

## Annual Report 2007

**BONELA**



**Enabling Knowledge about HIV and the Law**  
Situations of Children Infected and Affected by HIV/AIDS  
Women Living with HIV/AIDS **HIV Employment Campaign**  
Environment in the National Response to HIV and AIDS  
**Law for Sex Workers in the National HIV Response**  
Right to Equality before the Law for Lesbians, Gays,  
Transgendered and Intersexed (LGBTI) Community  
**Prisoner's Guide for Human Rights Resource Manual**  
Systematic Approach to Provide Condoms in Prisons  
**Human Rights as a Developmental Issue**  
Environment on human rights

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**BONELA**



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

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## List of Acronyms

<b>AIDS</b>	Acquired Immune Deficiency Syndrome
<b>ARASA</b>	AIDS Research Alliance of Southern Africa
<b>ARV</b>	Antiretroviral
<b>BAIS</b>	Botswana AIDS Impact Survey
<b>BHRIMS</b>	Botswana HIV/AIDS Health Information Management Systems
<b>BONELA</b>	Botswana Network on Ethics, Law and HIV/AIDS
<b>BONEPWA</b>	Botswana Network of People Living with AIDS
<b>BRELA</b>	Botswana Review of Ethics, Law and HIV/AIDS
<b>BTLC</b>	Botswana Treatment Literacy Coalition
<b>CALN</b>	Canadian AIDS Litigation Network
<b>CBO</b>	Community Based Organisation
<b>CCEP</b>	Community Capacity Enhancement Programme
<b>CSO</b>	Civil Society Organisation
<b>FBO</b>	Faith Based Organisation
<b>GoB</b>	Government of Botswana
<b>HIV</b>	Human Immunodeficiency Virus
<b>IEC</b>	Information, Education and Communication
<b>LAD</b>	Legal Aid Department
<b>LeGaBiBo</b>	Lesbians, Gays and Bisexuals of Botswana
<b>LGBTI</b>	Lesbians, Gays, Bisexuals, Transgendered and Intersexed
<b>MPs</b>	Members of Parliament
<b>NAC</b>	National AIDS Council
<b>NACA</b>	National AIDS Coordination Agency
<b>NAC ELHR</b>	National AIDS Council Ethics, Law and Human Rights
<b>NDP</b>	National Development Plan
<b>NGO</b>	Non-governmental Organisation
<b>OSI</b>	Open Society Initiative
<b>OSISA</b>	Open Society Initiative for Southern Africa
<b>OSSREA</b>	Organisation for Social Science Research in Eastern and Southern Africa
<b>PLWHA</b>	People Living with HIV/AIDS
<b>PLWD</b>	People Living with Disability
<b>PRISM</b>	Prevention and Research Initiative for Sexual Minorities
<b>SADC</b>	Southern Africa Development Community
<b>SRH</b>	Sexual Reproductive Health
<b>STI</b>	Sexually Transmitted Infections
<b>TB</b>	Tuberculosis
<b>TL</b>	Treatment Literacy
<b>UNGASS</b>	United Nations General Assembly Special Session on AIDS
<b>UNICEF</b>	United Nations Children's Education Fund
<b>WUSC</b>	World University Service of Canada



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## Vision Statement

- Making human rights a reality in the response to the HIV and AIDS pandemic in Botswana.

## Mission Statement

- BONELA promotes a just and inclusive environment for people affected by HIV and AIDS through education, legal assistance, research and advocacy.

## Values

- **Botho**

We believe that our existence is inextricably interlinked with that of the community and that our work should reflect the human values of our community.

- **Social Justice and Community Empowerment**

We believe in the inherent worth of each person, our mutual interdependency, and the need to create a world in which each person has the opportunity to live their full life.

- **Networking and Partnership**

BONELA is a 'Network' organisation providing a formal structure for different individuals and groups to cooperate in advancing the cause of human rights for people affected by HIV and AIDS. We are partners with our clients and stakeholders for mutual benefit.



## A note from BONELA's Director



*In the absence of the relevant legislation, this has pushed people living with HIV and AIDS and minorities who are at risk of contracting HIV further into the background. This adversely affects any HIV and AIDS prevention and management programme.*

The past year has seen phenomenal growth by BONELA. The organization has made substantial deposits in terms of time and resources in the human rights arena, firmly establishing BONELA as a leading human rights advocacy organization.

What has become clear in this year is that Botswana has to move with urgency to ensure that all HIV and AIDS interventions are enshrined in human rights and to create a balance between provision of treatment and the protection of human rights as they are a key determinant to the attainment of "zero new infections by 2016". Whilst Botswana basks in the glory of a best practice in the provision of treatment, human rights have faded into the abyss. In the absence of the relevant legislation, this has pushed people living with HIV and AIDS and minorities who are at risk of contracting HIV further into the background. This adversely affects any HIV and AIDS prevention and management programme.

BONELA has been guided in spirit, ethos and implementation by a Strategic Plan

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developed in 2007, underpinned by values of empowering people living with HIV and AIDS, advocacy excellence and partnership building. The Strategic Plan is the road map to ensure that human rights are no longer a pipe dream but an undeniable reality.

In particular, the organization has utilized various opportunities to achieve the objective of Advocacy Excellence. Thus, BONELA deliberately engaged in activities to include minority groups normally excluded from HIV programming. This has seen, discussions, research and a study being conducted by BONELA with women living with HIV and AIDS, the Lesbians, Gays, Bisexuals, Transgendered and Intersexed (LGBTI) community, sex workers and prisoners to ensure that advocacy is informed by empirical evidence and that prevention messages are appropriate and all-encompassing. Initial results from the Men who have Sex with Men Study for instance, point to a need for the formulation of holistic strategies for sexual minorities. Continued denial of LGBTIs and piecemeal prescriptions will not work but instead fuel the HIV/AIDS pandemic. The study is thus the first step in understanding the prevention and mitigation needs of MSM.

