people, some have raised a concern that they do not always know how to resolve conflicts of interest either between clients or between clients and the healthcare establishment. They feel such difficult predicaments may inadvertently undermine their professional integrity and ethics, which they value.

Healthcare workers participating in BONELA workshops also asserted that, to sustain a human rights response to HIV in Botswana, engagement of all levels involved in the running of the healthcare system is necessary. Many participants felt that, in their position within the healthcare system hierarchy, they were unable to affect the changes needed to optimize the provision of health services and treatment. The resulting recommendations included building consensus with medical officers at decision-making levels to make sustained changes that will ensure quality in the healthcare system.

Healthcare participants also recommended that a meeting be held with people living with HIV/AIDS to discuss concerns regarding the conflict of rights in the healthcare setting. To follow up, BONELA has planned a pilot meeting in early 2006 for such a purpose.

### Workshops with Community Service Providers

BONELA ran awareness raising workshops with community-service providers in line with the social landscape of the targeted area. In general, participants from the following sectors were represented for the 2005 workshops held in Gaborone, Francistown, Maun, and Orapa/Letlhakane:

- Media (e.g., newspapers, radio and media councils)
- Private Sector (e.g., businesses distributing food baskets and Debswana mine)
- Education (e.g., Botswana Federation of Secondary Schools Teachers and HIV/AIDS committee representatives from schools)
- Law (e.g., Magistrate Court, Customary Court, High Court and Industrial Court)
- Defence Forces (e.g., military HIV/AIDS Coordinators and Botswana Police)
- Local Government (e.g., District and Sub-District Councils, Social & Community Development Officers, Community Home-Based Care Officers and District AIDS Coordinators)
- Non-Governmental Organisations
- Community-Based Organisations
- Faith-Based Organisations
- Tebelopele Voluntary Counseling & Testing Centres
- Support Groups of People Living with HIV/AIDS
- Youth Organisations
- Banks and Insurance Companies

### Learning Lessons from the Workshops

Many participants had an awareness of human rights issues in the area of HIV/AIDS and consequently engaged in discussions and raised issues of concern. These issues included workplace policies that discriminate against employees living with HIV; voluntary counseling and testing policies that require guardian approval to test minors (under 16) for HIV; and, pre-employment testing. Similar to the experience with healthcare practitioners, this group did not always have the knowledge to balance rights

in conflict. To address this, BONELA provides guidelines using different scenarios during the three-day workshops.

While many workshops enjoyed ample attendance, a few locations saw a low turnout of participants. The experience of having fewer people than expected, however, did not necessarily hamper the success of a workshop nor did it reflect future involvement of the given community in human rights and HIV/AIDS activities.

A daily planning process allowed for the incorporation of recommendations into workshop issues and activities for the next day. In many cases, more time than the standard allotted three days was required to cover all the topics and issues that participants and facilitators wished to address. This experience resulted in the recommendation that the duration of future workshops should be extended from three days to five days.

### Workshops with Support Groups of People Living with HIV/AIDS

The leadership and involvement of people living with HIV/AIDS (PLWHA) in fighting the pandemic is critical. BONELA's 2005 workshops targeting this segment of the population took place in Gaborone, Francistown, Maun and Kasane.

#### *Learning Lessons from the Workshops*

Through interaction at the workshops, participants discussed first-hand accounts and anecdotal knowledge about the violations of human rights related to HIV/AIDS. In general, participants concurred that these violations are widespread and widely experienced.

On many issues, participants did not unanimously agree on ethical viewpoints about the conflicting human rights of different individuals. For example, forums beyond what had been originally planned were required to deliberate such issues as whether it should be mandatory that an HIV-positive person disclose his/her status to a partner.

The lack of organisation, mobilisation and resources among PLWHA support groups has led to internal conflicts in PLWHA sub-communities across the country. These factors have potentially slowed progress in the workshops since many issues raised by participants were about human rights violations in this smaller community context alone, rather than in society-at-large. When the efficiency of structures for PLWHA support and involvement is compromised, there are obvious negative implications on the ability of PLWHAs to speak out against violations of their rights.

PLWHAs and their support groups are the eyes and ears of the HIV/AIDS movement. They are connected to the HIV/AIDS programmes in their community; they know of poignant stories illustrating the extent of human rights abuses related to HIV/AIDS. They endure HIV/AIDS-related illnesses and deaths. They provide first-hand knowledge of ongoing situations that would be otherwise difficult to access. Their experiences tune us into the needs of people across the country in a real and responsive way. Their connectedness to their communities' struggles with HIV/AIDS makes them a useful group with which to be engaged.

A very valuable lesson learnt was that PLWHA support groups have tremendous potential to adopt human rights responses since their structures are flexible enough to accommodate changes advocated by their community members. In addition, PLWHAs and PLWHA support groups serve as an important starting point when initially connecting with a community.

Working with other network organisations, such as the Botswana Network of People Living with HIV/AIDS (BONEPWA), is useful for making contact with and inviting more PLWHAs who may have otherwise been difficult to identify.

Interestingly, PLWHA support group participants also requested meeting with healthcare practitioners. They felt that they needed a safe space in which to air their views about their treatment by healthcare practitioners and the gaps they feel exist in the access to and appropriateness of health services. This recommendation has been addressed by planning such a forum to be held in 2006.

Community and government stakeholders continuously request presentations from BONELA. BONELA staff accepts many of these invitations, thereby continuing its education, awareness raising, and capacity building on issues of human rights, ethics and the law in the context of HIV/AIDS. In 2004 and 2005, BONELA conducted these additional activities with a wide range of organisations, including:

- American Embassy: meeting with US Law Students, Gaborone
- Botswana AIDS Impact Survey II Community Advisory Committee: workshop, Gaborone
- Botswana College of Agriculture, academic and support staff: Human Rights, Ethics, Law and HIV/AIDS workshop, Sebele
- Botswana College of Agriculture, industrial staff: Human Rights, Ethics, Law and HIV/AIDS workshop, Sebele
- Botswana Family Welfare Association: AIDS in the workplace workshop, Mochudi
- Botswana Defense Force: leadership HIV/AIDS workshop for Junior Officers, Thebephatswa
- Botswana Network of AIDS Service Organisations: gender, HIV/AIDS and human rights workshop, Mogoditshane
- Botswana Network of AIDS Service Organisations: ethics, law and HIV/AIDS presentation at a stigma and discrimination workshop for its membership, Gaborone
- Botswana Network of People Living with HIV/AIDS: capacity building for support groups, Kanye
- Botswana Network of People Living with HIV/AIDS: capacity building for support groups, Palapye
- Cape Town Democracy Centre: sensitisation workshop for the Panel on the Prospects and Challenges of the 2004 Botswana General Elections, Gaborone
- Department of Civil Aviation: workshop on strategic planning and operationalising the National Strategic Framework on HIV/AIDS 2003-2009, Gaborone
- Food Safe International: strategic management of HIV/AIDS in the workplace, Gaborone
- Francistown Police HIV/AIDS Committee: ethics, law and HIV/AIDS presentation at a weekly HIV/AIDS meeting,

#### Francistown

- Gaborone City Council: AIDS policy development workshop, Gaborone
- Goodhope Sub-District Council: presentation on children's rights and HIV/AIDS, Goodhope
- Harvard AIDS Institute: Presentation on "Access to HIV Vaccines," HIV Vaccine Think Tank, "HIV Vaccines for Developing Countries: Initiating Vaccine Trials in Africa," Gaborone
- Industrial Court: staff briefing session, Gaborone
- Institute for Development Management: HIV/AIDS for educational managers, Gaborone
- Kgatleng District Council: HIV/AIDS committee workshop, Mochudi
- Land Tribunal: staff briefing session, Gaborone
- Lifeline: Steps for the Future facilitator's training workshop, Gaborone
- Ministry of Lands and Housing: HIV/AIDS Focal Persons, Gaborone
- Ministry of Trade and Industry: peer educators training programme, Mogoditshane
- Mochudi District Commissioner's Office, District Council staff and employees: HIV/AIDS sensitisation seminar, Mochudi
- National Museum: staff briefing session, Gaborone
- Ngwato Land Board: HIV/AIDS Peer Educators, Palapye
- Peace Corps Volunteers: human rights, children and HIV/AIDS orientation workshop, Kanye
- Southern Africa Trade Union Council Meeting: launch of ILO/US Department of Labour Workplace HIV/AIDS Education Project, Gaborone
- Sugar Industries: sensitisation workshop, Lobatse
- Tlokweng Community Junior Secondary School: briefing session for teachers and support staff, Tlokweng
- Tribal Administration: human rights, ethics, law and HIV/AIDS workshop, Tlokweng
- World University Service of Canada: meeting with development workers, Gaborone





BONELA's media initiatives are the public face of the organisation. The media programme publicises the issues related to BONELA's mandate, raising the profile of the human rights, ethical and legal aspects of HIV and AIDS. It also disseminates to a wider audience the activities, main messages and outcomes supporting BONELA's advocacy, training, awareness-raising and research efforts. BONELA's media programme has recently grown exponentially with the aim of reaching out not only to a greater number of people but also to more diverse communities and interests.

BONELA's media campaign in 2004 was still in its infancy but, by the end of 2005, the initiatives had transformed into a full-fledged programme.

## Media Campaign Activities

### *The BONELA Guardian Newsletter*

"Botswana's War Against AIDS—Where Refugees Stand," reads one headline from an edition of BONELA's quarterly publication. Showcasing the diversity of content covered in the *Guardian*, another issue's front page declares, "Court Rules in Favour of HIV Positive Employee who Came to BONELA for Assistance." Still another proclaims, "Turning up the volume on HIV/AIDS and the deaf".

*The BONELA Guardian* has been a staple of BONELA's media initiatives since its inception in 2003. Its focus is on timely and topical issues related to human rights, legal and ethical aspects of the HIV epidemic. Regular features include reports on relevant Botswana initiatives, related regional/international news, and updates on BONELA's own work.

In an eight-page, full-colour format, *BONELA Guardian* articles are original content produced by staff or submissions made by other interested individuals. BONELA media staff then select and edit the written work before final publication. Opinion pieces are also encouraged from members of the community.

Locally and internationally, there has been sustained interest in and response to the newsletter, including an increasing number of requests for print and electronic copies.

### "Making Human Rights a Reality" Poster Campaign



Ten smiling faces representing a diversity of cultures, ages and occupations greet you on the glossy poster, "Making your right to equality a reality". It's the very first of the series in BONELA's inaugural poster campaign, which began in early 2004. The set of six (each eventually to be published in English and Setswana versions) highlight

## BONELA Activities

### MEDIA PROGRAMME

human rights that are particularly relevant to people infected or affected by HIV.

That year, with the generous assistance of volunteers, two English-language posters—one on the right to equality and another on the right to have a family—were created, printed and distributed around the country. Some people volunteered to pose as models while others lent attire for photo shoots. Many thanks are also due to Koreen Reece, a former BONELA Human Rights Internet intern, who generously donated her time and skills as a photographer even after the end of her internship.

As the campaign continued in 2005, the third poster in the series was published, highlighting the right to work in a photo illustration of various professions tools. It was the first one also to be published concurrently in Setswana.

The English and Setswana versions of a poster on the right to education followed, featuring a photographic image of a school teacher and children in a classroom setting. The photo session for the poster was the result of generous cooperation by Baratani Primary School in Otse and volunteer photographer Koreen Reece.

By the end of the year, the remaining two posters of the series had been conceptualised and planning for production had begun highlighting:

- The right to health, comprising of a photographic image of a doctor, a mother and a child; and,
- The right to dignity, comprising of a composite illustration of life without dignity—domestic violence, overcrowded prisons, and newspaper headlines highlighting various injustices.

In addition, at the end of 2005, Setswana versions for the first two posters (the “right to equality” and “right to have a family”) were ready to go to print.

BONELA is on-track to complete the entire series in both of Botswana’s national languages in the first half of 2006. All “Making Human Rights a Reality” posters are distributed widely around Botswana and beyond.

### Website

BONELA’s fledgling website received a facelift to modernise its appearance. The subsequent version of the website contained more content and graphic elements than in the past. It contained more information about BONELA’s activities and the history of the organisation. Pages featuring the BONELA Board and staff were also added. The BONELA website was updated occasionally, in particular with new publications such as the BONELA newsletter and press releases.

While the website was improved in 2005, another redesign is planned for next year to further showcase BONELA and aimed at making BONELA’s website even more user-friendly, a lesson

learned from problems encountered after the first renovation. There will be more regular updates and a particular focus on keeping an international and regional audience in mind since the website is the main source of information for those situated outside of Botswana.

