



BONELA Annual Report 2002

Table of Contents

1. Chairperson's Remarks

2. Report on the Executive Committee

3. Report on Activities 2002

3.1. Seminars and Workshops

3.1.1. Workshop on Employment, HIV/AIDS and Human Rights

3.1.2. Legal Drafting Workshop

3.1.3. Seminar on Justice, Reason and Hope in the HIV Epidemic in Botswana.

3.2. On-going Activities

3.2.1. Community Advisory Board (CAB) for the HIV vaccine trials

3.2.2. National AIDS Council Sector on Ethics, Law and Human Rights

3.2.3. Provision of Legal Advice

3.2.4 Membership Services

3.3. Public Speaking Engagements

3.4. Conferences / Meetings Attended

3.4.1. Meeting on "Putting Third First: Critical Legal Issues on HIV/AIDS"

3.4.2. Report on the World AIDS Conference

4. Staff and Volunteers

5. Funding

6. Looking Ahead –Activities 2003

[BACK](#)

Mission Statement

BONELA's mission is to create an enabling and just environment for those infected and affected by HIV / AIDS through integrating an ethical, legal and human rights dimension into the national response to HIV / AIDS, facilitating education and conscientisation of society and advocating for legislative reforms and policy formulation. In so doing we strive to promote transparency, destigmatisation, and respect for humanity.

Goal

To ensure that human rights and legal and ethical considerations constitute the foundation of any response to the HIV epidemic in Botswana.

[1. Chairperson's Remarks](#)

[TOC](#)

Dear members, friends and partner organisations of BONELA,

The year 2002 has been a very active and eventful year for the Botswana Network on Ethics, Law and HIV/AIDS (BONELA). As you may recall, the current board was established in our first stakeholders meeting in April 2001 and be assured, we have worked very hard to get this organisation of the ground since then. At the time of the last stakeholders meeting, BONELA was not yet registered and was still managed by DITSHWANELO –The Botswana Centre for Human Rights. The board and the co-ordinator intensified their efforts to get the organisation registered immediately after the last meeting. Unfortunately, we were faced with many unexpected challenges and obstacles which resulted in a few months of intense discussions with the Registrar of Societies at the Ministry of Labour and Home Affairs. We are happy to report that finally in March 2002, BONELA was formally registered which means that we can now operate as an independent organisation. We would like to take this opportunity to thank DITSHWANELO for hosting us for the time between January 2001 and March 2002.

Despite the problems with the pending registration, the BONELA secretariat managed to secure its own offices in July 2002 and through the assistance of the British Department for International Development (DfiD), we were able to furnish the same. UNDP and the Government of Botswana generously assisted us with office equipment which enabled us to officially open our offices. Many of you will know that we occupy a few rooms at the Medical Mews in the Gaborone Fairground area. For those of you who have not visited us, you are welcome to do so at any time.

With the new office another challenge emerged which is the lack of human resources within the organisation. The co-ordinator operated the secretariat by herself, with the support of board members and volunteers (all of which are mentioned in this report). The board realised that the secretariat needs as much assistance as possible considering the staffing situation, and therefore, decided to meet on a monthly basis rather than quarterly as originally planned.

These combined efforts led to a successful realisation of a number of projects which are reported in this annual report. To mention just a few; BONELA hosted three seminars, assisted in the formation of the Ethics, Law and Human Rights Sector at the National AIDS Council (chaired by His Excellency the President), BONELA is providing the secretariat of the same sector, BONELA participated at the World AIDS Conference in Barcelona this year, the co-ordinator is a member of the Community Advisory Board for the HIV vaccine trials and we successfully participated at the World AIDS Day Fair, including a number of BONELA staff and members joining in the World AIDS Day March. All the seminars defined follow-up activities, such as a lawyers' taskforce and a draft policy document for employment legislation. The board and staff of BONELA also participated in a strategic planning process which resulted in a strategic plan for 2003-2004 that will inform and focus our activities for the coming two years.