The need for the enactment of an HIV Employment Law is still high on BONELA's agenda and several cases that were handled by the organisation in the course of the year have brought to the fore the danger of not having such a law in place. The campaign which BONELA embarked on in 2006, culminated in the handing over of 13 000 signed petitions to the Minister

of Labour and Home Affairs in 2007. Whilst the organization takes great pride in this achievement, a lot still needs to be done until the law is enacted, and BONELA will walk the distance.

The year has also seen the establishment and cementing of various partnerships which have greatly enhanced BONELA's impact. Of note is the Forum Syd Partnership which brings together 5 organisations and aims to build the capacity of each organization. BONELA is also deeply indebted to the various donors such as ARASA; BOTUSA-NACA; Finnish Embassy; Forum Syd; HIVOS; NIZA; OSI; OSISA; Schorer; US Embassy in Botswana and UNAIDS that have provided funding and partners such as WUSC that have supported the organization enabling it to thrive and successfully carry out its mandate.

2007 was definitely a fruitful year in spite its challenges. However, BONELA has emerged stronger, and I believe it is now made of sterner stuff. As the curtain closes on 2007, retrospection of the distance BONELA has travelled will hopefully pave the way for a more intriguing 2008.



**Christine Stegling**

## Organisational Developments

### BONELA Board Members

Chairperson –	Duma Boko (Human Rights Lawyer)
Vice Chair –	Zolani Kraai (BONEPWA)
Treasurer –	Pedro Motau (University of Botswana)
Secretary –	Johannah Tlhomelang (Princess Marina Hospital)
Vice-secretary –	Kenole Leinatsela (Molapowabojang Support Group)
Additional members -	Dr. Godisang Mookodi (University of Botswana)
-	Gloria Jacques (University of Botswana)

### BONELA Staff, Interns and Volunteers

The following staff, interns and volunteers joined BONELA in 2007:

#### Staff

**Virginia Thekiso** is the Accounts Assistant, and holds a diploma in Accounting and Business Studies from the Botswana Institute of Administration and Commerce. Prior to joining BONELA, Thekiso was a Professional Tax Assistant at KPMG. She is now also pursuing studies to become a Chartered Secretary.

**Uyapo Ndadi** graduated with a law degree from the University of Botswana. Ndadi is responsible for running the BONELA Legal Aid Clinic where he represents people facing HIV related discrimination. Ndadi also conducts legal awareness workshops around the country sensitizing people of their rights with regard to HIV and AIDS.

**Cindy Kelemi** is the Treatment Literacy Coordinator and HIV/AIDS and TB activist. Kelemi is also Chairperson of Bomme Isago – a network of women living with HIV and AIDS. Kelemi holds a Post –Graduate Diploma in Education and a Bachelor of Arts degree, majoring in English and Theology and Religious studies.

**Kabo Mathumo** is the Legal Assistant. Mathumo assists in running the Legal Aid Clinic. Mathumo holds a Diploma in Human Rights (South Africa) and a Diploma in Law (Botswana). Mathumo assists in conducting legal awareness workshops and representing people facing HIV related discrimination.

**Felistus Motimedi** is the Prevention Initiative for Sexual Minorities (PRISM) Programme Coordinator. She joined BONELA's full-time staff in mid 2007. Motimedi holds a Bachelor's degree in Social Work from the University of Botswana and has professional experience in bereavement, grief and trauma counselling.

**Boitshepo Balozwi** is the Media Officer.

Balozwi has a degree in Media and Journalism and is responsible for the production of Information, Education and Communication (IEC) materials (leaflets, booklets, radio jingles and TV adverts) as well as other BONELA publications such as Annual Reports and newsletter and for media relations.

#### Interns and Volunteers

The Legal Aid Department (LAD) received an intern, **Gabriel Augustus**, a Legal Educator from our sister organization, the Legal Assistance Centre in Namibia. Augustus was attached to BONELA for a month in June 2007. His focus was primarily to familiarize himself with the operations of the Legal Aid Clinic, thus he participated in consultations with clients and stakeholder meetings.



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The Sexual and Reproductive Health Rights Project had two volunteers namely **Itumeleng Semele**, who was attached for two months and **Phenyo Gaotlhobogwe** who was attached for six months from January to July 2007. The interns were involved in developing questionnaires administered during community dialogues. They also helped to conduct community dialogues and stakeholder meetings.

Gaotlhobogwe extended her attachment and was a Monitoring and Evaluation Intern for the BONELA Resource Centre from August to December 2007. Throughout the internship she organized reference materials for BONELA and assisted with setting up the Resource Centre.

The Research Department received five interns and volunteers in 2007. They were all attached to the production and publication of the Botswana Review on Ethics, Law and HIV/AIDS (BRELA) project which was officially launched on the 24<sup>th</sup> of July 2007. **Paula Akugizibwe** was a Treatment Literacy and Research Volunteer. Akugizibwe is a qualified Pharmacist and activist and started working on the Treatment Literacy and advocacy campaign since June 2006. She officially joined BONELA in 2007 serving as a member of the editorial committee of the Botswana Review of Ethics, Law and HIV/AIDS (BRELA).

**Hitomi Kuwabara** (from Dubai) was attached to the Children's Rights project from February to July 2007. Her responsibilities included, developing content material for the booklet on children's rights and HIV, assisting in the design and layout of the booklet and piloting it with young children at Botswana-Baylor Children's Clinical Centre of Excellence.