### Leaflets

In 2005, BONELA printed a general information brochure for a wide audience. In bold “BONELA blue,” the leaflet promotes the organisation’s aims, mandate and activities in both an English and Setswana version.

Emblazoned with all the colours of the rainbow, BONELA’s pamphlet “Sexual Diversity Makes Humanity” provides information about the issues concerning LGBTI—lesbians, gays, bisexuals, transgendered and intersexed. Published in mid-2005, the leaflet addresses “Myths and Facts”, LGBTI and HIV/AIDS, and “Sexual Orientation and the Law.” The publication is aimed at creating public discussion around a timely, sensitive human rights issue in Botswana.

Though all leaflets were outsourced for design, the content remained originally authored by BONELA to fit the specific Botswana context.

### Radio campaign

In preparation for hitting the airwaves next year, BONELA began production on its first radio commercials. Through the radio, a medium that reaches thousands and thousands in Botswana daily, BONELA aims to broadcast a message aimed at empowering people about their rights even when faced directly with the challenges of the epidemic.

The underlying goals for the radio campaign are to effectively publicise what BONELA is and what BONELA does, as well as to promote issue-specific messages in regards to HIV/AIDS and human rights. The campaign additionally reinforces BONELA’s “Making Human Rights a Reality” poster campaign.

The radio campaign consists of a series of radio jingles, primarily portraying people who have suffered from HIV-related discrimination. With the time and expertise generously donated by radio broadcasting consultant Mike Proctor of Soulpower Records, the conceptual development of the first four commercials and scripts were completed by October 2005.

Each jingle consistently ends with the lines “As a person living with HIV/AIDS, you too have rights. Know your status. Know your rights. Contact BONELA...” A description of the four jingles is as follows:

- “Branding” features the voices of a diverse range of people who describe how their human rights have been affected by HIV-related stigma or discrimination;
- “Services” features the BONELA staff explaining the organisation’s activities and services;
- “Right to Employment” features a dialogue between two friends about one losing a job because of her HIV-positive

status; and,

- “Right to Education” features a dialogue between a boy and his elder aunt about his studies being negatively affected due to stigma surrounding his HIV status.

The two scenario-based jingles lead with short dialogues between two people living in Botswana. Ideally, radio listeners should be able to identify with the scene as a realistic conversation that they, or someone they know, could have.

The initial phase of the campaign consists of the production of four commercials, which has included auditioning volunteer voice artists for the various roles. By the end of the year, two had been recorded and were ready to air. Production will continue into 2006.

### Distribution

BONELA has experienced a growth in membership as well as an increasing number of requests for its media materials. As a result, the distribution list has expanded correspondingly. For example, by the end of 2005, the print run of the *BONELA Guardian* newsletter had risen from 800 to 1300 due to growing demand and points of distribution.

Direct requests for BONELA publications and posters have come from libraries as well as organisations, PLWHA support groups and concerned individuals who have come to know of BONELA through training and other activities.

## Other Activities

### Media Relations

With the goal of providing accurate information to a wider audience, relations with the press has been accorded increasing significance in BONELA's media programme.

An ongoing initiative throughout the year, BONELA tracked press coverage of HIV/AIDS and human rights issues in local newspapers. Media programme staff and interns regularly update a media file, including specific coverage of BONELA's activities.

BONELA's media relations component raised the public profile of the organisation and its services and activities. BONELA-hosted events, including consensus-building workshops with parliamentarians and *dikgosi* (joint initiative with the NAC Sector, Aug. 2005) and the launch of the human rights training manual by Hon. Phandu Skelemani, Minister of Presidential Affairs and Public Administration (Nov. 2005) received considerable attention in print, radio and TV media.

Besides promoting events, press releases issued in 2004 and 2005 also garnered attention for specific topical issues. These included:

- a response to Debswana ceasing to supply ARVs to former employees;
- discrimination and access to health care in relation to Botswana's diverse sexual identities (in conjunction with

a seminar);

- priorities in treatment for Southern Africa resulting from a March 2004 Pan-African Treatment Access Movement meeting in Harare;
- a meeting to address a Strategic Plan for Botswana's Ethics, Law and Human Rights Sector; and,
- the need for legislation to prohibit pre-employment HIV testing.

Throughout 2005, direct requests from reporters for information and BONELA's opinions on issues of HIV/AIDS and human rights were met in a timely manner. These included interviews with BONELA staff for both print and broadcast media, from local media houses like Mmegi to BTV to those of international scope such as Associated Press.

The organisation continues to increase its capacity to deal with the national and international media and will begin monitoring the number and nature of media requests for information in 2006.

### Collaborations and Technical Advisory Roles

Members of the BONELA secretariat participate on the Technical Advisory Committee of Makgabaneng radio serial drama, a behavioral-change radio drama supported by the Botswana-United States Partnership. The committee seeks to guide the storyline's creative direction.

BONELA staff are occasionally invited to act as panelists on *Talk Back*, an interactive live television programme aimed at building capacity among teachers to deal with HIV and AIDS in the school setting. This initiative is supported by Botswana Television and the Ministry of Education through the Department of Teacher Training and Development.

BONELA provided expertise on the topic of HIV testing on *Seboza Talk*, a live radio programme aimed at disseminating sexual reproductive health information to young people.

### Media Programme Support

In 2004 and much of 2005, BONELA's media work was beginning its development into a separate strategic programme but without a full-time media officer yet in place. BONELA's media initiatives were supported by the following organisations:

- Hivos
- NACA
- Human Rights Internet
- U.S. Embassy Democracy and Human Rights Fund

Since the media programme began playing an increasingly significant role in BONELA's operations, it became clear that a media officer would be required to manage the increase in responsibilities. BONELA has secured support from the World University Services of Canada to fund a one-year contract for a Media and Advocacy Officer in 2006.

# BONELA Activities

## LEGAL AID PROGRAMME

One of BONELA's primary aims is to increase access to justice for people living with HIV/AIDS and make it a reality by ensuring that it is affordable, accessible and available.

BONELA operates a legal aid programme aimed at providing legal services for individuals who are facing discrimination on the basis of their HIV status. The assistance aid ranges from offering legal advice to mediating cases to engaging in litigation. The generous support of Awuah, Khan and Partners, a Gaborone-based law firm that provides its services *pro bono*, makes it possible to represent clients in court who could not otherwise afford to pay for legal services. Seeing clients at BONELA, University of Botswana law student Uyapo Ndadi carried out much of the day-to-day work so integral to the legal aid programme.

BONELA assists individuals who believe they have been discriminated against based on their HIV status. Examples include losing jobs arbitrarily, defamation, medical malpractice and other situations in which someone feels their rights have been violated.

In 2004, the legal aid department assisted numerous clients and, among these, two cases were successfully resolved. These cases reflected the significance of the challenges of HIV/AIDS in the context of employment.

### Case: BONELA Applicant v. K.F.C (Pty) Ltd

The applicant was employed as a cook by K.F.C (Pty) Ltd from 1991 to April 2003 when she was unfairly dismissed. Apparently, the applicant habitually had flu and headaches, which then prompted her supervisor to constantly and continually demand to know the causes of her illness. As a result, the applicant complied with these demands and disclosed her HIV-positive status to the supervisor in a personal capacity.

After her disclosure, the relationship between the parties started to sour. The supervisor unduly and unlawfully informed management of the applicant's HIV status. Management's immediate reaction was to verify her status by instructing her to undergo HIV testing at Tebelopele. In turn, she refused to obey the instruction because it was unlawful. The management, on the basis of her health status, decided to demote her to the position of a casual employee. She refused to accept the demotion offer and was subsequently dismissed from her job after being subjected to verbally abusive words.

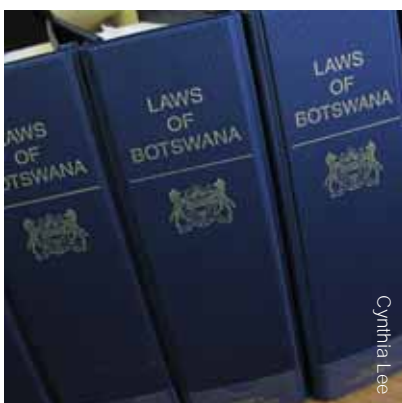
The dispute was finally resolved by the Commissioner of Labour who recommended compensation equivalent to four months' salary and payment of other contractual obligations (for example, leave pay and severance benefits). The company accepted the Commissioner's findings and recommendations and paid the entire settlement amount.

Another case, which was heard in the Industrial Court, resulted in a November 2004 judgment directly dealing with issues of HIV/AIDS in the workplace.

### Case: BONELA Applicant v. Northern Air Maintenance (Pty) Ltd

The applicant had been employed by Northern Air Maintenance since 1998. Between 1999 and 2004, his health deteriorated to the extent that he obtained unpaid leave on several occasions after exhausting all his entitlements to annual leave and paid sick leave. In actual fact, the court observed that he was persistently and intermittently on sick leave and absent from duty for nearly 191 days.

Management called the employee to discuss his poor attendance at work on 28





January 2004. At the meeting, the employer suggested that he consult a private medical doctor apparently to assess whether he was fit to work. The employee, however, refused and instead preferred to go to Maun General Hospital, which he argued was best suited to deal with his illness given its familiarity with his medical background. The Northern Air Maintenance's representative preferred that the employee consult a private doctor, who they believed would then share the employee's medical status with management.

The day after the meeting, the employee disclosed his HIV-positive status. He testified that he did not do so earlier because he was afraid he would be subject to prejudice. At times, he stated, the company's administrator would ridicule him, saying that he may be HIV-positive though it was well before his status had been disclosed.

On 30 January, the employee was dismissed. According to the company, the dismissal was on the basis of his "continual poor attendance over the last three years". The employee challenged the decision, alleging that he was unfairly dismissed on the grounds of his HIV-positive status.

Justice Dr. O.B.K Dingake, who presided over the case, noted that the employer had demonstrated the highest level of compassion and care, as the company had cooperated to ensure that the employee received medical attention as required while employed. The Court ruled, however, that his dismissal was substantially unfair as it was "not clear" what triggered dismissal after tolerating absenteeism for three years. The employee was not warned at the 28 January meeting that his job was in jeopardy. Furthermore, the Court noted that it was not shown, let alone suggested, that the employee was incapacitated to perform his job.

Justice Dingake highlighted that, even in the case of progressive incapacitation, an employee cannot be dismissed without first being given a fair enquiry, which would include the following considerations: the nature of the incapacity; the cause of incapacity; the likelihood of recovery; improvement or recurrence; the period of absence; its effect on the employer's operations; and, the employee's length of service. The Court underscored that dismissing an HIV-positive employee solely because he or she is HIV-positive, and without having established that he or she is incapacitated, lacks a rational foundation and is unfair. Moreover, the Court reasoned that the Constitution, Section 7(1) thereof, which prohibits inhuman and degrading treatment, was violated because it infringed on the employee's right to dignity.

The Court also found that the employee's dismissal was procedurally unfair because he was not given an opportunity to make arguments concerning his fate. It was also noted that the employer ought to have fully explained to the employee why the company could no longer accept the absenteeism that had been permitted for the past three years. The employer should have held a proper discussion about whether and to what

extent his post should be adapted. The employer was ordered to pay compensation equivalent to six months' salary.

According to attorney Monica Tabengwa, who represented the BONELA applicant, this is a sound and landmark judgment, which should inspire others facing similar circumstances to advocate for the fulfillment of their rights.

"The sad and cold reality is that similar cases of discrimination go on undetected or unreported. It is long overdue that legislators should enact substantive laws regulating discrimination in the workplace," she said.

In 2005, the BONELA legal aid clinic continued to see clients. Some of the cases reported to BONELA dealt with defamation and breach of confidentiality. By the end of the year, however, these cases had not yet been tried but the process to bring them forth to Magistrate Court has been initiated.

This same year, BONELA secured funding with the Embassy of Finland in Cape Town, South Africa, to fund the organisation's legal aid project for the next three years. This exciting development will support a full-time legal officer, workshops on HIV/AIDS and the law, stationary and equipment. The in-house legal clinic is planned to begin in early 2006.



# BONELA Activities

## ADVOCACY AND OUTREACH

An integral part of BONELA's work lies in its continuous and deliberate efforts to facilitate discourse around HIV and human rights issues in the public arena. Through diverse forums and tools, BONELA aims to engage the public, policymakers, and stakeholders on a range of current and timely topics.

In 2005, BONELA organised a number of well-attended seminars, which sparked great discussion and insight on issues related to HIV and human rights.

### Seminars

#### “Discrimination and Access to Health Care”

In April, BONELA hosted a seminar on the discriminatory access to health care experienced by lesbian, gay, bisexual, transgendered and intersexed (LGBTI) communities as a result of Botswana's legal, cultural and social context. Over 40 participants—including medical doctors, HIV/AIDS activists, policymakers, legal professionals, academics, representatives of the police and defence forces, the media, and members of the public—met for the workshop, which was aimed at opening debate on this topical and sensitive issue.