We hope that in 2003 we will be able to secure funding which will allow us to employ at least one additional full-time member of staff, enabling us to intensify our outreach activities and human rights education. We are in the process of drafting a human rights and HIV/AIDS training manual that will assist us in training key people in non-governmental organisations, council offices and government departments to become focal people for HIV/AIDS and Human Rights.

Last but not least, we hope that you find this annual report for the year 2002 informative and we invite all of you to send us comments and suggestions for our future work. We would also like to thank members, partners and friends of BONELA for their continuous support and assistance and we would like to wish all of you prosperous, healthy and fulfilling 2003.

Yours,

Martin Mosima
Chairperson of BONELA

[BACK](#)

2. Report on the Executive Committee

TOC

As the governing body, the executive committee of BONELA is crucial for all the activities of the organisation. In general, the board has shown great interest and commitment in the work of BONELA which is reflected in the very regular monthly board meetings. Initially, the board was to meet once a quarter but since the beginning of 2002 it became necessary to meet once a month in order to attend to the many activities of the organisation. Board members also continue to attend meetings on the organisation's behalf and offer their services and expertise whenever possible.

Many of the developments of the board were brought about through initiatives of board members. Over time the composition of the board has changed as three members of the board having resigned this year due to other commitments. Ms. Magowe of the Nursing Department left the board early on because she was unable to attend to BONELA matters as fully as she would have liked due to other commitments. Ms. Fisher replaced Ms. Kidd as a representative for Women and Law in Southern Africa (WLSA). Unfortunately, Ms. Fisher left WLSA some months ago and her position on the BONELA board has not been filled by WLSA. Mr. Mafusire of the Botswana Network of People Living with HIV/AIDS (BONEPWA+) also resigned due to too many other commitments within BONEPWA+. We would like to thank all of them for their active participation in BONELA and wish them all the best for their future.

While some members have resigned, the board has also welcomed a new member, Dr. Tiny Masupe of GMT Surgery. Dr. Masupe has joined the board as a medical doctor and has been a great asset to BONELA in the short period she has been with us.

Currently, the composition of the executive committee is as follows:

Chairperson: **Mr. M. Mosima** of the Institute of Development Management.

Vice-Chairperson: Position vacant.

Secretary: **Ms. M. Awuah** of Awuah, Khan and Partners

Vice-Secretary: **Mrs. G. Jacques** of the Social Work Department at the University of Botswana

Additional Member: **Dr. T. Masupe** of GMT Surgery

Additional Member: Position Vacant

In addition to their regular activities, the board also held a one-day board retreat at the Gaborone Sun in September 2002. During the retreat it was decided that BONELA needs to develop a strategic plan to focus its activities and guide the organisation's work in the next two years. The board and the secretariat participated in a 'mini strategic planning exercise which was conducted

by a consultant, Ruth Stuart, and resulted in a strategic plan document which is available for members and has already been utilised for fundraising activities. Another board retreat is planned for early 2003.

[BACK](#)

[3. Report on Activities 2002](#)

[TOC](#)

This year has been very active in terms of intensifying our outreach programmes. Three major meetings were organised by BONELA, all of which have been great successes. Stakeholders have shown great interest in our activities and the attendance and participation at the meetings has been great.

BONELA believes in the idea of creating partnerships with other agencies and institutions to support capacity building and co-ordination nationally. We therefore organised all our activities in co-operation with other institutions, such as the Botswana Federation of Trade Unions, the National AIDS Co-ordinating Agency, the Law Society of Botswana, the International Labour Organisation's Regional Office (Zimbabwe) and the AIDS Law Project (South Africa).

3.1. Seminars and Workshops

3.1.1. Workshop on Employment, HIV/AIDS and Human Rights

A one-day Workshop on Employment, HIV/AIDS and Human Rights was organised by BONELA for May 20th, 2002. The target groups of this workshop were representatives of various Trade Unions and Associations in Botswana to address issues related to Human Rights and the legal challenges of HIV/AIDS in the workplace.

The **objectives** of the workshop were to:

1. Assess regional trends of legal challenges in the area of HIV/AIDS and employment through the sharing of regional and local experiences.
2. Review the Botswana HIV/Employment context: challenges & gaps.