While attached to BONELA, **Fanny Chabryol** was doing her PhD in Sociology and

coordinating a research project funded by the French National Agency for AIDS Research on the socio-political aspects of HIV and AIDS in Botswana. Prior to this she was working at the French Institute for International Relations and Strategy in Paris (France).

**Kasule Kibirige**, was a University of Botswana graduate student doing his Masters and chairperson of Students against HIV/AIDS (SAHA). He was a member of the editorial committee for the production of BRELA.

**Shyami Puvimanasinge** from Sri Lanka completed her Masters degree in Law at Harvard University (US). Puvimanasinge also has a PhD in Development Studies from the Netherlands. She worked in Sri Lanka as a Senior Lecturer at the University of Colombo's law faculty.

An intern supported by the Open Society Institute (OSI) New York, was attached to the Treatment Literacy department to assist with the design of IEC materials. **Charles 'Chuck' Yust**, designed and produced the first Treatment Literacy poster in English. The poster addresses issues of adherence to medication, management of side effects, nutrition, and safer sex as they relate to optimal success of antiretroviral therapy. He also helped in the graphic design of the Children's Rights project leaflet and booklet.

**Nicole Cardinal** from Victoria, British Columbia in Canada was selected by Human Rights Internet, a Canadian non-governmental organisation, to assist BONELA with its Children's Rights Project. She has degrees in History and Law from the University of Victoria in Canada and was attached to BONELA for six months.

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## Strategic Thrust for 2007

*The three strategic themes identified by BONELA as the major areas of focus for its performance represent the 'mission critical' areas that it must excel in to 'make human rights a reality in the national response to HIV and AIDS.'*

Since it was founded, BONELA has grown exponentially both in terms of programme capacity and human capital. This created the need to develop a strategic plan to guide its future operations. In 2007, therefore, BONELA engaged in a Strategic Planning Process which led to the development of a Strategic Plan spanning from 2007-2012. Through this process, the identified Strategic Themes for 2007-2012 are:

1. Empowerment of people living with and affected by HIV and AIDS: to be aware of their rights and to exercise them fully.
2. Advocacy Excellence: BONELA aims to be an exceptional advocacy organisation that contributes significantly to the promotion, recognition, protection and fulfilment of laws and policies protecting HIV-related rights.

3. Establishment of strong networks and partnerships: with state and non-state actors in the interest of the overall creation of an enabling environment for people affected by HIV across all spheres of treatment, care and support.

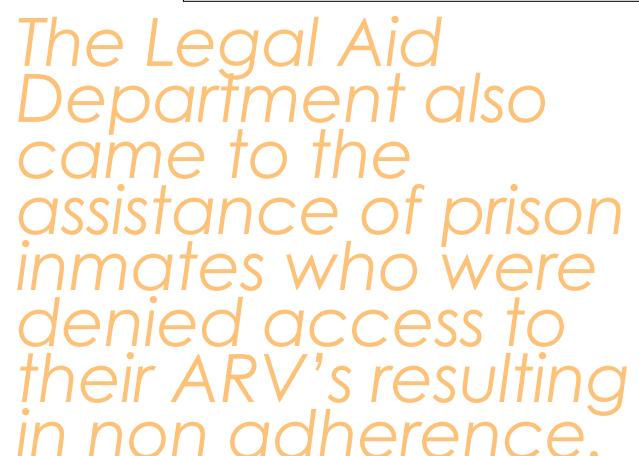
Furthermore, 11 strategic initiatives which fall under the themes were identified, guiding programme and/or project management. The three strategic themes identified by BONELA as the major areas of focus for its performance represent the 'mission critical' areas that it must excel in to 'make human rights a reality in the national response to HIV and AIDS.' They are our pillars of excellence enabling us to create value for our key stakeholders, thereby leading us to succeed in living our values, achieving our mission and realising our vision.



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Another case BONELA handled involved a client on second line treatment for Anti-retroviral drugs (ARV's), who relocated to Kasane, which is over 1 000 kilometres away from his previous base in Gaborone where such treatment is unavailable. BONELA issued a letter of demand to the Ministry of Health which was heeded and the client was given the treatment instantly. The Legal Aid Department also came to the assistance of prison inmates who were denied access to their ARV's resulting in non adherence.



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### **Enabling Knowledge about HIV and the Law**

BONELA engaged in several awareness raising activities including workshops for people living with HIV who are in support groups, health care workers, local district authorities, traditional leaders and the media. Currently there exist very few options for affordable legal aid in Botswana, hence BONELA offers free legal advice and representation to individuals who have been discriminated on the basis of their real or perceived HIV status.

### **Treatment Literacy**

In 2007, BONELA embarked on a Treatment Literacy (TL) programme which aims to raise treatment literacy knowledge levels. In 2007 alone, 140 PLWHA and care givers were trained. Although an analysis of impact has yet to be done, there are indications that these activities have improved adherence rates by those who had attended the workshops and are on treatment.

### **Enabling Sexual and Reproductive Health Rights of Women Living with HIV and AIDS**

In 2007, BONELA conducted over 15 community dialogues with 228 people living with HIV and AIDS from Tsabong, Gantsi, Tlokweng, Selibe Phikwe, Bobonong, Jwaneng, Gabane, Mochudi, Kanye, Maun, Kasane Gaborone, Ramotswa Molepolole and Kopong, followed by a consultative meeting with health care providers. BONELA then held a stakeholders meeting with

various stakeholders to disseminate the findings of the community dialogues. The community dialogues revealed a gap in the knowledge of, and access to cervical cancer prevention and treatment services especially for women living with HIV who are also more susceptible to it. BONELA thus intends to initiate advocacy activities around this issue in 2008.