BONELA has noted with great concern that HIV/AIDS programmes do not address sexuality as a fundamental part of their work despite knowing that in Botswana HIV is mainly transmitted through sexual activities. This fact makes it essential to include everyone—including those that live non-heterosexual lives—in the fight against HIV/AIDS in the country.

Workshop participants noted that misconceptions exist about current laws criminalising same-sex sexual activity in Botswana. Legal practitioners emphasised that, while the so-called acts “against the order of nature” are deemed illegal, openly discussing non-heterosexual sexual identities—even as part of sexual health programmes—is not punishable by Botswana laws. However, participants called for the concept of private morality to be introduced into local laws to ensure that people with non-heterosexual sexual identities are not discriminated against.

Of great concern is that information, education and communication materials on HIV usually ignore non-heterosexual identities. This exclusion prevents people in these communities from accessing much needed relevant health information, ultimately leading to risky sexual behavior.

The workshop concluded with calls for research to assess the needs and situation of LGBTIs in Botswana so that well-documented information is available to healthcare providers, NGOs and policy makers. LGBTIs were encouraged to openly advocate for their rights. Healthcare providers and service NGOs agreed that an open-door policy is needed to reach the diverse communities of Botswana, and providing health care for all will eventually result in no new infections as aspired to in Vision 2016.

#### “Botswana's ARV Treatment Programme: Past Lessons and Future Outlook”

In August, seminar participants debated the future of Botswana's national anti-retroviral treatment programme, which has received international acclaim for its ambition and accomplishments in serving the country's large HIV-positive population. While BONELA joins in the praise, the organisation also believes it is time to step back and reflect on the programme's experience and lessons in order for it to meaningfully advance in the years ahead.

The event, well-attended by policy makers, civil society, healthcare professionals and other stakeholders, intensified the spotlight on aspects of the national ARV programme that would secure its long-term success, including:

- medical safety



- trade and intellectual property law
- equity
- cost

A report on the seminar's activities was subsequently published by BONELA.

## Ongoing Support

BONELA participates in and contributes to numerous committees, taskforces, forums and reference groups. These are some of the means through which the NGO continuously supports the effort nationwide to combat the spread of HIV/AIDS. BONELA staff provide ongoing support by taking on a wide range of roles such as technical advisors, members of steering committees, and reference groups.

In these various capacities during 2004 and 2005, BONELA was continuously involved with:

- **Gaborone District Multi-Sectoral AIDS Committee (DMSAC)**, serving on its Technical Advisory Committee and also actively involved with this DMSAC's Protocol Sub-Committee for World AIDS Day celebrations held in December
- **Tshepo Study**—a Botswana-Harvard Partnership (BHP) study into anti-retroviral combination treatment in adults—serving on its Community Education Board, which is aimed at raising awareness around the study and its findings
- **Botswana Tenofovir (TDF) Prevention Study**, serving on its Community Advisory Group, BOTUSA Project
- **AIDS Rights Alliance for Southern Africa (ARASA)**, acting as its focal point for Botswana and sitting on the Advisory Board for this regional network of organizations
- **The Botswana Lawyers Taskforce on HIV/AIDS** (an informal network of private and public practicing lawyers aimed at increasing the involvement of the legal fraternity in the fight against HIV and AIDS), conducting background research in support of the work of the taskforce, including on international law and practices of access to HIV prevention materials in prison
- **Project Advisory Board at the Ministry of Labour and Home Affairs (MLHA)**, taking a very active role in the reference group for the development of a national policy on employment and HIV, which will ultimately inform national legislation (as the National AIDS Council in 2004 advised the MLHA to produce); BONELA had offered its own draft bill on HIV/AIDS and Employment, but the government required wider consultations with national stakeholders
- **Global Fund to Fight HIV/AIDS, TB and Malaria Country Coordinating Mechanism (CCM)**, actively participating in this body that coordinates the implementation of Botswana's country grant and assists with new applications to the fund
- **Botswana AIDS Impact Survey II (BAIS II)**, the reference group on which BONELA's Director served and, at the NGO's urging, established a relevant Community Advisory

Committee (BONELA was represented by Board Vice-Chairperson Dr. Tiny Masupe). Dr. Masupe's participation ensured that a rights-conscious and confidential approach was maintained throughout the initiatives undertaken in BAIS II, which is the first HIV general population survey (rather than sentinel survey) undertaken by the National AIDS Coordinating Agency (NACA) and the Central Statistics Office

- **HIV Vaccine Trials**, the Community Advisory Board (CAB) of which BONELA's Director has served as secretary since its inception in 2001 to help the research team address concerns of the general community about HIV vaccine research; BONELA also participated in World HIV Vaccine Awareness Day in May and a CAB workshop in September 2004
- **NACA's Behavioural Change Intervention and Communication Unit**, serving on its Technical Advisory Committee
- **UN Steering Committee on Implementation of UN Taskforce on Women and Girls**
- **National AIDS Council**—the highest body in the country focused on HIV/AIDS policies—participating in meetings which are chaired by Botswana President His Excellency Festus Mogae; BONELA also participates in the preparatory Pre-National AIDS Council meetings
- **Botswana HIV/AIDS Partnership Forum**, which provides opportunities for development partners, government representatives and civil society leaders to discuss HIV/AIDS issues.

## Outreach

BONELA engages in reaching out directly to the public on human rights, legal and ethical aspects of the HIV epidemic.

Each year, BONELA actively takes part in World AIDS Day national commemorations on 1 December. In 2004, BONELA staff travelled to Ghanzi informing the public through interaction at an informational stall. BONELA also offered a human rights and HIV workshop for members of the community, which was well attended.

At the 2005 commemorations in Letlhakane, BONELA staff presented its HIV manual to His Excellency President Festus Mogae as he toured the BONELA informational stall. As part of the activities that day, BONELA engaged with the local community through an HIV and Human Rights Quiz—correct answers were rewarded with a BONELA t-shirt featuring the theme "Keep the Promise: Making Human Rights a Reality".

In 2004, BONELA also participated in HIV/AIDS fairs in the Kgatleng District and in Mahalapye. At the latter location, BONELA held a workshop for roughly 15 participants representing at least five organisations present at the fair.

In October 2005 BONELA participated in NGO Week activities organised by the Botswana Council of Non-Governmental Organisations.

# BONELA Activities

## THE LeGaBiBo PROJECT



BONELA is concerned about groups particularly vulnerable to the HIV epidemic because of their marginalised position in society and, in some case, the law. Among these is the LGBTI (lesbians, gays, bisexuals, transgendered and intersexed) community. BONELA significantly assists the work of LeGaBiBo (Lesbians Gays and Bisexuals of Botswana), an informal group made up of LGBTI-friendly membership that meets regularly. In 2005, these activities included the development of a strategic plan, fundraising for network activities, hosting of meetings, and provision of office space and other resources.

That year was the first time the group received funding by a donor organisation (Hivos, in this instance) for its activities. BONELA received the small grant on behalf of LeGaBiBo because the group is not yet formally registered as a society. With the funding in place, a volunteer coordinator was attached to BONELA in August 2005 to organise the overall project.

### Registration

LeGaBiBo's application to be recognised as a registered organisation, including a Constitution, was submitted to the Registrar of Societies in April 2005.

### Workshops

Besides the "Discrimination and Access to Health Care" seminar held jointly with BONELA (see ADVOCACY AND OUTREACH section), LeGaBiBo organised two other workshops in the form of retreats. These were aimed at directly addressing the LGBTI community about relevant issues.

#### "Play it Safe" (October 2005), Molepolole

The goal of the workshop was to inform LGBTIs on various ways and forms of protection against HIV and other sexually transmitted infections that may be available. This workshop was particularly important because of the absence of health-related provisions and preventative tools specific to the LGBTI community in Botswana. One objective of the workshop was to help participants understand the difference between safe, safer and unsafe sex. In addition, participants became much better informed about: the laws of Botswana concerning the LGBTI community; cultural attitudes towards sex; sexual rights; and sexual health. Group work was conducted in an open and non-judgmental environment, helping to develop participants' creativeness in role-playing scenarios and creating campaigns for safer sex.

#### "Healthy Relationships" (December 2005), Kanye

The goal of the workshop was to develop knowledge, attitudes and behaviours to form healthy romantic relationships as well as relationships with oneself. Major objectives of the workshop were aimed at increasing self-awareness, perceptions of self-worth, and valuing trust. One focus was to engage in ways that enhanced communication skills related to romantic relationships. By the end of the workshop, the participants—most of whom were members of the LGBTI community—felt that they had learned a great deal in accepting and appreciating their partners.

### Media Activities

In August 2005, a local newspaper ran an article entitled, "Homosexuals Party in Mmopane," after having sent undercover reporters to the private home of LeGaBiBo members without explicit consent. LeGaBiBo felt a response to the newspaper's decision would be necessary and issued a press release to all media expressing the group's discontent with the newspaper's coverage and tactics.

### Participation in other Activities

Two LeGaBiBo members travelled to Namibia in March 2005 to attend a Coalition of African Lesbians (CAL) workshop on creative writing and proposal writing on lesbian issues. Representatives from Botswana are among those of seven African countries

that make up the coalition. At the end of the workshop, participants were tasked to return to their countries and research topics of their choice; the Botswana participants opted to research historical evidence of lesbians.

LeGaBiBo participated in a Hivos-sponsored workshop on marginalised groups, hosted by Ditshwanelo—Botswana Centre for Human Rights from 7 to 8 December 2005. Since sexual minorities make up one marginalised group in Botswana, LeGaBiBo presented on issues faced by the LGBTI community across the country. The presentation covered the kinds of problems and discrimination LGBTIs face and LeGaBiBo's efforts to overcome stigma and discrimination.

Since its inception, BONELA has been engaged in action-oriented research on themes relating to human rights and HIV in Botswana. These activities are aimed at increasing awareness and advocating for change. In 2004 and 2005, under the coordination of the Research Officer, BONELA's research initiatives were largely focused on two major endeavours.

First, the development and publishing of the human rights training manual, BONELA's most comprehensive research project to date, was a crucial component of formalising the NGO's training programme. Secondly, a national study was carried out in Botswana on the knowledge, attitude and practices of healthcare workers with respect to confidentiality and HIV testing. This initiative was jointly undertaken by BONELA and the Washington, DC-based POLICY Project.

In addition, BONELA staff was engaged in creating training materials in cooperation with a variety of other organisations. In 2005, BONELA also made an application to the Ministry of Health to undertake a study on the implementation of the routine testing policy. Unfortunately, the permit was denied but BONELA plans to appeal that decision.

### ***Human Rights and HIV: A Manual for Action***

Unique in Botswana, *Human Rights and HIV: A Manual for Action* is the first training publication of its kind in the country that comprehensively deals with the relationship between human rights and HIV/AIDS. It had humble beginnings as an idea first raised in 2003, envisioned as an illustrated booklet of a few pages. Through support from a number of donors and partners, the manual was developed in-house by BONELA staff and associates and grew into a bilingual, 300-plus page publication, divided into 14 modules. These are:

- Understanding HIV and AIDS
- Human Rights and Our Common Humanity
- Human Rights, HIV and AIDS
- HIV/AIDS and the Law in Botswana
- Confidentiality
- Testing for HIV
- Your Rights at Work
- Sexuality and Human Rights
- Women, HIV/AIDS and Human Rights
- Men, HIV/AIDS and Human Rights
- Youth, Children, HIV/AIDS and Human Rights
- Wills and Inheritance
- Research

The idea grew out of increased demand by organisations and individuals for assistance in raising awareness on the legal and human rights implications of HIV/AIDS. The manual was used as the basis of BONELA's training and awareness-raising workshops in 2005. In addition, it is intended to be used as a tool to train trainers, further developing





a network of resource people throughout Botswana. (See section of Annual Report on TRAINING, EDUCATION AND AWARENESS RAISING.)

*Human Rights and HIV: A Manual for Action* was developed and produced with financial support and sponsorship of staff from: the Global Fund to Fight HIV/AIDS, TB and Malaria; Hivos; National AIDS Coordinating Agency; World University Service of Canada; Human Rights Internet; and, Fulbright Scholarships.

## **The manual was developed in a number of phases to ensure a high-quality publication.**

### **PHASE I: Content Development**

Spanning the greater part of 2004, BONELA staff authors (Kristi Kenyon, Elizabeth Maxwell, Milikani Ndaba, Nthabiseng Nkwe and Natalie Doyle) ensured that the information contained in the manual was accurate, up-to-date, locally relevant and reader-friendly. Initial consultations were held with stakeholders, including public health specialists, legal practitioners, non-governmental organisations, and people living with HIV. Two training manual retreats (October and December 2004) took place for the principal authors and the BONELA director to interact and further develop the structure and content of the manual.