3. Develop a vision and possible actions, particularly through the development of appropriate legal instruments, for creation of an enabling and safe environment for infected people at the workplace.

These objectives were met through the informative presentations given, the plenary discussions and the group work discussions that took place during the course of the day, culminating in a number of recommendations forthcoming from the participants. The workshop was well attended, with a total of forty-five participants representing ten different Trade Unions and Associations, amongst other organisations.

Highlights of the workshop included a most enlightening and challenging presentation from Jennifer Joni from the AIDS Law Project in South Africa and a description of current HIV/AIDS legislation as it relates to employment by Justice DeVilliers of the Botswana Industrial Court.

Ms. Joni discussed the important areas of Human Rights and the legal implications of HIV/AIDS on African Development. She cited many cases and issues related to South Africa and stressed the importance of each company establishing a HIV/AIDS Policy in the Workplace. She also said that in addition to a policy, companies should develop, several programmes to address issues related to HIV/AIDS in the workplace.

Justice DeVilliers from the Botswana Industrial Court explained that although Human Rights are protected under the Constitution of Botswana, which amongst others, consist of the rights to life, liberty, security, privacy, human dignity and equal protection under the law and which prohibits against any form of discrimination, there is no specific legislation related to HIV/AIDS in Botswana. Judge DeVilliers then referred to the Botswana National Policy on HIV/AIDS, which was developed as a result of ILO led consultations with all the countries in the SADC Region. He explained the ethical and legal guidelines of this policy, referring to HIV testing, confidentiality and HIV/AIDS and employment citing various examples and cases. Judge DeVilliers concluded by iterating that without specific legislation, the question of HIV/AIDS in the workplace remains a grey area and hence, the urgent need to enact a specific legislation on HIV/AIDS.

The participants also heard presentations from Felix Lesetedi, from the Botswana Federation of Trade Unions, on the Challenges of HIV/AIDS at the Workplace from a Trade Unionist's perspective and Ingrid Melville, from DITSHWANELO – The Botswana Centre for Human Rights and a board member of BONELA, on legal challenges of HIV/AIDS in the Workplace based on their experiences at DITSHWANELO.

The presentations were followed by group work where three groups were formed and three scenarios were set for discussion. The discussions also brought the recommendations forward for action.

The recommendations from the workshop included the following:

1. There should be HIV specific legislation which should be enacted (as in South Africa);

2. The legislation should be incorporated at all levels flowing from the National Policy, National Legislation, Workplace HIV/AIDS Policy and the policy/legislation should be popularised to get commitment.
3. There should be an establishment of funds for HIV programmes within every organisation contributed by the employer but treatment within the parameters of their resources.
4. There should be an overall review of all pieces of legislation, e.g. Employment Law and Public Health Act – to ensure they are in line with HIV/AIDS the realities of HIV/AIDS.
5. A situational analysis should be carried out to determine the current situation in Botswana with regards to discrimination and violation of human rights at the workplace.

[BACK](#)

The workshop was a great success and the full report is available at the secretariat.

3.1.2. Legal Drafting Workshop

[TOC](#)

As per the recommendations from the workshop on Employment, Human Rights and HIV/AIDS, BONLEA organised another workshop on October 7th, 8th and 9th in partnership with the Botswana Federation of Trade Unions (BFTU). The goal of this workshop was to develop key principles for drafting legislation on issues of HIV/AIDS and Employment. Representatives from trade unions; staff associations; the private sector; non-governmental organizations, including Emang Basadi and the Botswana Network of People Living with HIV/AIDS; several government departments, including the Labour Department, NACA and AIDS/STD Unit, came together at the Botswana National Productivity Center (BNPC) to work on these issues.

A summary of the outputs of this workshop are below:

Policy Problem Statement

The employer and employee relations in the work place are constantly being challenged by the HIV/AIDS epidemic. Workers who suffer from HIV related illnesses or who are infected with HIV are being dismissed due to stigma and discrimination. The worker's increasingly long periods of absenteeism, premature deaths of workers and general lack of morale among workers affects productivity in the work place, increases health costs and the lack of legal protection for employees lead the increasing amounts of human rights violation.