### **Baseline Research of Violations of Human Rights of People Living With HIV and AIDS**

The objective of this activity was to establish baseline data on the extent and nature of discrimination faced by PLWHA based on accounts of their experiences with service providers and other community members. The findings of this research are currently being analysed and will be reported on in 2008.

### **Baseline Research and Monitoring of Human Rights Violations of Children Infected and Affected by HIV and AIDS**

In 2007, BONELA planned to gather baseline data on the experiences of children affected by HIV and AIDS in the context of human rights. A permit application was submitted to the Ministry of Health in October 2007; however, receiving research permits from the relevant authorities remains a major challenge.



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## Strategic theme 2: Advocacy Excellence

Through this strategic objective, BONELA seeks to amplify the voices of those whose rights may be or are being violated because they are affected by HIV and AIDS resulting in progressive reform of public policy and law and in the attainment of justice. The theme of advocacy excellence has also guided implementation of all BONELA programmes, ensuring agenda setting guided by empirical evidence and the harnessing of various media to raise public awareness with the aim of influencing behavioural change. Deliberate efforts were also made in the year to consistently engage with policy makers on critical issues.

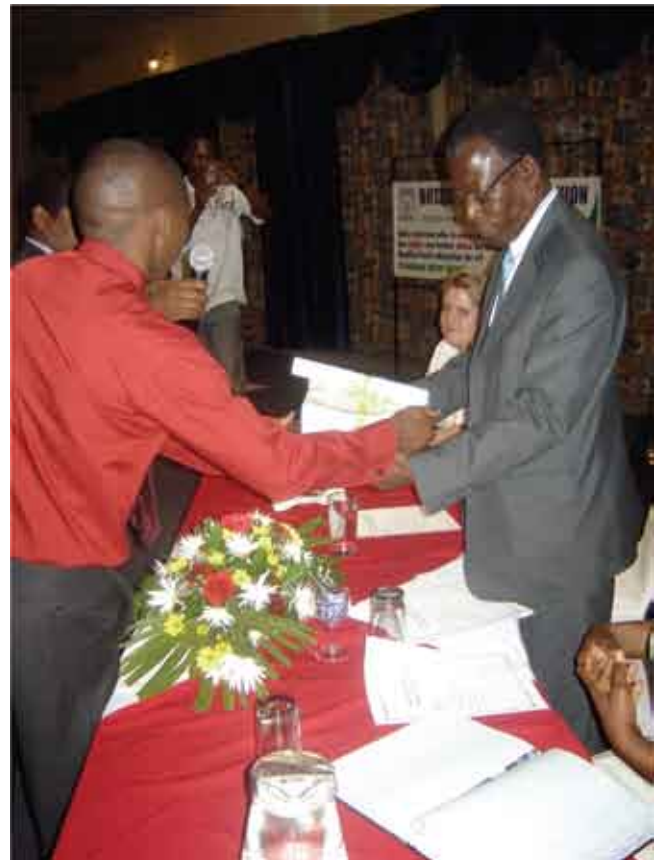
### Landmark Court Cases

In the reporting year and as part of the services offered by the BONELA Legal Aid Clinic, the clinic mediated in two cases of wrongful diagnosis of HIV where two clients were diagnosed with HIV yet they were and still are in actual fact HIV negative. The first case involves a nine-year-old boy whose mother was told that he was HIV positive, yet he was HIV negative. The Government seems to be inclined to settle this matter out of court.

The second case is of a pregnant woman who was told she is HIV positive and was enrolled on Prevention of Mother to Child Transmission and Isoniazid Preventative Therapy programmes but discovered through sheer coincidence that she was HIV negative. This case is still to go to court.

### HIV Employment Campaign

In the persistent absence of legislation protecting people affected by HIV and AIDS,



*In the persistent absence of legislation protecting people affected by HIV and AIDS, it appears that legal advocacy campaigns will continue to be the mainstay of BONELA's work.*



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it appears that legal advocacy campaigns will continue to be the mainstay of BONELA's work. In this spirit, a petition signing campaign started by BONELA in 2006 saw the consolidation of over 13,000 signatures from concerned individuals and groups across the country and abroad. The petition was handed over to the Minister of Labour and Home Affairs in a media-publicized event in September 2007.

### **Public Hearings on HIV and the Law**

In October, the Botswana Parliament carried out public hearings on HIV and AIDS and the law with issues such as criminalisation of HIV, HIV testing for purposes of employment and partner notification being discussed. BONELA provided written and oral submissions to the hearings held in Gaborone which were attended by several BONELA officers. During this time the Legal Aid Department received an upsurge of media calls, both print and electronic, seeking the organization's position on most of the issues raised. The Legal Officer, together with a Member of Parliament (MP) and a National AIDS Coordinating Agency (NACA) representative were invited as a panelist on a popular Botswana Television current affairs programme called 'The Eye' to discuss the entire process and issues raised by the public.

### **Human Rights and HIV Scholarship**

In 2007, the first edition of Botswana Review of Ethics, Law and HIV/AIDS (BRELA), a peer reviewed journal to encourage scholarly discourse on HIV and human rights was launched and produced with articles written by BONELA staff, its membership and other

concerned individuals. BONELA also initiated a secondary school and university essay competition to encourage young people to engage in the human rights and HIV discourse. Further, BONELA in collaboration with the Law Department of the University of Botswana developed a chapter on human rights, law and HIV and AIDS which was introduced into the Bachelor of Law Degree program and will be introduced to the Master's level program.