The authors focused on the appropriateness and applicability of the information to the local Botswana context. The manual is aimed at providing information relevant to the country and at increasing the capacity of stakeholders in a practicable and meaningful way. Where possible, the publication also provides readers with comparative perspectives from the regional and international arena of human rights and legislation on HIV/AIDS.

The content appearing in the manual was conceptualised to serve as an interactive tool. The resulting publication features activities that engage the reader to practice negotiating human rights related to different issues and also includes realistic scenarios to bring the information to life.

### **PHASE II: Stakeholder Consultations**

Once the draft of the material was completed in January 2005, BONELA staff (Kristi Kenyon, Oratile Kidd and Milikani Ndaba) conducted further consultative meetings with local public healthcare professionals and with community service providers to evaluate the material. These groups took into consideration whether the material would be relevant and applicable to Botswana audiences, including consideration of the existing HIV-related prevention, treatment, care and support services.

The consultations involved stakeholders, encouraging their support and ownership of the education and awareness programme. Engaging with community service providers who represent other beneficiaries in the community lends authority to the process and product in development.

The consultations were successful and resulted in the inclusion of many helpful contributions from stakeholders to ensure that the manual would be of optimum use to audiences in Botswana. These improvements were taken into consideration before the final print of the manual.

### **PHASE III: Editing, Translation, Illustration, Design**

A team of specialty consultants were selected to prepare the manual content for publication in an adult education format under the coordination of Research Officer Kristi Kenyon.

Funding allowed BONELA to translate the first three modules in their entirety while the remaining 11 modules contain translated key terms and highlighted information. Collaboration between the consultancy team and Setswana-speaking BONELA staff ensured that the meanings of complex concepts were not lost in translation.

### **PHASE IV: Printing and Packaging**

The manual was bound in 14 separate booklets—each corresponding to the modules—and packaged in a carrying case with the same number of compartments. This user-friendly design both enables the user to easily access the modules needed and keeps all the booklets in one place.

### **PHASE V: Launching the Manual**

A high-profile launch event for *Human rights and HIV: A Manual for Action* was held at the Gaborone International Conference Centre on 24 November 2005 to garner publicity for the publication. Honourable Minister for Presidential Affairs and Public Administration Phandu Skelemani provided the keynote address at the event, which received a great deal of media coverage.

### **PHASE VI: Usage**

As early as February 2005, after content had been completed, BONELA began using basic black-and-white preliminary copies of the manual in its workshops across the country. These basic versions were used until the final full-colour, 14-booklet manual was printed and packaged; its inaugural usage took place at an awareness-raising workshop focused on the communities of Orapa and Letlhakane. The manual will continue to be used in workshops and seminars in the future.

## **Other Development of Training Materials**

In consultation and in cooperation with the Botswana-Baylor Children's Clinical Center of Excellence, BONELA developed a training workshop on "The Ethical, Legal and Human Rights Dimensions of Pediatric HIV Care". The training workshop was developed to form part of the pediatric KITSO training and is planned to be rolled out nationwide. During 2004, a consultative meeting was held with Baylor staff and a pilot was carried out at their facility in Gaborone.

BONELA sat on the organising committee for BONASO's conference on Gender, Human Rights, Development and HIV/



AIDS held in June 2004. In addition to assisting with development of the program, BONELA created new material for a workshop on gender, human rights and HIV/AIDS. This material, a precursor of the human rights training manual, provided an opportunity to pilot various sections of the manual. BONELA was involved in assisting the Botswana Business Coalition on AIDS (BBCA) with creating its own training package. BONELA staff contributed a chapter on HIV-related legal issues at the workplace, as well as materials to be used in poster format.

## Study on HIV testing and Confidentiality

In 2005, a study was carried out in Botswana on the knowledge, attitude and practices of healthcare workers with respect to confidentiality and HIV testing. This initiative was jointly undertaken by BONELA and the Washington, DC-based POLICY Project. It is the first time such a comprehensive study on this critical aspect of the HIV epidemic has been conducted in Botswana.

Stigma and discrimination—in particular internal stigma and social isolation—were found to act as barriers to the quality and uptake of HIV-related public healthcare services. It was also found that men and women have different reasons for accessing HIV-related healthcare services. For instance, it was found that women usually discuss with their partners before testing whereas men do not.

### What's the Commotion about Confidentiality?

The right to confidentiality is recognised in various international fora as a condition necessary to all HIV testing procedures just as it is for all HIV-related prevention, treatment and care services.

In Botswana, HIV testing services are relatively accessible through the availability of voluntary counseling and testing centres as well as routine HIV testing in public health facilities. In conjunction with the availability of HIV testing in the country, the Government should be commended for making available free ARV treatment services for citizens. Yet, access to HIV/AIDS prevention, treatment, care and support services has been undermined by stigma and discrimination; these barriers continue to discourage people from accessing testing, which has been described as the gateway to treatment and other follow-up care and support services.

With the advent of ARVs, which prolong an individual's life when combined with the right lifestyle choices, the prominent source of such reluctance is no longer the fear of dying. The primary concern now is confidentiality, which refers to an individual's right to control any personal information. With regard to HIV, confidentiality commonly refers to the right to control disclosure of one's HIV status, including to whom and for what reasons. Confidentiality, therefore, is a crucial element of maintaining the public's trust in the healthcare system.

The joint research study was conducted in sites around Botswana to determine whether confidentiality of HIV-related

client information is being breached by health care workers, to what extent and under what circumstances. The study was carried out at voluntary counseling and testing centres and a range of public healthcare facilities. It also looked at the knowledge base of health workers around legal and policy obligations to determine to what extent, if any, existing guidelines are being followed.

## Overview of the Project

- Permission was received from the Ministry of Health Research Unit in July 2005.
- Data collection took place in August and September 2005.
- 154 health care workers were interviewed on their knowledge and attitudes relating to HIV testing and confidentiality. Interviews took place with a range of personnel, including: doctors, nurses, family welfare educators, pharmacists, lab technologists, counselors and social workers.
- At no time were any patients interviewed, nor was counseling or consultation with patients observed.
- 32 sites were visited including: health posts, clinics, primary and referral hospitals, voluntary counseling and testing centres, and private facilities. These were located in Molepolole, Maun, Ghanzi, Tsabong, Francistown and Gaborone.
- In relation to confidentiality, both a literature review and a review of Botswana's laws and policies were conducted as part of the research project.

## Why is this research project important to Botswana?

While there are many policies developed on HIV testing in Botswana, very little information exists about how they are actually carried out in healthcare facilities. Changes in policy, such as Routine HIV Testing introduced in January 2004, have occurred but questions remain about how they are being carried out in practice. Studies like this, which provide more insight into actual practices and implementation, may help improve Botswana's healthcare system in terms of HIV testing. In addition, such research is necessary in order to determine other needs such as policy change, more training or new buildings with more space for confidential counseling.

## Selected Findings of the study

### Confidence in Confidentiality

- 82.5% of respondents agreed that staff try very hard to maintain patient confidentiality. However, only 8.4% strongly agree and 22.7% agree with the statement, "If I were HIV positive, I would tell my colleagues here."
- Evidence suggests that there are likely still fears related to stigma and discrimination.

### Training

- Only 31% of all respondents had been trained or received a refresher course in HIV counseling and testing in the past year.
- Of those who received training, percentage for whom this occurred more than one year ago: 42.9% of doctors; 50% of

counselors; and, 50% of family welfare educators.

- Of those who counsel patients about their test results, 64% had not been trained since routine testing was introduced.

### Pre-Test Counseling

- One-on-one pre-test counseling was offered at 95.6% of sites. However, since 87.6% of sites offer a range of pre-test services (including group briefings, pamphlets, videos), it is unclear what percentage of patients receive actual counseling before they test.
- Results indicate that pre-test counseling is provided by a broad range of personnel, some of whom did not have any training in HIV counseling and testing (18.4%).

### Knowledge of Policy and Law

- 73.8% reported the Botswana National Policy on HIV/AIDS was reviewed in training.
- Results indicate knowledge of the awareness of “shared confidentiality” but reflect a lack of clarity about policy regarding who specifically can or should be informed.
- Neither the policy, law nor this study hold information on exactly what circumstances allow disclosure without patient consent.

### Review of laws and policies in Botswana

- The exact scope of medical confidentiality is not clearly

defined in the Botswana Constitution.

- There are no specific provisions for confidentiality beyond the provision for disclosure of patient medical information by healthcare workers in cases of public interest. HIV is not one such illness since it is not casually transmitted.
- Professional ethics guidelines for medical doctors, nurses and dentists oblige them to maintain confidentiality. Unfortunately, the conditions under which they can breach confidentiality are unclearly defined and thus leave a great deal open to interpretation.
- The penal code contains no specific protections of confidentiality. The only related limitation arises in the case of convicted rapists who are forced to test for HIV.
- Existing legislation lacks provisions for confidentiality. Furthermore, it does not permit nor prohibit compulsory HIV testing, which undermines the condition of confidentiality for all HIV testing.
- While the Botswana National Policy on HIV/AIDS prohibits HIV testing without the guarantee of confidentiality, it has also left the door open to abuse and breach of confidentiality by introducing the slippery concept of “shared confidentiality”. Under this concept, breaches may be interpreted as permitted for social reasons (i.e., to those “in regular contact” with an infected person to optimise the care of the person) rather than for purely medical ones.

## BONELA Activities

## POLICY DEVELOPMENT

From time to time, BONELA is invited to assist with developing policy for various governmental and other institutions.

In 2004 and 2005, BONELA informed policy development for:

- **United Nations Population Fund** and the **Ministry of Health, Occupational Health Unit, Community Health Service Division**, at a national workshop on Male Involvement in Sexual Reproductive Health and HIV/AIDS
- **Ministry of Works and Transport**, on its reference group for the development of its HIV/AIDS policy
- **Tebelopele**, in its Review of Voluntary Counseling Testing Policies and Procedures Manual
- **United Nations Development Programme (UNDP)**, participating on the drafting team of the Project Support Document on Governance for Botswana, which sought to address HIV/AIDS cross-cutting other issues including access to justice, legal system reform and public education. (Note: BONELA was responsible for the inclusion of a number of key issues in the exercise but, by the end of 2005, the document had not yet been finalised due to delays on the part of the government.)
- the non-governmental organisations' complementary report on the **Convention on the Rights of the Child**, the final document in which numerous comments submitted by BONELA were included and which was ultimately submitted to the United Nations and the Government of Botswana
- project advisory committee for an **International Labour Organisation** and **US Department of Labour** project at the **Ministry of Labour and Home Affairs**, through which BONELA made a critical contribution to the drafting of the National Policy on HIV and Employment; this policy will ultimately form the basis of long-overdue legislation.

BONELA periodically releases booklets, reports and other publications, providing original and in-depth information and analysis on key topics related to the human rights, legal and ethical aspects of the HIV epidemic in Botswana. BONELA staff is also occasionally invited to author articles in regional and international academic journals and other publications.

### ***Challenging HIV-related Discrimination: Protection for Employees in the Workplace***

Having learned that the right to work is the one most often violated with respect to HIV, BONELA published a booklet in 2004 documenting and analysing two related landmark legal cases in Botswana. *Challenging HIV-related Discrimination: Protection for Employees in the Workplace* includes a reader-friendly summary and analysis of the Industrial Court cases that involved the Botswana Building Society and the issue of HIV testing in the context of employment. The publication also highlights a policy framework on HIV/AIDS and employment, which is the result of a cooperative drafting process involving civil society, government, unions and the private sector. Volunteer Elizabeth Maxwell played a primary role in the development of this publication.

*Challenging HIV-related Discrimination* enjoyed such successful distribution that BONELA ran a second reprint of 1000 copies later in the year; a third reprint is planned for 2006. The booklet builds on BONELA's 2003 publication, *HIV/AIDS and the World of Work*, prepared by attorney Monica Tabengwa.

### **Contributions to Regional and International Publications**

In 2004 and 2005, BONELA staff contributed to academic journals, books and other relevant works.