Key Problem Areas

The key problem areas that were identified by stakeholders at Drafting Workshop on

Employment and HIV/AIDS are –

1. Pre- and post-employment mandatory testing of workers;
2. Breach of confidentiality, shared confidentiality and informed consent;
3. Vulnerability of people at the work place;
4. Discrimination and victimisation of HIV infected workers;
5. Lack of job security/employment protection for HIV infected workers;
6. Insufficient care and support for workers;
7. Gender inequality and disempowerment of women;
8. Prevention of HIV/AIDS at workplace

Key Principles that were identified.

The following are key principles that were identified by stakeholders –

1. Employment protection and security of worker
2. Prohibition of testing for HIV/AIDS for purposes of recruitment, promotion or other benefits
3. Confidentiality of personal information
4. Non-discrimination of HIV infected workers
5. Protection of vulnerable groups
6. Care and support for HIV infected workers
7. Gender equality and empowerment
8. Prevention of HIV/AIDS at the work place

BACK

3.1.3. Seminar on Justice, Reason and Hope in the HIV Epidemic in Botswana.

TOC

On October 26th, The National AIDS Coordinating Agency (NACA), The Law Society of Botswana, and BONELA hosted a breakfast seminar for approximately 60 members of the legal fraternity of Botswana. The Seminar, “Justice, Reason and Hope in the HIV Epidemic in Botswana” was the first such gathering of legal practitioners in Botswana regarding the issue of the involvement of the legal fraternity in the fight against HIV/AIDS.

The goal of this seminar was to provide a starting point for the involvement of legal practitioners on legal, ethical and human rights issues relating to HIV/AIDS. The organizers hoped to start a dialogue and examine and brainstorm on specific legal issues surrounding the epidemic and to develop recommendations on the way forward. As respected members of the community, the

legal fraternity is well placed and has a unique responsibility to take a stance and draw attention to ethical, legal and human rights issues and HIV.

This workshop was a great success, surpassing even the expectations of the organising committee. The speakers were dynamic and inspiring and all illuminated many different areas of concern that could be addressed by the legal fraternity.

The first presentation of the day was a brave presentation by Justice Marumo of the Francistown High Court. He discussed ways in which the judiciary should become involved and stated that judges and lawyers have a moral responsibility to their constituency. Despite, a general reluctance of the judiciary to take a stand on certain legal issue Justice Marumo forged ahead with suggestions and recommendations for their involvement.

Justice DeVilliers was the next presenter and he spoke about issues of employment and HIV/AIDS and how it has affected his work at the Industrial Court.

Judge Edwin Cameron, our guest speaker, gave an impassioned speech in which he shared his thoughts on the issue of legal involvement in the fight against HIV in Botswana. He spoke about his own battle with the virus and his experience with discrimination, stigma and fear. He also challenged the legal fraternity of Botswana to examine their laws and their AIDS policies and use their expertise to ensure there is fairness and justice in all areas. "The law", he said, "can not change peoples' minds, but it can lead society's opinion".

Mr. Duma Boko, who was representing the Law Society, responded to all the issues presented at that point. He presented a passionate argument for the protection of all human rights in this time of HIV; he challenged Botswana to question her culture and how it is contributing to the spread of the virus. He stated that the greatest challenge to lawyers in this regard is to overcome their own personal bias.

Other speakers included Christine Stegling of BONELA, Dr. Banu Khan of NACA and P.T.C. Skelemani, the Attorney General of Botswana.

The outcome of this meeting was the formation of a taskforce to discuss the way forward from this seminar. The participants elected five members from among themselves to meet at a later date and develop terms of reference for this taskforce and discuss in detail what actions they could take as members of the legal fraternity in the fight against HIV/AIDS. The follow-up will be scheduled for early in the new year. BONELA will keep its members posted on the developments.