### **Strengthening the Ethical, Legal and Human Rights Environment in the National Response to HIV and AIDS**

In 2007, BONELA continued to house the National AIDS Council Sector on Ethics, Law Human Rights (NAC ELHR). In line with goal number 5 of the National Strategic Framework on HIV/AIDS, as well as goal number 3 of the National AIDS Council Sector on Ethics Law and Human Rights' Strategic Framework, the NAC ELHR Sector continued building awareness towards HIV related policy development through workshops with strategic partners. The main purpose of the workshops was to build awareness of the legislative reform process highlighting the facilitative role played by the NAC ELHR Sector in this process. The workshops also aimed to provide education on Botswana's legal instruments and presenting gaps in addressing ethical, legal and human rights issues raised by HIV and AIDS. Particular reference was made to the need to align the country's legal instruments to international standards contained in the international legal instruments that Botswana is party to.

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The NAC ELHR Sector also participated in national programming and policy formulation forums, meaningfully contributing to the development of ethical, legal and human rights sound programmes and policies. These forums included the Mid Term Review of the National Strategic Framework on HIV/AIDS; the National Evaluations Agenda Setting for HIV/AIDS projects; the Evaluation of the Monitoring and Evaluation Course run by NACA through the Institute of Development Management and the United Nations General Assembly Special Session on HIV/AIDS (UNGASS) Country Report process.

### **Parliamentarian's for Women's Health Workshop**

In 2007, BONELA partnered with Parliamentarians for Women's Health Project to sensitize Parliamentarians on the challenges posed by HIV on the reproductive rights of women living with and affected by HIV. Two workshops took place in March and August, at which BONELA presented on the circumstances under which women are enabled to, or hindered from, exercising their reproductive health rights in the context of HIV. Through the workshops, MPs are becoming progressively interested in and willing to meaningfully engage on issues relating to women's health and the challenges posed to them by HIV and AIDS.

### **HIV Testing Stakeholder Breakfast Seminar**

A stakeholders' seminar on HIV Testing was held in September 2007 to facilitate a discussion about HIV testing practices and policies in Botswana amongst various stakeholders from public and civil society

sectors, and to assess their human rights' compliance. BONELA presented on the achievements of the community based research and education activities on Routine HIV Testing which it had conducted from 2006 to 2007. In addition, other stakeholders were invited to present and the audience was given an opportunity for discussion afterwards. The Department of Civil Aviation, Tebelopele Voluntary Counselling and Testing Centre and the National AIDS Coordinating Agency (NACA) made presentations on their individual policies regarding mandatory testing. Our regional partners, the AIDS and Rights Alliance of Southern Africa (ARASA) graciously attended and presented on the regional perspectives on and trends in HIV testing practices. The discussions that followed were lively and recommendations included the suggestion to expand independent research on the impact on rights of routine HIV testing practices and the need for education regarding children and HIV testing.

### **Enabling Equal Protection of the Law for Sex Workers in the National HIV Response**

In 2007, BONELA conducted community dialogues with female sex workers to understand better their HIV and human rights challenges and to assist them to generate recommendations to service providers and policy makers for addressing these challenges. Workshops were held with sex workers from Tlokweng, Francistown and Palapye and were organized with the gracious help of their affiliated community groups in each respective community. The findings from these activities indicate that female sex workers, as a direct result of their involvement in sex work, experience

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extensive human rights violations in the form of stigma, discrimination and sexual violence at the hands of family, clients, health care providers and the police.

In 2007, BONELA, in collaboration with other Civil Society Organisations (CSOs), actively spoke out about the need for the recognition of sex workers and other mobile populations in the development of the *National Operational Plan for Scaling up HIV Prevention in Botswana* as well as the mid-term review of the *National Strategic Framework on HIV and AIDS*. It is with great pleasure to note that such recognition has been included in both documents and we are eager to witness the follow-through of these policy commitments into practice on the ground in the form of comprehensive HIV-programming to address the HIV related needs and challenges of mobile populations.

### **Public Education and Advocacy – Research on Sex Work**

The advocacy programme conducted participatory community dialogues in three (3) sites in Botswana (Francistown, Gaborone and Kasane) with 60 participants to interrogate different thematic issues on routine health testing and confidentiality. The main lesson learned through the research is that routine testing is vaguely understood by the majority of the public. However, a large scale research project with a representative sample is needed for reliability and validity purposes. It was also established that sex work needs to be studied and analysed using macro perspectives such as developmental perspectives. A paradigm shift is needed to look into consumers of services and possible human trafficking issues

in Botswana. It also emerged that there is a need for community education for different service providers who interact with sex workers.

### **Membership Forum**

A symposium was held in December 2007 to empower members to participate in issues relating to human rights and HIV. It included a panel discussion that focused on good practices in advocacy and the ways in which community voices in the fight for human rights within an HIV and AIDS context can be amplified (ie: through media reporting, leadership and political activity). This was followed by small group sessions on the more specific themed topics which were:- HIV Testing, Treatment Literacy, Sexual Reproductive Health Rights, Employment Law & HIV, Sexual Minorities and Stigma & HIV.

### **Treatment Literacy Needs Assessment**

The ultimate goal of the BONELA Treatment Literacy (TL) department is to empower PLWHA to take charge of their treatment and make informed decisions in the process. It aims to ensure that people and groups at all levels and sectors of society are confident in their knowledge and understanding of HIV and its related issues – from both the bio-medical and social perspectives.

In this regard, the TL unit conducted a needs assessment through community dialogues conducted in five selected areas in Botswana – Gaborone, Francistown, Maun, Kasane and Molepolole. The purpose was to understand the HIV and AIDS treatment environment in relation to sex workers and



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identify gaps that can be addressed by the BONELA Treatment Literacy programme.

Throughout the year, the department held collective meetings with the Treatment Literacy coalition. One of the meetings was held to select the advocacy steering committee and develop terms of reference for the coalition, trainers and practitioners and for the advocacy steering committee. A study meeting was held with Treatment Literacy trainers and practitioners to develop the outline for a training manual.