Director Christine Stegling authored:

- "Botswana's HIV/AIDS Programme: A model for SADC?", *Interfund Development Update: From Disaster to Development? HIV and AIDS in Southern Africa*, Vol. 5, No. 3 (Johannesburg, South Africa, 2004)
- "HIV/AIDS and Home Based Care in Botswana: Panacea or Perfidy?", chapter in *Social Work Approaches in Health and Mental Health From Around the Globe* (Binghamton, New York: The Haworth Social Work Practice Press, 2004), co-authored with G. Jacques
- "HIV/AIDS and Home Based Care in Botswana: Panacea or Perfidy?", *Social Work in Mental Health*, Vol. 2, No. 2/3 (Binghamton, New York: The Haworth Press, 2004), co-authored with G. Jacques

Research Officer Kristi Kenyon authored:

- "Routine HIV Testing: A View from Botswana", *Health and Human Rights*, Vol. 8, No. 2 (Boston: Harvard School of Public Health, 2005)

**BONELA  
Activities**

**PUBLICATIONS**

## BONELA Activities

### NATIONAL AIDS COUNCIL SECTOR ON ETHICS, LAW AND HUMAN RIGHTS

Established in 2002, the National AIDS Council (NAC) Sector on Ethics, Law and Human Rights (ELHR) has been housed at BONELA from its inception. Of the Council's multiple sectors, it is the only sector being housed at a civil society organisation. The ELHR sector is chaired by the Executive Secretary of the Law Society of Botswana while the vice-chairperson is selected from the Industrial Court; the Director of BONELA acts as secretary to the sector. In this capacity and to support sector activities, the BONELA Director attends the quarterly National AIDS Council meetings that are chaired by His Excellency President Festus Mogae.

The sector is also composed of members from the Botswana Network of People Living with HIV/AIDS, the Attorney-General Chambers, Ditshwanelo–The Botswana Centre for Human Rights, the Health Research Unit of the Ministry of Health, the Botswana Federation of Trade Unions, the Law Reform Committee of the National Assembly, and the University of Botswana Law Department. In 2003, the sector developed a strategic plan to contextualise its vision and mission into an operational plan.

#### The Sector's Vision and Mission

The sector's work is aimed at fulfilling a national commitment to build and strengthen policies on ethical, legal and human rights issues related to HIV/AIDS, thereby creating an enabling environment to support the implementation of Botswana's National Strategic Framework for HIV/AIDS 2003-2009. According to the National Strategic Framework, Botswana's ethical, legal and human rights environment should conform to international standards; in fact, it is hoped that Botswana's legal and ethical practice should be among the best in the world.

In strategies related to the prevention, management and control of HIV/AIDS by all stakeholders, the sector's mission is to facilitate the promotion and protection of human rights enshrined in both the Constitution of Botswana and international human rights instruments. The sector ensures adherence to ethical standards and develops a culture of human rights through advice, education and advocacy for legislative and regulatory reforms.

In 2004, BONELA continued to serve as the secretariat of the NAC Sector on Ethics, Law and Human Rights, holding five regular meetings during the year and a stakeholders' conference that took place on 26 February.

In February, stakeholders were invited to discuss the operational plan and a preliminary legislative review of national law undertaken by Professor Warren Allmand. Professor Allmand is a former Canadian Cabinet Minister and parliamentarian who now heads the Montréal, Canada-based International Centre for Human Rights and Democratic Development. In the legislative review, he commented that the Constitution of Botswana did not include health status, disability or 'other status' in its anti-discrimination provisions. While reflecting favourably on the many rights-protective policies in the country, he noted that "these are not legally binding and will not protect victims of discrimination in court." Professor Allmand also emphasised the need to expand or specialise the role of the Ombudsman or to create a national Human Rights Commission to ensure that people had an affordable and accessible remedy should they feel that their rights have been violated.

In late 2004, BONELA and the sector began to prepare for undertaking a comprehensive review of Botswana's laws and policies, planned for 2005. The sector advertised a tender for the legislative review to be carried out by a multi-sectoral team. A reference group, which included Deputy Attorney-General Daphne Matlakala and a NACA representative, was formed to review the tender applications and interview the shortlisted teams. The tender was awarded to Gaborone-based Molatlhegi and Associates. The consultancy team was tasked to report on the



Merani Chirambo



following:

- the desirability or otherwise of HIV/AIDS-specific legislation;
- the required legislative reforms to be initiated;
- appropriate institutional machinery for the implementation of the proposed legislation; and,
- drafting instructions to give effect to any conclusions or recommendations that may be necessary.

Commencing in February 2005, the review took place over a six-month period.

In June 2005, a Sector Coordinator was hired to manage the sector's activities. These included:

- a **sector meeting** (13 Jul. 2005) to introduce the new Sector Coordinator and to present a concept paper and draft plan for a consensus-building workshop with parliamentarians and members of *Ntlo ya Dikgosi* (House of Chiefs);
- participation at **Pre-National AIDS Council meetings**, which provides an opportunity to review and present an update of activities that have been undertaken to realise the goals of the National Strategic Plan;
- a **media briefing** (22 Aug. 2005), to offer the press general information about the sector, its mandate and activities; the event also sought to encourage media collaboration with the sector to reach a wider audience and facilitate correct and timely reporting of activities;
- a **consensus-building workshop** in August for *Ntlo ya Dikgosi*, members of four specially selected Parliamentary Committees—those of Law Reform, Labour, HIV/AIDS and Health—and chairpersons of other Parliamentary Committees, who were informed of the sector's mandate and activities (see highlights of workshop in box right);
- **meetings with the AIDS Policy Task Force** (comprised of NACA, ELHR sector and BONELA), the responsibility of which is to provide technical support and expertise to the on-going HIV/AIDS Policy review;
- a **consensus-building workshop** (27 Sep. 2005) for men and women's organisations, as well as Pudologong Rehabilitation Centre, Mochudi and the School for the Deaf, Ramotswa; the workshop was aimed at educating targeted participants about the sector's mandate and activities as well as discussing how the sector could assist these organisations; and,
- held jointly with BONELA, a **consultative meeting** with Prisons Authorities about a possible policy to distribute condoms in prisons.

## Highlights: Consensus-building Workshop with Policy Makers

The last days of winter set the scene for the first-ever Ethics, Law and Human Rights Sector seminar held specifically for Botswana's House of Chiefs and parliamentarians.

Based on the theme "Human Rights, HIV, and Governance," the two-day workshop was well attended by members of the two policy-making bodies responsible for the eventual formulation and enactment of policies and law.

- In the opening remarks, NACA Programme Planning Manager Monica Tselayakgosi addressed the challenge of mainstreaming the sector's activities in line with Vision 2016. She urged the participation of different stakeholders to own up to the process.  
"It is important that we share ideas, engage everyone here, engage all others in the national response, individuals, communities right up to the national level. It is a collective responsibility," Tselayakgosi said. "The intention of the seminar is precisely to engage you as leaders, to empower you as leaders to be able to help us deal with this war [against HIV/AIDS]."
- Principal Legal Draftsperson of the Attorney General's Chambers Beulah Mguni presented on the legislative review, which is aimed at ensuring the national response to HIV/AIDS is compatible "with the spirit and provisions of the Constitution of Botswana and international human rights instruments to which Botswana is a signatory."
- Offering experiences from South Africa and Kenya, presenters on the second day explored approaches involving human rights, the law, and governance in policies and implementation of HIV/AIDS programmes. Fatima Hassan, an attorney with South Africa's AIDS Law Project, shed light on HIV/AIDS activists' battles against the South African government and multinational pharmaceutical companies in gaining access to affordable antiretroviral treatment. Drawing from other tools including research, pickets, petitions, media and defiance campaigns, the activists eventually used the law and court as a "last resort," said Hassan. "We have tried everything—lobbied individuals, talked to the government. We have done everything in our power to change policy and make sure [the government] performs its constitutional obligations."
- Ambrose Rachier, director of Kenya Ethical and Legal Network, asked whether Botswana's current body of law is adequate in the context of HIV/AIDS. Rachier, who headed the task force for Kenya's HIV/AIDS Prevention and Control Bill, described the progress and obstacles in his country's bid to draft legislation on HIV and AIDS. "We recognised that legislation was being used to achieve public health objectives," he told participants. "Law has been used to fight epidemics in the past. A human rights-based approach was the way to go."

As critical stakeholders for informing the population-at-large, members of the media had been invited and actively participated in and reported on the workshop.





Volunteer photographer Korean Reece captures the moment during a photo shoot for the “Making your right to health a reality” poster.



Cynthia Lee

# BONELA Financial

## SUMMARY AND REPORT

Hand in hand with the growth in BONELA's programmes and staff, its financial base also expanded. In 2004 and 2005, the once-tiny NGO saw itself transform into an organisation that consistently and increasingly secured financial and in-kind support from donors, which served as a foundation for the flurry of activities generated by its mounting number of staff.

### DONORS

In the two-year period, the following organisations and agencies supported BONELA's work:

- Hivos (Humanist Institute for Cooperation with Developing Countries) and the National AIDS Coordinating Agency (NACA): main funds supporting all BONELA programmes in general
- Global Fund to Fight AIDS, TB and Malaria (Training Programme), NACA (National AIDS Council Sector on Ethics, Law and Human Rights), Hivos (LeGaBiBo) and The Finnish Embassy Pretoria (Legal Aid and Training): special project funds to support a specific project
- Centers for Disease Control/BOTUSA, U.S. Embassy in Botswana Democracy and Human Rights Fund and The POLICY Project: general funds received as consultancy-based purchase orders, and,
- World University Service of Canada and Human Rights Internet: in-kind provision of officers to support BONELA programmes (Research, Media).

### REVENUE

In 2005, total revenue to BONELA increased by BWP137.7K, or 17%, from 2004. This rise in revenue can be attributed to continued support from Hivos (BWP722K) and NACA (BWP233.7K) respectively.

Total special projects revenue received a 194% boost from 2004 (BWP1354.9K). The increase in special projects revenue was the result of new funding by several donors. Firstly, a contract with Global Fund accounted for a grant of US\$448K (ending June 2006). At the end of 2005, Global Fund had dispersed 75% of total contract funds. In addition, Hivos funded the LeGaBiBo special project with a grant of €10K. Lastly, a Finnish Embassy special project grant for €50K was dispersed in advance of its 2006 start of programme, therefore contributing to increased special projects revenue for 2005.

Due to several factors, other operating income also increased by BWP383.5K in 2005—a 721% increase from 2004. Increased interest income of BWP38.9K in 2004 and BWP46.2k in 2005 was earned on increased grants received. Gains on forex transactions were also a contributing factor. A combined total of approximately BWP337.3K was brought in through consulting fees and consultancy-based purchase orders for research conducted with POLICY Project, support from CDC/BOTUSA to the NAC Sector on Ethics, Law and Human Rights, and a grant from the US Embassy Democracy & Human Rights Fund.

Overall, BONELA saw substantial increases in revenue and other operating income for 2005.

### EXPENDITURE

Mostly due to expanded activities, there was an overall increase of 85% in expenditure in 2005. This can be attributed to the following:

1. Accounting fees (BWP96.5K in 2005 from BWP49.9K in the previous year): resulted from a doubling of the consultant accountant's workload, and subsequently, hours of work
2. Advertising and promotions (BWP21.5K from BWP3.1K): a rise in expenses for more advertising carried out for various staff posts than in previous years
3. Accommodation and meals; international and regional conferences; and, workshops and conference materials (BWP189.3K from BWP59.8K collectively): this increase arose due to expanded programme activities such as training, advocacy meetings, forums, media and IEC materials production, research projects, and attending conferences during 2005
4. Consultancy fees (BWP48.1K from BWP9.2K): during the year, BONELA carried

out a consultancy research project with POLICY Project, resulting in increased fees spent on consultant research assistants

5. Depreciation (BWP53.7K from BWP24.6K): insurance costs proportionately increased to BWP6.4K from BWP1.6K because of a rise in fixed asset purchases during 2005
6. Office rent (BWP61.7K from BWP54.3K): the increase is due to BONELA's 2005 acquisition of more office space to cater for the ever-growing number of staff and volunteers
7. Staff salaries and benefits (BWP438.3K from BWP207.1K): this rise in expense is primarily related to the hiring of additional staff but also to paying out of gratuity to existing staff in 2005 as well as a provision for gratuity for all staff
8. Subscriptions, registration and licenses (BWP5.4K from BWP0.0): this expense resulted from the special licensing required for proper set-up of BONELA's new server computer acquired during 2005
9. Telephone and fax (BWP39.7K from BWP21.3K): the increase was due to proportionate growth in activities
10. Local ground transport (BWP13.3K from BWP 10.0K): the increase was due to proportionate growth in activities

## ASSETS AND LIABILITIES

BONELA's 2005 total assets increased by 40.2% from 2004 to BWP 1801.5K. This incorporated a 151% rise in plant and equipment (from BWP 66.5K to BWP167.1K) since more

fixed assets were purchased during the year, including a motor vehicle that was 85% funded by Hivos. A second motor vehicle and other assets acquired through the Global Fund donation have not been included in the non-current assets value; ownership will remain with BONELA only once that decision is made at the end of the project in 2006.