[BACK](#)

3.2. On-going Activities

[TOC](#)

3.2.1. Community Advisory Board (CAB) for the HIV vaccine trials

The BONELA co-ordinator has been an active member of the CAB for over a year. The Botswana Harvard Partnership is currently involved in planning the first HIV vaccine trials in Botswana and the CAB is mandated to monitor the process and assist the researchers in this complex process. The CAB makes submissions in terms of local ethics and monitors that trials and educational materials are culturally appropriate. BONELA has been actively involved in particular in the discussions on ethics and informed consent. The CAB meets on a monthly basis but many issues are dealt with in sub-committees and working groups many of which BONELA has been an active member.

3.2.2. National AIDS Council Sector on Ethics, Law and Human Rights

The National AIDS Council has taken cognisance of the fact that at a policy level, the council is faced with an ever growing number of legal, ethical and human rights issues. It was therefore decided that a sector needs to be established that addresses these issues and BONELA was approached by NACA to assist in the establishment. The sector has been active since June 2002 with its mandate being:

- To integrate and co-ordinate an ethical, legal and human rights dimension into the national response to the epidemic.
- To ensure that the response to the HIV epidemic is conducted in such a way that rights stipulated and enshrined in the constitution of Botswana, and in any other regional and international human rights instruments are respected, protected and promoted.
- To identify and support the review of national legislation and regulations, especially in the areas of employment, education, the provision of medical services and research on human subjects.
- To identify and advise accordingly on crucial areas of research specifically addressing ethics, law and human rights and support already existing bodies in ensuring that any research on HIV/AIDS meets ethical standards.

BONELA has been elected as the secretariat for the sector, with the co-ordinator serving as the secretary. The chairperson is the co-ordinator of the Law Society and the vice-chairperson is the registrar of the Industrial Court. The sector meets on a monthly basis and has been very active since its inception. Some of its activities include a consultancy on specific health sector issues for which a draft report is available. During the second week of December 2002, a strategic

planning session will take place which will inform the activities of the sector for 2003. BONELA sees the establishment of this sector as a crucial development in the national response to the epidemic. The sector will provide a meaningful platform for policy debates and the integration of a legal and human rights approach to HIV/AIDS in Botswana.

[BACK](#)

3.2.3. Provision of Legal Advice

During 2002 the BONELA secretariat has seen an increase in clients with legal problems being referred to us. The secretariat has no capacity to handle such issues but has been successful in involving local attorneys to attend to legal matters. However, this arrangements are unsustainable in the long-term and the secretariat has started to engage in consultations with the UB Law Department to strengthen the capacity of the Legal Clinic to assist clients with specific HIV related legal problems. A short study visit to the University of Witwatersrand which is running a similar centre is planned for 2003, an application for funds covering the study tour is currently being assessed by our Canadian partners.

3.2.4 Membership Services

BONELA is very pleased with the partnerships we have formed over the past year, and are looking for ways to expand our membership base. We are currently developing membership guidelines so we can provide the most effective service to our members. We would like feedback from those who are members, or those who are interested in being members on what you would like to receive from BONELA. Some suggestions include a bi-annual newsletter, an email list-serve with regular updates, and invitations to important events. We would like to hear from you if you have suggestions for BONELA in this regard and we look forward to many more lasting partnerships.

3.3. Public Speaking Engagements

[TOC](#)

While the secretariat still lacks human resources, we do our best to address members of the

public as often as possible. The co-ordinator has been interviewed on several occasions by the national and international press, including several radio interviews.

The following is a an abbreviated list of engagements honoured by the secretariat:

- Several lectures at the Social Work Department of the University of Botswana
- Presentation at the Training of Call Centre Operators for the National HIV/AIDS Call Centre
- Presentation for Ministry of Agriculture Officer at the Agriculture College, Sebele
- Interview with a team of the International Monetary Fund (IMF) at Bank of Botswana
- Several presentations for the Institute of Development Management (IDM), including a presentation in Maun
- Presentation at the World University Services Development Worker Meeting, Tau Lodge, South Africa
- Presentation at the Regional Education Office in Gaborone
- Presentation for the National Library Services, Gaborone
- Presentation at the Official Launch of the Civil Society Report on the UN Special Session on HIV/AIDS

[BACK](#)

3.4. Conferences / Meetings Attended

This year, several international and regional meetings were attended. Below is a list of meetings attended by BONELA.