In the middle of the year, the department held an advanced training of trainers (TOT) through which 20 trainers were trained as a follow up to the lessons learned from the first TOT. A series of basic awareness workshops were held in Gaborone, Kasane and Maun, where a total of 90 participants were reached. The group ranged from faith-based organizations, sex workers, youth groups, People Living with Disabilities (PLWD) and PLWHA support groups. A stakeholders' meeting with participants from development partners, NGOs, networks, PLWHA and Botswana TL Coalition members was held. The purpose of the meeting was to brief stakeholders about the TL program and to create an opportunity for networking, collaboration and sharing of best practices.

### **Enabling the Right to Equality before the Law for Lesbians, Gays, Bisexuals, Transgendered and Intersexed (LGBTI) Community**

The Prevention and Research Initiative for Sexual Minorities (PRISM) programme was established in January 2007 with the aim of developing and implementing an HIV/Sexually Transmitted Infections (STI)



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prevention programme related to sexual minorities in Botswana. The concept is based on a partnership programme between BONELA and the Schorer Foundation in the Netherlands.

PRISM thus carried out a needs assessment in Francistown, Gaborone, Lobatse, Maun and Mochudi to establish the groundwork for an HIV/AIDS and STI prevention intervention program for sexual minorities in Botswana and to identify areas of intervention focused on HIV and STI prevention among sexual minorities. The data is currently being analysed.

### Media Advocacy

In 2007, BONELA was more visible than it has ever been. This has significantly improved the awareness and recognition of HIV as a human rights issue and the legitimacy of BONELA as a key player in this regard.

### Radio Talk Shows

The Legal Aid radio talk show serves to raise awareness, educate and expose the nation to key issues affecting them as they relate to HIV/AIDS and the law. The radio shows benefit largely the rest of the population who are unable to attend the legal literacy workshops run by BONELA. The shows were conducted by the Legal officer from June to December on Radio Botswana 2, a commercial government radio station with national coverage. Some of the key topics for discussion were: Pre-employment testing; human rights in the context of HIV/AIDS; post employment testing; HIV/AIDS and criminal law; discrimination in the workplace; laws of inheritance; termination on account

of ill health and employee benefits and procedures of lodging various cases. Owing to the massive positive response from the listeners, the shows will resume in March 2008.

### Radio Jingles

A radio jingle that alerts women on the signs and symptoms of cervical cancer and encourages them to go for a Pap smear was produced. Other jingles produced were generic BONELA radio jingles and some specific to a particular cause such as distribution of condoms to prisoners and the promotion of the right to the three C's, that is, consent, confidentiality and counselling. This is a unique way of communicating educational information and reaches out to a wider audience through radio.

### Advertorials

An advertorial on cervical cancer, which was placed in two local newspapers, was produced, summarising findings from the community dialogues on sexual reproductive health.

### Website

BONELA's website, [www.bonela.org](http://www.bonela.org), is its primary contact with the world and plays a vital role in informing and educating various stakeholders and society at large. The website is loaded with BONELA's IEC materials which are produced to complement the officers' training programs. Also available on the webpage are the latest press releases, newsletter, full PDF versions of all BRELA publications, Annual Reports and information regarding BONELA's areas of interest or advocacy areas which inform its programs.

## **Publications**

### **Development of the Trainer's Guide for Human Rights Resource Manual**

In November, BONELA engaged a consultant to develop a trainer's guide to complement the HIV and Human Rights Resource Manual. The tool is intended to guide trainers in human rights and HIV areas of training. The project is funded by OSI and is due for completion in mid-2008.

### **Children's Rights Project**

The booklet, *Human Rights are Children's Rights* was created for children, teachers and parents in the larger community. This booklet introduces human rights concepts and the relationship between rights and HIV in the form of stories addressing three different rights that apply to children, that is, the right to privacy, dignity and access to treatment. It is envisioned that this interactive booklet will help children, teachers and parents to understand children's rights and responsibilities that come with those rights and why it is important to discuss children's rights in the context of HIV.

### **Need for a Pragmatic Approach to Provide Condoms in Prisons**

In order to realize Botswana's vision of curbing HIV and AIDS by 2016, effective means of treatment and prevention should be provided to all population groups in Botswana. The publication entitled *Condoms in Prisons* emphasizes the need to pay "realistic attention to HIV and AIDS in prisons in terms of provision of effective treatment and means of prevention,

including condoms for prisoners who, due to confinement, are more prone to HIV infection than unconfined members of society".

### **Newsletter**

The BONELA newsletter published quarterly continues to be an informative tool used predominantly to disseminate information on BONELA's advocacy issues. The newsletter accommodates all issues related to HIV and AIDS and human rights, giving them prime space which they would not have access to in mainstream media. In 2007, only two issues were produced in the year focusing on various themes and are available on the BONELA website.

### **Leaflets**

The Media and Advocacy programme developed leaflets on various themes which include a bilingual leaflet on cervical cancer, a generic leaflet on the services offered by the Legal Aid Department; routine HIV testing; HIV prevention in prisons as well as a bilingual promotional leaflet on BONELA.



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## Strategic Theme 3: Strong Network and Partnership

BONELA seeks to continuously forge partnerships with institutions, people and communities in order to create a formidable force championing human rights and acting against the social exclusion of those affected by HIV and AIDS. Partnership building is a priority area of BONELA's Strategic Plan of 2007-2012 and activities were undertaken to enhance networks and partnerships to aid implementation of relevant programmes.