Current assets increased by 34.2% to BWP 1634.4K and current liabilities by 641% to BWP 130.2K.

Accounts receivable saw an increase because of the non-receipt of a portion of the Global Fund grant and because a number of CDC/BOTUSA purchase-order grant invoices were pending payment in January 2006. Similarly, a portion of the POLICY Project consultancy funds were received only after the end of the year.

Bank and cash balances have witnessed a 27% increase (from BWP1197.6K to BWP1518.2) mainly due to the rise in funding sources. It is also partly the result of receipt of funds in advance from the Finnish Embassy in December 2005 and also the receipt of some funds from both Hivos and Global Fund in November and December 2005.

Accounts payable increased mainly due to the provision for gratuity.

# Report of the Independent Auditors

BOTSWANA NETWORK ON ETHICS, LAW AND HIV/AIDS (BONELA)  
FINANCIAL STATEMENTS  
31 DECEMBER 2005

To the Members of Botswana Network on Ethics, Law and HIV/AIDS (BONELA)

We have audited the financial statements set out on pages 5 to 12 .

These financial statements are the responsibility of the Executive Committee. Our responsibility is to report on these financial statements.

We conducted our audit in accordance with the International Standards on Auditing. These standards require that we plan and perform the audit to obtain reasonable assurance that in all material respects, fair presentation is achieved in the financial statements. An audit includes an evaluation of the appropriateness of the accounting policies; an examination on a test basis of evidence supporting the amounts and disclosures included in the financial statements; an assessment of the reasonableness of significant estimates and a consideration of the appropriateness of the overall financial statement presentation. We have examined the books, accounts and vouchers of the organisation to the extent we considered necessary, and have obtained all the information and explanations which we required . We have satisfied ourselves of the existence of the securities. We consider that our audit procedures were appropriate in the circumstances to express our opinion presented below.

In our opinion:

- the organisation has kept proper books of account with which the financial statements are in agreement; and
- the financial statements give a true and fair view of the state of the organisation's affairs at 31 December 2005, and the results of its operations and cash flow information for the period then ended, in conformity with International Financial Reporting Standards and in the manner required by the Societies Act.



Kauya & Partners  
Certified Public Accountants(Botswana)  
Gaborone

Date 02 November 2006



## Statement of Responsibility

BOTSWANA NETWORK ON ETHICS, LAW AND HIV/AIDS (BONELA)  
FINANCIAL STATEMENTS  
31 DECEMBER 2005

The committee members are responsible for the maintenance of adequate accounting records and the preparation and integrity of the financial statements and the related information. The auditors are responsible to report on the fair presentation of the financial statements. The financial statements have been prepared in accordance with International Financial Reporting Standards.

The committee members are also responsible for the organisation's systems of internal financial control. These are designed to provide reasonable, but not absolute, assurance as to the reliability of the financial statements and to adequately safeguard, verify and maintain accountability of assets, and to prevent and detect misstatement and loss. Nothing has come to the attention of the committee members to indicate that any material breakdown in the functioning of these controls, procedures and systems has occurred during the year under review.

The annual financial statements have been prepared on going concern basis, since the committee members have every reason to believe that the organisation has adequate resources in place to continue in operation for the foreseeable future.

The annual financial statements set out on pages 5 to 12 were approved by the Committee members on 2nd November 2006 and are signed on their behalf by:



Chairman  
Gaborone

Date: 09.11.06



Treasurer  
Gaborone

Date: 02/11/2006

# Income Statement

for the year ended 31st December 2005

	Notes	2005 Pula	2004 Pula
Revenue		952,133	814,409
Other operating income		436,757	53,211
Administrative & programme expenses		<u>(1,138,515)</u>	<u>(614,235)</u>
<b>Surplus for the year</b>		<b><u>250,375</u></b>	<b><u>253,384</u></b>

# Balance Sheet

as at 31st December 2005

	Notes	2005 Pula	2004 Pula
<b>ASSETS</b>			
<b>Non- Current Assets</b>			
Plant and equipment	8	<u>167,100</u>	<u>66,536</u>
<b>Total Non- Current Assets</b>		<b><u>167,100</u></b>	<b><u>66,536</u></b>
<b>Current assets</b>			
Accounts receivable	3	116,192	20,663
Bank and cash		<u>1,518,183</u>	<u>1,197,633</u>
<b>Total Current assets</b>		<b><u>1,634,375</u></b>	<b><u>1,218,296</u></b>
<b>Total assets</b>		<b><u>1,801,475</u></b>	<b><u>1,284,832</u></b>
<b>FUNDS AND LIABILITIES</b>			
<b>Funds</b>			
Accumulated Funds	7	852,637	597,192
Capital Grants	4	27,158	32,228
Deferred Project Income-FINNISH EMBASSY		208,333	-
Project Funds	6	<u>583,180</u>	<u>637,853</u>
		<u>1,671,308</u>	<u>1,267,273</u>
<b>Liabilities</b>			
Accounts payable	5	130,167	17,559
<b>Total funds and liabilities</b>		<b><u>1,801,475</u></b>	<b><u>1,284,832</u></b>

# Statement of Changes in Funds

for the year ended 31st December 2005

	Accumulat- ed Funds	Capital Grants	Finnish Embassy De- ferred income	Hivos-LeGa- BiBo project funds	Global Fund project funds	NAC Sec- tor project funds	Total
	Pula	Pula	Pula	Pula	Pula	Pula	
Balance at 1 January 2005	597,192	32,228	0	0	468,518	169,336	1,267,274
Surplus for the period	250,375						250,375
Received during the period			208,333	65,720	1,086,981	48,440	1,409,474
Spent during the period			0	(28,464)	(1,066,889)	(160,462)	(1,255,815)
Prior year adjustment				0			
Amortised during the period	5,070	(5,070)		0			
Balance as at 31 December 2005	852,637	27,158	208,333	37,256	488,610	57,314	1,671,308

# Cash Flow Statement

for the year ended 31st December 2005

## CASH FLOWS FROM OPERATING ACTIVITIES:

Surplus for the period	250,375	253,384
Adjustments for:		
Prior adjustment	0	(1,000)
Depreciation	53,731	9,492
Operating income before reinvestment in working capital	304,107	271,876
Decrease/(Increase) in accounts receivable	(95,529)	(12,236)
Increase/(Decrease) in accounts payable	112,608	1,610
Cash generated from operations	321,186	261,250

## CASH FLOWS TO INVESTING ACTIVITIES:

Purchase of plant , equipment and motorvehicle	(154,295)	(52,229)
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## CASH FLOWS TO FINANCING ACTIVITIES:

Funds received from Nac Sector Funding	48,440	142,544
Funds received from Global Fund	1,086,981	468,518
Funds received from Hivos Legabibo	65,720	
Funds spent on Nac Sector Project	(160,462)	
Funds spent on Global Fund Project	(1,066,889)	
Funds spent on Hivos Legabibo Project	(28,464)	
Funds received from Project Deferred Income	208,333	(336,345)
Increase in capital grants		8,000

Net increase in bank and cash balances	320,550	491,738
Net bank and cash balance at beginning of the period	1,197,633	705,895
Net bank balance at end of the year	1,518,184	1,197,633

Represented by:

Bank and cash balances

2005 Pula	2004 Pula
250,375	253,384
0	(1,000)
53,731	9,492
304,107	271,876
(95,529)	(12,236)
112,608	1,610
321,186	261,250
(154,295)	(52,229)
48,440	142,544
1,086,981	468,518
65,720	
(160,462)	
(1,066,889)	
(28,464)	
208,333	(336,345)
	8,000
320,550	491,738
1,197,633	705,895
1,518,184	1,197,633
1,518,183	1,197,633

## **BASIS OF ACCOUNTING**

The financial statements are prepared on the historical cost basis and incorporate the following principal accounting policies which have been consistently followed in all material respects, and comply with operative International Financial Reporting Standards.

## **GENERAL FUND**

The general fund carries no restrictions on its use other than restrictions imposed by the Executive Committee. This fund is financed by subscriptions, general donations, promotional sales, profits, interest income, rental income, surplus funds transferred from special projects fund subject to donor approvals and other fund-raising activities.

## **SPECIAL PROJECTS FUNDS**

These funds are raised by grants and donations received from various bodies. These funds are donor restricted funds and are applied exclusively to finance-specific projects. On completion of these projects, surpluses or deficits arising are transferred to or from the general fund subject to donor approvals.

## **REVENUE RECOGNITION**

Revenue comprises grants received from donors for projects.

## **GRANTS**

Revenue grants are recognised in the statement on a systematic basis which matches them with the related costs for which they are to compensate.

Grants received relating to the acquisition of fixed assets are deferred and recognised in the income statement on a basis which matches the income with the depreciation charge on the related assets.

Grants received for which the expenditure has not taken place are treated as deferred income.

## **PROPERTY, PLANT AND EQUIPMENT**

Property, plant and equipment are stated at cost and depreciated as detailed below:

## **DEPRECIATION**

Depreciation is charged over the estimated useful lives of the assets in equal annual instalments to write off the cost over the following periods:

Computers	5 years
Fixtures and fittings	5 years
Office equipment	5 years
Motor vehicle	5 years

## **RETIREMENT BENEFITS**

The organisation does not operate a pension scheme for its employees.

## **FINANCIAL INSTRUMENTS**

### **Financial assets**

The organisation's principal financial assets are bank balances and cash, trade and other receivables.

Trade and other receivables are stated at their nominal value as reduced by appropriate allowances for estimated irrecoverable amounts.

### **Financial liabilities and equity instruments**

Financial liabilities are classified according to the substance of the contractual arrangement entered into.

Significant financial liabilities include trade and other payables.

Trade and other payables are stated at their nominal value.



# Notes to the Financial Statements

## 1 OPERATING INCOME BEFORE INTEREST

Operating income before interest is stated after taking into account the following:

Auditors remuneration - audit fee		13 750
Depreciation - office equipment	10 787	4 170
- computers	20729	9 312
- furniture and fittings	8167	6 010
- motor vehicles	14047	-

## 2 TAXATION

The organisation's income is subject to taxation under the Income Tax Amendment Act, as a public benefit organisation. No income tax provision has been made in the financial statements.

## 3 ACCOUNTS RECEIVABLE

Other receivables	154,864	4,903
Prepayments and deposits	22,079	15,760
Subtotal	176,942	20,663
Less: Provision for doubtful debts	(60,750)	
	<u>116,192</u>	<u>20,663</u>

## 4 CAPITAL GRANTS

Balance at 1 January 2005	32,228	29,298
Grants received during the year	-	8,000
Amortised during the year	(5,070)	(5,070)
Balance at 31 December 2005	<u>27,158</u>	<u>32,228</u>

## 5 ACCOUNTS PAYABLE

Other sundry suppliers & creditors	9,034	3,810
Provision for audit fees	-	13,750
Provision for gratuity	121,133	-
Balance at 31 December 2005	<u>130,167</u>	<u>17,560</u>

## 6 PROJECT FUNDS-Nac Sector

Balance at beginning of period	169,336	26,791
Received during the period	48,440	142,545
Spent during the period	(160,462)	-
Balance at 31 December 2005	<u>57,314</u>	<u>169,336</u>

Bonela was nominated as the Secretariat for the National Aids Council Sector of the Botswana Government, and administers the Sector Project Funds.