- NACA / UNDP Policy Analysis Workshop, Francistown attended by Ms. Stegling.
- Centres for Disease Control (CDC) and Ministry of Health Research and Development Committee, Ethics Review Workshop, Francistown, attended by Mrs. Stegling.
- 'Training Workshop on Youth, HIV/AIDS and Human Rights, Cape Town': attended by Ms. M. Awuah.
- 'Putting Third First: Critical Legal Issues on HIV/AIDS, Barcelona, Spain': attended by Mrs. C. Stegling.
- 'World AIDS Conference Barcelona, Spain': attended by Ms. Awuah and Mrs. Stegling.
- 'Impact of HIV/AIDS on Political Stability in Africa, Nairobi Kenya': attended by Mrs. Stegling.

For more information regarding any of the above conferences including conference material please contact the secretariat. We have many documents in our resource centre as well as conference reports for many of the meetings.

3.4.1. Meeting on "Putting Third First: Critical Legal Issues on HIV/AIDS"

This meeting was attended by Ms Stegling on the 5th of July 2002. The overall theme of the meeting was to find common ground for activists who are campaigning for treatment and those who are campaigning for vaccines, i.e. prevention. The meeting focused on what the role of the law could be to cross this divide. It was decided that the declaration of commitment signed at UNGASS was currently the most important international document and should be extensively used by local and international actors to hold governments accountable for their actions or lack thereof. It was decided that the development of vaccines and access to treatment need to be seen as complementary approaches rather than competing ones.

Some of main arguments that were made during the meeting:

- Vaccine development depends to a large extent on the role of profit making institutions and there is a need to engage the private sector in these initiatives so that there is a sharing of risks between the private and public sector.
- The unavoidable ethical challenges of vaccine development have to be faced honestly by all the actors and it needs to be seen how it can be dealt with as vaccines are unlikely to be 100% safe.
- Activists have to campaign for the right to health which includes having their countries sign the Convention on Social, Economic and Cultural Rights. It was agreed that there should be campaigning on all levels for the development of a vaccine as a human rights obligation.
- There is a great need for regional alliances when it comes to campaigning for access to treatment for developing countries and people need to be aware that treatment cannot be donated and cheap prices are not helpful if they are not long term or sustainable.
- Campaigning must be on two levels. At the national levels governments should be encouraged to develop national long term plans for vaccine developments and at the international level activists should pressurize governments to honour their obligations as per treaties and conventions signed.
- Discussions centred a lot around the issue of Community Advisory Boards because CABs with no resources can become lame ducks and the question remains if CABs are the best place for community involvement, the rubber stamp trap must be avoided. There was further debate about global versus local ethics in relation to the methodology used in ethical reviews.

3.4.2. Report on the World AIDS Conference

TOC

The 14th Biannual World AIDS conference took place in Barcelona Spain between the 5th and the 12th of July 2002. BONELA was represented at the conference by Ms. Stegling, and by Ms. Awuah the board secretary. The theme of this year's conference was 'knowledge and commitment for action'. This theme was reflected in the general sense of impatience with continued rhetoric and an obvious intention, from the daily plenary speakers down to the poster presentations, to act and to stop talking. The knowledge to be shared was intended for practical usage and not, as is the case with so many other conferences, simply to demonstrate how much is known. There was no ground-breaking medical/scientific news. The conference concentrated more on implementation than on new discoveries. Sharing of best practices was of great importance.

There was a lot of emphasis on the importance of human rights as being the crux of the future approach to the epidemic. Also in some parts of the developed world it would appear that people and governments have faced up to and managed to live with certain uncomfortable realities, for example illicit drug use and injecting drug users. Africa, and the rest of the developing world, have not followed the trend and dealt with the (relatively harmless by comparison) issue of sexual minorities and sex workers.

BONELA chose to attend meetings that focused mainly on areas of importance to the organisation. With regards to utilising a legal and human rights approach, the following issues should be noted. It is clear that there is a lack of research on the nature and extent of government obligations at the national and international levels in the area of HIV/AIDS especially on rights and obligations associated with economic and social rights. There are areas where it is obvious that governments claim national sovereignty to flout their international legal obligations, such as the testing of migrant workers. Several examples of the different effects of AIDS on litigation were offered, an example being of the Plaintiff who was banned by a judge from attending her own court case once it was discovered she was HIV positive, for fear of contaminating the court room (Nigeria).