### **Development of BONELA's Strategic Plan and Workplace Policies**

The Strategic Plan was completed in 2007 and charts out BONELA's strategic roadmap. It includes, BONELA's revised vision, mission statement and values as well as its strategic themes, objectives and initiatives.

In 2007, the staff and Board of BONELA also developed several workplace policies to be used by BONELA. The Policies which were drafted included a Code of Ethics, a Health and Wellness Policy, a Study Leave and Sabbatical Policy, a Communication Policy and a Transport Policy.

### **Establishment of a Strong Network and Partnerships:**

#### **Taskforce Committee on the Discriminatory HIV Guidelines of the International Civil Aviation Organisation**

BONELA sits on the Taskforce Committee hosted by the Department of Civil Aviation in the interest of providing technical expertise and advice on the existing

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international civil aviation measure intended at grounding pilots and air traffic controllers who are HIV positive.

### Forum Syd Partnership

The Forum Syd Civil Society Partnership was established in 2007 to increase the synergy of four civil society networks, namely, BONELA, Botswana Network of AIDS Service Organisations (BONASO), Botswana Council of Non Governmental Organisations (BOCONGO) and Botswana Network of People Living with AIDS (BONEPWA). The partnership enables BONELA to focus on the most strategic areas of its work, reflected in the results areas stipulated in the 'Programme Document for Cooperation between Forum Syd and Civil Society Organisation in Botswana'. It centres on strengthened institutional capacity; increased availability, access and utilization of targeted behaviour change interventions at community level with sex workers, LGBTI, PLWDs, children and youth and improved quality of life of community members, PLWHA, Orphans and Vulnerable Children and caregivers through access to legal aid services in particular.

### Requests and Invitations

BONELA received numerous invitations to either facilitate, present or attend various meetings with the majority of these invites coming from stakeholders and partners within the HIV/AIDS arena. BONELA was invited to:

- Assist with setting the research agenda by the University of Botswana
- Facilitate and present a position paper at a workshop on HIV/AIDS and the Workplace by the Department of Civil Aviation
- Attend the Civil Society Think Tank meeting
- Attend the Technical working group for BAIS III
- Attend a school health policy meeting by government, World Bank and UNICEF
- Attend the NGOs plenary meeting for NDP10
- Attend the launch of a book by BIPDA 'where is the wealth of nations'
- Present on the 'age of consent for HIV testing' for the month of 'Youth against HIV/AIDS'
- Speak at the Radio Botswana (RB1) morning show on HIV testing and age of consent for testing of minors
- Attend the International conference on TB and lung disease in Cape Town, South Africa. Five BONELA treatment literacy community educators from Selibe Phikwe, Orapa, Maun, Gantsi and Gaborone attended.
- Conduct a seminar on HIV and human rights with the Management



section of the organization – Stigma training for The Flying Mission.

### **Participation in External Committees**

- BONELA participated in the Safe Male Circumcision Reference Group for advising the Ministry of Health on how to roll out the program and BHRIMS TWG 2007. UNGASS, helped in the translating and administration of the Country Policy Index.
- The NAC ELHR Sector Coordinator wrote a concept for the development of a national monitoring tool for the ethics, law and human rights component in the national HIV/AIDS projects.
- The research department participated in the Civil Society Review of the Botswana National Development Plan 10 Policy.
- The Treatment Literacy coordinator attended two meetings in Uganda in her capacity as a community review panel member for community proposals submitted to Tides Foundation, an NGO that supports grassroots organizations with small grants to initiate community projects. She also attended 2 planning meetings organized by ARASA in her capacity as treatment literacy steering committee member. Such participation allows for the voice of BONELA to be heard at regional level. It is also an opportunity for strategic networking.
- BONELA serves on the Regional Training Committee for ARASA and thus attended two meetings in 2007.
- BONELA was intensively involved in the Technical Working Group for the Mid-Term Review of the National Strategic Framework. BONELA's main contribution was to ensure that 'at-risk' and vulnerable groups such as sex workers and MSM in prisons are recognized as an important target group to be assessed.
- The NAC Sector Coordinator was involved in the Botswana AIDS Impact Survey III reference group where issues of an ethical and human rights nature were discussed. The NAC ELHR Sector also contributed ideas towards the development of a stigma training curriculum for Community Capacity Enhancement Programme (CCEP) facilitators at a three-day stakeholder workshop ran by National Alliance of State and Territorial AIDS Directors (NASTAD).

## **International Outreach and Advocacy**

### **Regional Consultation for the Prevention of HIV among Injecting Drug Users**

BONELA was part of the Botswana delegation and a representative of civil society at a United Nations regional meeting held in Kenya in November to discuss prevention of HIV among Injecting Drug Users and in Prison Settings in Eastern and Sub-Saharan Africa.

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## **Civil Society Delegation to Sweden**

BONELA was part of the Botswana Civil Society delegation to Sweden as part of NGOs capacity building and presented a paper entitled 'Civil Society as actors of change in Southern Africa'.

## **Co-facilitating a Regional Workshop**

BONELA co-facilitated a three-day regional workshop in South Africa during the month of February. The objective of the workshop was to build advocacy capacity of selected regional organizations and it was organized by the Southern African AIDS Trust.

## **Paper Presentation at OSSREA**

BONELA presented a paper entitled, 'Attitudes of Key Stakeholders to Human Rights and HIV/AIDS, Vulnerable Groups and Development' at a conference organised by the Organization for Social Science Research in Eastern and Southern Africa (OSSREA). The Conference was held in Gaborone, Botswana in November 2007.