PROJECT FUNDS-Global Fund

Balance at beginning of period

Received during the period

Spent during the period

Balance at 31 December 2005

PROJECT FUNDS-Hivos Legabibo

Balance at beginning of period

Received during the period

Spent during the period

Balance at 31 December 2005

**GRAND TOTAL**

**7 ACCUMULATED FUNDS**

Hivos Funds balance as at 31 December 2005

NACA Funds balance as at 31 December 2005

General Donations Funds & Fixed asset carrying value at 31.12. 2005

Balance at 31 December 2005

2005 Pula	2004 Pula
468,518	-
1,086,981	468,518
(1,066,889)	-
<u>488,610</u>	<u>468,518</u>
-	-
65,720	-
(28,464)	-
<u>37,256</u>	<u>0</u>
<u><b>583,180</b></u>	<u><b>637,854</b></u>
419175	428,374
116976	77,844
316487	90,974
<u>852,637</u>	<u>597,192</u>

**8 PLANT AND EQUIPMENT**

	Motor Vehicle P	Office Furniture P	Office Equipment P	Computer Equipment P	Total
<b>Cost</b>					
At 1 January 2005	0	30,051	37,749	46,561	114,361
Additions	70,235	10,786	16,187	57,086	154,295
At 31 December 2005	<u>70,235</u>	<u>40,838</u>	<u>53,936</u>	<u>103,647</u>	<u>268,656</u>
<b>Depreciation</b>					
At 1 January 2005	0	16,284	12,090	19,451	47,825
Charge for the year	14,047	8,167	10,787	20,729	53,731
At 31 December 2005	<u>14,047</u>	<u>24,451</u>	<u>22,877</u>	<u>40,180</u>	<u>101,556</u>
<b>Net Book Value</b>					
At 31 December 2005	<u>56,188</u>	<u>16,386</u>	<u>31,059</u>	<u>63,467</u>	<u>167,100</u>
At 31 December 2004	<u>0</u>	<u>13,767</u>	<u>25,659</u>	<u>27,110</u>	<u>66,536</u>

**9 CONTINGENT LIABILITIES**

None

## Allocation of main fund and special project fund schedule

	MAIN FUND				SPECIAL PROJECTS FUND					Grand Total
	Misc, General Donations	HIVOS	NACA	Subtotal	HIVOS - legabibo	Finnish Embassy	NAC Sector	Global Fund	Subtotal	
Balance at 1 January 2005	53,561	428,374	77,844	559,778	0	0	169,336	468,518	637,854	1,197,632
Grants received	397,045	721,999	233,730	1,352,774	65,720	208,333	48,514	1,091,961	1,414,528	2,767,302
Total funds	450,606	1,150,373	311,574	1,912,552	65,720	208,333	217,850	1,560,479	2,052,382	3,964,934
Expenditure during the year	303,579	731,198	194,598	1,229,375	28,464	0	160,572	1,028,341	1,217,377	2,446,751
Balance at 31st December 2005	147,027	419,175	116,976	683,177	37,256	208,333	57,278	532,138	835,006	1,518,183



Training Coordinator Oratile Kidd-Moseki engages with the public at BONELA's stall at the 2005 World AIDS Day national commemoration in Letlhakane.





Cynthia Lee

## BONELA Participation in Botswana and Beyond

In Botswana and in the region, BONELA has been recognised for its active role in dealing with the realities of the HIV/AIDS epidemic. Aside from the ongoing support it provides (see section on Advocacy and Outreach), BONELA interacts with countless organisations and partners that share the vision of a healthy future for Botswana. The NGO has also increasingly made its contribution at the regional and international levels at such events as the World AIDS Conference.

Among the innumerable consultations, meetings and events that BONELA staff attended in 2004 and 2005 are:

- Consultation with Director of Medical Services, Ministry of Health, about the public ARV programme (Jan. 2004)
- Meeting at COCEPWA with UN Deputy Secretary-General Mark Mallock-Brown and later reception at the UNDP Resident Representative residence (Mar. 2004)
- Meeting on Three By Five initiative, Ministry of Health (Apr. 2004)
- Botswana Business Coalition on AIDS, Breakfast Dialogue (Apr. 2004)
- IDM Workshop on the Family Care Model (May 2004)
- Meeting with Botswana Business Coalition on AIDS, to develop a Workplace Toolkit (May 2004)
- BONASO Small Grants Programme Evaluation and Dissemination Workshop (May 2004)
- Central Statistics Office Labour Survey (Aug. 2004)
- World University Service of Canada meeting on introduction of Uniterria programme and consultation by WUSC on its HIV/AIDS sector programme (Sep. 2004)
- "Emerging Protection of Human Rights of Women in Botswana" seminar, National Bar Association (U.S.A.) and The Law Society of Botswana (Nov. 2004)
- Meeting on HIV Vaccine Plan, Ministry of Health (Dec. 2004)
- Evaluation of UNDP Regional HIV/AIDS Programme (Feb. 2004)
- Month of Youth Against AIDS, breakfast meeting organized by Botswana National Youth Council (Apr. 2005)
- Briefing of National Assembly Law Reform Committee (Mar. 2005)
- Meeting with representatives of the Bill and Melinda Gates Foundation, U.S. Ambassador's Residence (Apr. 2005)
- Botswana Family Welfare Association strategic planning meeting (Aug. 2005)
- Briefing of German Parliamentarians on HIV and Human Rights in Botswana, German Embassy (May 2005)
- Launch of UNDP Human Development Report (Sep. 2005)
- Meeting with UN Special Rapporteur on the Right to Education (Sep. 2005)
- Symposium on "40 years of Democracy in Botswana", the University of Botswana (Sep. 2005)
- Farewell lunch organized for Bjorne Forde, UNDP Resident Representative in Botswana (Sep. 2005)
- Welcome Reception for the incoming US Ambassador (Oct. 2005)
- Annual General Meeting of BOCONGO (Oct. 2005)
- Meeting by NGOs petitioning the African Comprehensive HIV/AIDS Partnership (ACHAP) (Nov. 2005)
- Presentation on "HIV and Policy Issues in Botswana" OSISA Country Meeting for Human Rights and Democracy Programme (Nov. 2005)

### Major Conferences in Botswana

#### Second National Conference for People Living with HIV/AIDS, Francistown

In early 2004, BONELA staff assisted with the production of the report on this event, which was hosted by the Botswana Network of People Living with HIV/AIDS (BONEPWA) and held in Francistown in December 2003.

BONELA Programme Officer Milikani Ndaba and Intern Koreen Reece spent a great deal of time and energy assisting with conference activities. According to the

official evaluation of the conference, participants highly valued BONELA's contribution. Analysis of the evaluative questionnaires completed by over 150 delegates indicates that BONELA's session on human rights was considered the most valuable part of the conference. A strong desire to see human rights education in future conferences for people living with HIV/AIDS also became evident.

### **National HIV Prevention Conference, Francistown, 20-22 Sep. 2005**

At this three-day conference, government officials and representatives of HIV/AIDS-focused NGOs from across the country assessed HIV prevention strategies and barriers to prevention among various groups. Civil society involvement and advocacy among civil society players was also a topic of focus.

BONELA's Programme Officer Nthabiseng Nkwe chaired the session on "Policy and Legal Issues in HIV/AIDS Prevention". The session discussed issues surrounding the absence of laws specific to HIV and AIDS that protect against discrimination based on HIV status. Lorraine Makati of the Administration of Justice kicked off the session with a presentation on the role of the law in HIV prevention. Participants made several recommendations, including a review of all laws to incorporate HIV/AIDS.

### **Hivos Workshop on Minority Groups, Gaborone, 7-8 Dec. 2005**

The workshop, hosted by Ditshwanelo—Botswana Centre for Human Rights, was intended to encourage the Botswana government and NGOs to explore the issues of particular concern to minority groups. These include access to resources, education, and health care; the extent of discrimination; the need for legislation; how best to affect change of the situation; and, how to address the common misconceptions that allow discrimination to flourish.

Members of LeGaBiBo, an LGBTI group supported by BONELA, presented at and participated in the session on sexual minorities. The session discussed issues regarding the law and how criminalisation of homosexual activities should be considered a violation of freedom from discrimination for this marginalised group. One ensuing recommendation was made for the decriminalisation of same-sex relationships to help phase out stigma and discrimination faced by this group. The session also looked at the scale of ignorance among the community regarding issues faced by the LGBTI community, resulting in recommendations expressing the need for education and sensitisation of the community on this issue.

## **Regional and International Participation, Forums and Conferences**

### **Pan-African Treatment Movement Conference, Harare, Zimbabwe, 2-5 Mar. 2004**

HIV/AIDS activists from around Southern Africa met for this PATAM event, which featured the theme "Scaling up Access

to Antiretroviral Treatment". Six delegates from Botswana participated in the conference, which was opened with a moving speech by Bishop Trevor Manhanga. Over three days, participants discussed challenges and opportunities for assessing treatment in Southern Africa, for example, seeking consensus on possible regional actions to reduce drug prices and investigating ways to build a people's health campaign.

BONELA Director Christine Stegling and Programme Officer Milikani Ndaba were joined by BONELA Board members Maame Awuah and Dr. Tiny Masupe. Ruth Baloyi of the Botswana Network on People Living with HIV/AIDS and Dr. Ndwapi of Princess Marina Hospital were also a part of the Botswana delegation.

### **Certificate Course on Ethical Issues in International Health Research, Harvard School of Public Health, Boston, USA, June 2004**

The director received sponsorship from BOTUSA to attend this course on medical ethics at Harvard University. The course discussed a number of issues of great importance to the Botswana context, including medical consent, confidentiality and the principle of autonomy. After some internal discussion, BONELA felt that such a course would benefit a number of stakeholders in Botswana, discussing ethical concepts in the socio-cultural context of our own society. Subsequently, a plan to run a similar course in Botswana has been discussed.

### **XV International AIDS Conference, Bangkok, Thailand, July 2004**

BONELA participated at the World AIDS Conference, providing two poster presentations at this international-level conference held every two years. BONELA Director Christine Stegling presented a poster on a civil society initiative to create and implement HIV employment legislation; Board member Maame Awuah presented a poster on the spread of HIV/AIDS amongst the prison population, showing how it is linked to the lack of effective preventative strategies, such as condom distribution.

At the conference, many human rights activists (including the BONELA delegates) were surprised by the obvious absence of human rights-related topics on the programme. Most legal, ethical and human rights presentations had been relegated to be poster presentations. At the previous 2002 World AIDS Conference, human rights activists had pushed for the debate around access to treatment to be made the focal point of the Bangkok conference, advocating for it to be considered a human right. However, at Bangkok, those who initiated this debate appeared to be left at the margins.

Of great concern was that policy makers appeared to be moving backwards with respect to accepting different sexual realities and practices. Shaped by US government funding, abstinence as the main focus of prevention activities was still largely being discussed rather than delegates applying their minds to new and innovative strategies of preventing transmission. This approach clearly would leave vulnerable groups—such as men

who have sex with men in Africa, intravenous drug users in Asia, and sexually active youth around the world—even more vulnerable.

The lesson learned by the BONELA delegates is that we must reclaim the position of human rights as the most important and all-persuasive aspect of the response to HIV/AIDS. Thus, it should be the focal point, beginning and end of all discussions at any future World AIDS Conference. By keeping a closer watch and being more involved in the decision-making around the agenda, we can make it happen.



#### **Symposium on Securing the Future for Southern Africa—Perspectives in the World of Work, Windhoek, Namibia, Nov. 2004**

This event brought together representatives from the business community, workers' organisations, policy makers and AIDS activists from the region to discuss the challenges of HIV at the workplace. Presentations included information on the best practices of employers with regard to the provision of ARV treatment in their workforce.

The BONELA director presented a paper entitled, "Protecting the Rights of Employees through Litigation, Case Studies from Botswana," focusing on some of the litigation that has taken place in Botswana with regard to HIV/AIDS in the workplace. The presentation was followed by an interesting and lively discussion around the issues of anti-discrimination laws within the world of work. Most countries in the Southern Africa region are still in desperate need of such legislation in order to ensure that HIV-positive workers are able to continue contributing to our economies and leading healthy and fulfilled lives.



#### **Regional Conference on Youth, Children and HIV/AIDS, Mangochi, Malawi, Aug. 2004**

This conference served as an opportunity to gather information on youth and children to guide development of training materials in this area, a chance to network, and an opportunity to share BONELA's experiences through a presentation and discussion. BONELA Research Officer Kristi Kenyon's attendance at this conference, which drew approximately 100 participants, was funded by Hivos.

The conference was opened by the Minister of Youth and Culture, indicating the high political profile it received in Malawi. It was attended by youth delegates and youth programmers from Mozambique, Malawi, Botswana, South Africa, Zambia, Namibia, Lesotho, Uganda, Kenya, Tanzania, and Zimbabwe. The conference, organised by Youth Net and Counselling, a Malawian NGO located in Zomba, concluded with a proposal for an East and Southern Africa NGO network on youth, children and HIV/AIDS.

The objectives of the conference included: sharing experiences on youth, children, sexuality and HIV/AIDS in eastern and southern African countries; allowing youth programme managers to deepen their understanding of HIV/AIDS and

the socio-cultural dimensions at grassroots level; establishing a regional network of youth and children's organisations on HIV/AIDS as a forum for sharing information, experiences and strategies in dealing with youth, children, sexuality and HIV/AIDS; and, promoting collaboration and coordination among youth- and children-related programmes in the Southern African region on HIV/AIDS at the community level.



#### **ARASA Board Meetings, Johannesburg, South Africa, Feb. and Nov. 2005**

BONELA is the focal-point organisation in Botswana for AIDS Rights Alliance for Southern Africa (ARASA), a regional HIV and human rights initiative. The Director represents BONELA on the advisory board meetings that take place twice a year in Johannesburg.

Advisory board members report on the human rights situation related to HIV in their respective countries and provide guidance on programmes and initiatives undertaken by the ARASA Secretariat, located in Windhoek, Namibia.