It also became clear that in Africa the laws are either not fully developed to accommodate HIV/AIDS or underutilized as tools for protection of those infected and affected by HIV/AIDS. The balance that needed to be drawn in order to stop short of criminalising HIV AIDS was also discussed at length. Furthermore, it became clear that in Africa most steps taken to address HIV through law are still policies, and have not been translated to actual legislation. It was also noted that lower courts rarely give favourable judgments in AIDS issues, causing litigants to have to go to the high court with its cost and publicity implications (South Africa).

It was noted that countries should be encouraged to do HIV/AIDS audits periodically in order to

establish how closely they are sticking to and observing the International United Nations Guidelines on HIV/AIDS and Human Rights. An interesting debate centred on mandatory testing in the military. Could the UN exclude HIV positive soldiers from serving in peace keeping forces? It was decided that the UN was also bound by international human rights law in that regard. Some positive experiences were reported from Latin America by PLWHA in influencing the law through their involvement in legislative commissions, e.g. they now have a specific law on HIV testing in Chile.

Five days were spent in numerous sessions at presentations and in discussions with other participants. BONELA returned with a lot of material from Barcelona which is now available at the BONELA secretariat. Ms. Awuah gave a poster presentation on addressing the loopholes in the law in relation to gender violence and HIV/AIDS in Botswana. The full paper is also available at the BONELA secretariat.

In the context of BONELA's work, it was encouraging to see and hear that globally there is an understanding that the law and human rights need to be at the core of the response to the epidemic.

[BACK](#)

[4. Staff and Volunteers](#)

[TOC](#)

The BONELA secretariat currently has two full-time members of staff, the co-ordinator, Ms. Stegling and a World University Services (WUSC) Development Worker, Ms. Joanna Wells. Ms. Wells' placement is funded through WUSC and additionally, UNDP Botswana is making a contribution towards Ms. Wells' housing expenses. Ms. Wells joined BONELA in September 2002 and will be with the organisation until the end of March 2003. She has provided the secretariat with invaluable support and has become a crucial member of the organisation's team. Her main task is to develop a HIV/AIDS and Human Rights Training Manual which we hope will be completed in early 2003. The secretariat is still negotiating a new placement with WUSC for the time after Ms. Wells has completed her contract.

The secretariat was also assisted by a local volunteer, Rosemary Mokgosi, a social work student of the University of Botswana who joined us for the month of March 2002 and helped to organise our ever-growing resource centre. In June, we finally received a United Nations Volunteer, Mr. Eric Hubbard, who assisted with a number of projects in the office. Unfortunately, Mr. Hubbard had to leave the country after only a month due to the ill-health of his mother in the USA. We would like to thank him for the great input he made during his short stay with us. Negotiations are still underway between UNDP and BONELA in terms of a new UNV and we hope that in 2003 BONELA will be assisted again with a UNV.

As part of the funding agreement with WUSC, BONELA was also assisted through three Canadian consultants. We were assisted by Joanne Posthumous, with an organisational assessment which has proven to be an extremely helpful document. Two IT consultants, Doug Bergman and May Diep are currently working with us in updating our IT systems, IT training of staff and the development of a data base and a webpage. The webpage is almost finalised and will hopefully be launched early this year. We would like to thank WUSC for this support and all the consultants for the assistance they have provided to the organisation.

We have recently been approached by Australian Volunteers International and they have tentatively offered BONELA a volunteer starting early next year for a period of two years.

Additionally, BONELA was approached by Human Rights Internet in Canada to host a human rights intern beginning September, 2003 for a period of six months.

While we are grateful for all the support we receive through volunteers, it has become evident that the secretariat really needs permanent full-time help in terms of project management. We are confident that sometime next year we will receive funding to fill this need.