## **SADC Symposium in Zimbabwe**

The Legal Officer attended a Southern Africa Development Community (SADC) Symposium on Human Rights and Constitutionalism in Zimbabwe, organized by Zimbabwe Lawyers for Human Rights from the 1<sup>st</sup> to 3<sup>rd</sup> November 2007. The symposium gave the Legal Officer exposure to key issues on human rights in the region. Prominent lawyers and academics were assembled to contribute to the rich discussions.

## **SADC Model legislation on HIV/AIDS**

The Legal Officer attended an experts' meeting in South Africa to help develop HIV legislation for SADC. The meeting was fruitful and positive deliberations were made by the Legal Officer on issues of criminalisation of HIV transmission and employment. He laid down the principles that he believed would ably guide the deliberations. His interventions were incorporated in the draft.

## **Meeting with partners in Canada**

The Legal Officer was sponsored by WUSC to attend a conference on international volunteering in Montreal, Canada. This opportunity was further used to meet with some partners of BONELA to discuss issues emanating from areas of collaboration and sharing of experiences and best practices. The Legal Officer also travelled to Toronto and met with the Canadian HIV and AIDS Legal Network (CALN) which is important to BONELA as both organisations have some sustained common areas of interest on HIV and AIDS, the law and policy. The Legal Officer also met with the Stephen Lewis Foundation to discuss amongst other things, issues of possible funding of some of BONELA projects.

## **Organisational Development Seminar**

The Training Officer attended a seminar organized by Forum Syd. The objective was to share experiences on Organisational Development (OD) across the region with all Forum Syd members and partners. A better understanding of OD was achieved

and partnerships were built with regional Forum Syd partners.

### **Women Rights in the Context of HIV/AIDS**

In October, the Legal Officer, together with the Director, attended a meeting organized by CALN in South Africa. The purpose of the meeting was to review and make useful contributions to the Model Women Legislation in the context of HIV and AIDS in Africa. Part of the resolutions were that CALN will work on specific countries where there is a need for law reform. Botswana was one of the chosen countries because at the time the Domestic Violence Bill was being tabled at parliament. While this bill was welcomed by BONELA as a positive step towards recognizing issues of domestic violence, it introduced very little in terms of substance and alterations as to what was already in existence. A glaring omission from the bill was the exclusion of marital rape. As a result, BONELA and CALN convened a meeting in Gaborone with local stakeholders, including women activists and lawyers with a view to deliberate on the bill. Further, it did not create new offences but merely crystallized what is already there.



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- Reference to human rights (information for 2005):
- comparative
- Annual Report (includes financial statements)
- Audited Annual financial reports (includes detailed financial reports)

## Challenges & Recommendations

*Issues of poverty, literacy, gender inequalities need to be addressed in order for human rights are meaningfully understood or enjoyed.*

### **Human Rights as a Developmental Issue-**

There is a need to address human rights within a developmental context that appreciates the social, political and economic contexts. Issues of poverty, literacy, gender inequalities need to be addressed in order for human rights to be meaningfully understood or enjoyed.

### **Difficulty achieving buy in at all levels to collectively address the issues of marginalised groups:**

stigmatizing individual, political and institutional attitudes are a barrier to address the public health challenges faced by these groups and which not only affect them, but also the 'common good'. Whether human rights or public health, or whether it is a generalized epidemic or otherwise, the health needs of criminalised groups will inevitably require attention if we are to curb the spread of or impact of HIV on the general population.

### **Need for research on the impact of HIV on the rights of marginalised groups-**

the world has for several years been moving

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 Baseline Research and Monitoring of Human Rights Violations of Children Infected and Affected by HIV/AIDS  
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 Strengthening the Ethical, Legal and Human Rights Environment in the National Response to HIV and AIDS  
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 Public Education and Advocacy – Development of the Trainer's Guide for Human Rights Resource Manual  
 Research on Sex Work  
 Children's Rights Project  
 Need for a Pragmatic Approach to Provide Condoms in Prisons  
 Strategic Focus changing with a rapidly changing environment on human rights  
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towards evidence informed programming. Unfortunately, very little research is available on criminalised, marginalised and at risk groups in Botswana in general. It has been extremely difficult to convince stakeholders of the need to address these areas without research indicating the need to do so. Therefore, baseline research is direly needed to inform our programming not only within BONELA, but for the use by other stakeholders as well. In the coming year, BONELA is interested, in particular, in research on sexual minorities in partnership with the John Hopkins School of Public health and research on sex workers with local community groups country-wide.

#### **Strategic Litigation, legal aid and**

**education:** The numbers of cases managed by BONELA's Legal Aid Department have grown exponentially. However, BONELA continues to only have one lawyer who also facilitates legal sensitisation training across Botswana. Clearly, capacity needs to be built in this Department to more effectively fulfil all these mandates.

#### **Reaching Policy Level understanding of**

**Human rights and HIV Nexus:** continued capacity needs to be built at policy level to understand how HIV has affected the rights, including right to health of people both affected and infected by HIV. The legislative recommendations made to the National AIDS Council in the Legislative Review document have still to be considered and implemented and BONELA anticipates that technical capacity will be required in the event that they are taken up.

#### **Organisational Challenges**

With the advent of BONELA's Strategic Plan 2007-2012, it intends to grow towards being self driven, forging its own intentions and expectations and to move away from being donor driven. This will effect a strategic discussion regarding BONELA's sustainability through various income generating measures. However, the Secretariat does not see this as something that will take place immediately but is rather an achievement hoped for in the future.

#### **Strategic Focus changing with a rapidly changing environment on human**

**rights:** being intrinsically an advocacy organisation, its strategic focus is easily changed. However, BONELA Secretariat hopes that although programmatic focus may not always remain the same over each year, the foundational principles on which it is founded, that of social justice, community empowerment and human agency and self-determination all within the current context of HIV will remain.



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# Annual Report Contributions

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