#### **Symposium on HIV Testing in Human Rights, Gay Men's Health Crisis, Centre for Health and Gender Equity and the Canadian AIDS Legal Network, Montréal, Canada, 24- 25 Oct. 2005**

Shining an international spotlight on the routine testing debate, the symposium brought together clinicians, researchers, development organisations, international agencies, AIDS service organisations, human rights organisations, and, most importantly, people living with HIV/AIDS.

The starting point of the Montréal discussions was the need for clearer definitions of terms being used to describe actual practices. Human rights organisations, such as BONELA, have always understood that the policy should suggest a "routine offer of an HIV test," which would much better ensure that clients are enabled to make a choice about their HIV test. Participants at the meeting also emphasised the importance of making pre-test counseling widely available as well as providing information on HIV testing to groups, individuals and the community.



#### **Training of Trainers Workshop in Ethics, Law and Human Rights related to HIV/AIDS, (ARASA), Johannesburg, South Africa, 6- 10 November 2005**

Training Coordinator, Oratile Kidd-Moseki participated in this workshop, which is conducted annually. ARASA Director Michaela Clayton facilitated this event for professionals across southern Africa working in the area of HIV and human rights. The course focused on emerging issues, providing practical guidelines and approaches.



#### **South-North Exchange Programme, Uniterra/World University Service of Canada, Montreal, Ottawa, and Toronto, Canada, 25 Nov.-16 Dec. 2005**

BONELA Programme Officer Nthabiseng Nkwe was selected to participate in a three-week exchange through Uniterra, an



international development initiative based in Canada. The exchange provided an opportunity to interact with organisations in the North and to gain an understanding of experiences, challenges and success stories of other organisations working on HIV/AIDS and human rights issues. Among other agencies, she interacted with AIDS service organisations seeking to address the needs of the LGBTI community, and organisations dealing with the human rights and legal implications of HIV such as the Canadian AIDS Legal Network.

## International Conference on AIDS and STDs in Africa (ICASA), Abuja, Nigeria, 4-7 Dec. 2005

BONELA Director Christine Stegling and Training Coordinator Oratile Kidd-Moseki participated in this biannual international meeting. During an Open Society Initiative for Southern Africa satellite session on AIDS and the law, BONELA's Director presented on "Creating Employment Legislation in Botswana". The session brought together activists from several African countries, discussing legal and human rights initiatives addressing HIV on the continent.



## HIV without Borders: Collaborating Globally Against the Pandemic, Toronto, Canada, 10-11 Dec. 2005

BONELA Programme Officer Nthabiseng Nkwe participated on two panels at the conference, which served as an opportunity to interact with AIDS activists from the North and discuss common issues experienced by organisations in the African region regarding issues of homosexuality and advocacy. The first panel focused on homosexuality and AIDS, reflecting on the difference in perspectives on the inclusion of LGBTIs in society, its impact on HIV prevention and treatment, and the challenges it presents to international collaboration. The second session focused on creating partnerships with the South through advocacy, supporting the struggle against HIV in the South without necessarily requiring formal partnerships or overseas travel. Canadians, for example, may show their solidarity by raising awareness in their home country for global support to the South through such ventures as the "Make Poverty History" campaign, which connects organisations from the North and South.

To continue the dialogue on issues of human rights, the law and ethics related to the HIV epidemic, BONELA frequently connects with a wide diversity of local, regional and international actors. Among the many visitors in 2004 and 2005, the BONELA Secretariat hosted:

- **Warren Allmand**, a former Cabinet minister and senior parliamentarian from Canada, spent two weeks at BONELA in mid-2004 with the financial support of Coady International Institute's Xtending Hope Project. While at BONELA, he met with key stakeholders and undertook a preliminary legislative review with respect to HIV/AIDS. With more than 30 years experience in Canadian parliament, he was also actively involved in human rights issues, working for tougher gun control and the protection of rights of vulnerable groups, and against the death penalty in Canada and apartheid in South Africa. In 1997, he became president of the International Centre for Human Rights and Democratic Development, based in Montréal, Canada.
- **Members of Kenya's Parliament** visited BONELA in September 2004 and received a briefing on the organisation's activities as well as the general situation in Botswana. The parliamentarians, in turn, briefed BONELA staff on Kenya's draft bill on HIV/AIDS and other related issues.
- Bill Duggan, Director of Education Services and Program Development, World University Services of Canada
- Anne Forester, United Nations Development Programme (UNDP)
- Alexis McDonald, Xtending Hope Project, Coady International Institute, Canada
- Catherine MacNab, Gender Unit, International Development Research Centre, Canada and Kagisano Women's Shelter, Botswana
- Baredi Mogometsi, BOTUSA
- UNDP Mission to Assess Options for Assessing Low-Cost Generic ARV Medicines in Southern Africa (David Luke, UNDP Regional Service Centre for Eastern and Southern Africa; Yvonne Nkrumah, Third World Network, Ghana; Francisco Rossi, UNDP Poverty Centre, Brazil)
- Madeleine Maurick, Behind the Mask, South Africa
- Dr. A. Lawson, Representative for Botswana, United Nations Population Fund
- Fanny Chabrol, Doctoral Candidate, L'École de Hautes Études En Sciences

Visitors  
to the  
BONELA  
Secretariat

Sociales (Centre de recherche sur la santé, le social et le politique), France

- Waheeda Lottering, UNICEF Botswana
- Karen Leiter, Physicians for Human Rights
- Agnes Makonda-Ridley, Chief Technical Advisor, International Labour Organisation
- Ms. Eugenia Marinova, World Bank
- Aaron Cope, Political/Economic Officer, US Embassy in Botswana
- Richard Sebastian Wanless, Secure the Future, Bristol-Meyers Squibb Foundation
- Ann Ackman, Futures Group, Policy Project
- Victoria James, Project Officer for HIV/AIDS and Gender, Hivos
- Mianko Ramaroson, Researcher, University of Pretoria
- Marlena Fredericks, Secretary /Programme Administrator, Finnish Embassy
- Corina Straatsma, Regional Director, Hivos
- Mona Drage, UNAIDS Botswana
- Cathy Masters, C. Masters Development Services, for the Finnish Embassy
- Kgosi Mothibe S. Linchwe and Kgosi Oarabile Kalaben, Botswana House of Chiefs
- Haan Kloistra, Netherlands Institute for Southern Africa

## Staff, Associates, Interns and Volunteers

From its birth as a one-woman office in 2001, BONELA has grown tremendously. In just two years from the beginning of 2004 to the end of 2005, BONELA has witnessed remarkable expansion and changes among its staff, associates, interns and volunteers.

The year 2004 began with the following BONELA team:

Director	CHRISTINE STEGLING
Programme Officer	MILIKANI NDABA
Administrator	TEBOGO NGWAKOMONNYE
Office Assistant	MPHO PUOENG
Consultant (Finance)	NANA GLEESON
Human Rights Internet Intern	KOREEN REECE

### New Additions

#### Human Rights Research Officer **KRISTI KENYON (Jan. 2004-Dec. 2005)**

A development worker supported by World University Service of Canada (WUSC), Kristi Kenyon was recruited as a Training and Advocacy Specialist but her position was subsequently revamped to focus primarily on research. She holds a master's degree in Human Rights from the University of Essex.

#### University of Botswana Social Work Intern **NTHABISENG NKWE (May-July 2004)**

Nthabiseng Nkwe, a University of Botswana student of Social Work, undertook a wide variety of activities while at BONELA for a nine-week placement. These ranged from involvement in the development of training materials to carrying out workshops.

#### International Volunteer **NICK MURPHY (Jun.-July 2004)**

Nick volunteered at BONELA for a six-week placement as part of a Canadian HIV/AIDS awareness-raising project in his home community. Nick is an undergraduate student in cultural and global studies at Wilfrid Laurier University in Waterloo, Canada.

#### Legal Aid Clinic Volunteer **UYAPO NDADI (Aug. 2004- )**

Uyapo Ndadi joined BONELA while pursuing his law degree at the University of Botswana. Along with Programme Officer Milikani Ndaba, he helps the growing number of complainants who seek legal assistance from BONELA as well as reports on cases of discrimination, unfair dismissal and breaches of confidentiality related to HIV.

#### **Human Rights Internet Intern NATALIE DOYLE (Sep. 2004-Mar. 2005)**

Natalie Doyle joined BONELA for a six-month internship through Human Rights Internet, a human rights-centered NGO based in Canada that, among its activities, assists young Canadian professionals in gaining international development experience abroad. Ms. Doyle holds a master's degree in International Development Studies from Dalhousie University (Halifax, Canada). At BONELA, she further developed BONELA's media campaign and also assisted with community outreach activities.

#### **Training Coordinator ORATILE KIDD (Jan. 2005- )**

Oratile Kidd oversees BONELA's training, education and awareness-raising program. She holds an undergraduate degree in Psychology from York University (Toronto, Canada). She has previous experience as a consultant for the Salvation Army Psychosocial Support Initiative (SAPSSI) and also as an Economic Empowerment Officer at Kagisano Society Women's Shelter Project.

#### **Driver MOSES TSHIPO (Jan. 2005- )**

Moses Tshipo was appointed to BONELA as a driver supporting BONELA's day-to-day work. Mr. Tshipo was previously a driver for Printing & Publishing Company Botswana.

#### **Media Volunteer WERANI CHIRAMBO (Jan.-Sep. 2005)**

A former researcher and news presenter for Newsnet in Zimbabwe, Werani Chirambo worked extensively on BONELA's media campaign. She holds an M.A. in Mass Communications from London Metropolitan University (UK). Her departure from BONELA came after her appointment as Communications Manager to the regional secretariat of the Media Institute of Southern Africa in Windhoek, Namibia.

#### **Research Volunteer VANISREE RAMANATHAN (Apr.-Nov. 2005)**

Vani Ramanathan volunteered at BONELA in research and administrative capacities. She holds two masters degrees—in Sociology (University of Pune, India) and in Population Studies (University of Botswana). In her home country, India, she was actively involved in women's rights programmes. In Gaborone, she lent her support to charitable activities supporting HIV/AIDS programmes.

#### **NAC Sector Coordinator MINKIE BOKOLE (Jun.-Dec. 2005)**

Minkie Bokole, previously an acting National Coordinator for Women and Law in Southern Africa, joined BONELA as Coordinator for the National AIDS Council Sector on Ethics, Law and Human Rights. She holds a degree in Social Work from the University of Botswana.

#### **International Volunteer JAMES SAMS (Jun.-Sep. 2005)**

James Sams, an undergraduate student at the University of Chicago (USA), volunteered at BONELA for three months, focused primarily on advocacy activities. He was

a key organiser of a seminar on Botswana's ARV treatment programme and also played a role in supporting the LeGaBiBo group.

#### **Programme Officer NTHABISENG NKWE (Aug. 2005- )**

Having completed her bachelor's degree in Social Work from the University of Botswana, Nthabiseng Nkwe returned to BONELA to assume the duties of Programme Officer upon the departure of Milikani Ndaba.

#### **Human Rights Internet Intern CYNTHIA LEE (Aug. 2005- )**

A journalist by profession, Cynthia Lee joined BONELA for a six-month internship sponsored by the Canadian NGO Human Rights Internet. In Botswana, she oversees BONELA's media campaign and press relations. Ms. Lee holds a master's degree in International Relations from the London School of Economics and Political Science (UK) and previously worked as a reporter for daily newspapers in Toronto, Canada and Washington, DC, USA.

### **Farewells**

KOREEN REECE, the first **Human Rights Internet intern** placed at BONELA from September 2003, successfully completed her placement in March 2004. She has since remained in Botswana working in various capacities in orphan care.

BONELA sadly said goodbye to **Programme Officer MILIKANI NDABA** in August 2005 after she spent two years with the organisation. Ms. Ndaba has left for the United Kingdom to pursue studies in law.

### **Staff Activities**

In September 2004, BONELA staff met for two days with facilitator Wendell Allmond for a team-building exercise. The activity greatly assisted the team in communicating and working more effectively in an increasingly busy office.

### **Staff Celebrations and News**

- Administrator Tebogo Ngwakommonnye and her husband Luka gave birth to their first child on 5 May 2005—a beautiful baby boy whom they named Lesley Tefo.
- Two days later, Training Coordinator Oratile Kidd and her partner Mogotsi Moseki celebrated their wedding with their family and friends at Sentlhane Farm on the outskirts of Gaborone.
- Director Christine Stegling and her husband Victor welcomed into the world their own first child, baby boy Miles, on 14 June 2005.
- Two months shy of their expected delivery date, Oratile and Mogotsi followed with their own pride and joy—Gaoesi Lefa Moseki, yet another BONELA baby boy—born on 21 July 2005.

## Annual Report Contributions

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