[BACK](#)

[5. Funding](#)

[TOC](#)

BONELA's main funding is still provided through the Programme Support Document (PSD) an initiative of the Government of Botswana and UNDP Botswana. PSD has supported BONELA since we started our work in 2001 and we are extremely grateful for this generous support. Unfortunately, PSD is coming to an end in 2002 and while a follow-up programme has been proposed, at this point it is still unclear what the modalities of such a programme would be and in what form BONELA would benefit.

BONELA also received a generous donation from the Canadian Society for International Health, the Interagency Coalition on AIDS and Development and World University Service of Canada. This donation funded the project on "Training, Rights and Income Generation for People Living with HIV/AIDS". A project that is jointly administered by BONELA and BONEPWA+. The workshop on Employment, HIV/AIDS and Human Rights and the Workshop for the Legal Fraternity were both part of this project. Two more workshops are planned for 2003. A mid-term report has been submitted for the project. The partnership with WUSC has been extremely valuable to BONELA and we would like to take this opportunity to thank them once again for their continuous support.

BONELA also received a small grant from the Humanist Institute for Co-operation with Developing Countries (HIVOS) which funded the Legal Drafting Workshop in October 2002. We sincerely hope that this first project is the starting point of a continuous working relationship with HIVOS. A report for the small grant and a long-term funding proposal for 2003 -2004 have been submitted to the regional office in Harare and we are currently awaiting a response with regards to our proposal. We expect this we will receive this response by January 2003.

BONELA has also received a donation in-kind from the German Embassy in Gaborone in form of a laptop computer. The acquisition of a second computer has made the work at the secretariat so much easier and we would like to take this opportunity once again to thank the embassy for this generous support.

The embassy of the UK has also recently agreed to provide BONELA with a second hand desktop computer. The computer will be available to the secretariat in early January once the embassy has erased all their sensitive files.

For a more detailed discussion of BONELA's accounts, please see the financial statements that are attached as an annex. We do not have copies of the audited report available as we have not yet received them from the DITSHWANELO auditor. We have booked our auditor for early 2003 and the reports will be available soon after.

[BACK](#)

6. Looking Ahead –Activities 2003

TOC

BONELA has undeniably achieved a lot since it started its operations in 2001, considering that the idea of integrating human rights into the national response to HIV is a fairly new idea and that most of the time the secretariat only had one full-time member of staff. However, many more challenges lie ahead of us and we are looking forward to fulfilling our mandate according to our mission statement in 2003 in order to ultimately achieve our goal of ensuring that human rights and legal and ethical considerations constitute the foundation of any response to the HIV epidemic in Botswana.

Our activities for next year will be aiming at achieving our long-term objectives:

- To integrate an ethical, legal and human rights dimension into the response to the epidemic.
- To strengthen NGOs to participate effectively in the policy fora in Botswana and at an

international level.

- To assist in promoting and encouraging networking amongst NGOs and individuals with similar goals and /or objectives so as to facilitate joint initiatives at solving problems.
- To promote a culture of self-reliance and encourage committed participation from NGO members and their community.
- 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 the violation of basic human rights.
- To lobby against the use of punitive action as a legal instrument to address the epidemic, since this approach has proved to be ineffective and, in fact, detrimental to struggle against AIDS.
- To educate the general public on issues of human rights, within the context of HIV / AIDS and train stakeholders, nationally, to assist in the dissemination of such information.
- To research the human rights situation of people affected by HIV and AIDS in Botswana and to network with stakeholders in the region to establish and maintain a common response to ethical and legal challenges.

To meet the long term objectives the next two years' objectives are:

1. To advocate for legislative and policy review to create a just and conducive environment, enabling people to access public health services.
2. To develop a media campaign to raise awareness of human rights with regards to the HIV epidemic.
3. To facilitate for the provision of legal aid for people experiencing discrimination on the basis of HIV / AIDS.
4. To develop training as a means to disseminate information on ethics, law and HIV / AIDS.
5. To ensure that ethical considerations are incorporated into medical trials with human subjects.
6. To conduct baseline research to provide BONELA and stakeholders with factual information on the current human rights situation for people infected and affected with HIV / AIDS.

[BACK](#)