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An illustration by Anthony Okuku from the training manual.



World AIDS Day Commemoration 1st December 2004 in Gantsi

Court Rules in Favour of HIV Positive Employee who came to BONELA for Assistance

On the 22nd day of November 2004, the Industrial Court delivered judgment on a dispute that directly involved HIV/AIDS in the workplace.

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

In the light of this poor attendance, the employee was called for a meeting by management to discuss his situation on the 28th January, 2004 where the employer suggested that he consult a private medical doctor, apparently to assess his fitness, or lack of, to work. The employee however refused to accept such suggestion and instead preferred the Maun General Hospital, whom he argued were best suited to attend to his illness as they were familiar with his medical background. Wanting to obtain the medical status of the employee, the Northern Air Maintenance's

representative would have preferred for the employee to consult a private doctor who would have then shared the employee's medical status with management.

The day following the meeting, the 29th of January 2004, the employee disclosed to the employer his HIV positive status. He testified that he did not disclose his status earlier because he was afraid that if he did so, he would be prejudiced. He lamented that the employer's administrator had a propensity to ridicule this particular employee, saying that he may be HIV positive. This was well before he knew of his status.

On the 30th January, 2004, he was dismissed allegedly on the basis of his "continual poor attendance over the last three years". The employee then challenged his dismissal alleging that he was unfairly dismissed on the grounds of his HIV positive status.

Justice Dr. O.B.K Dingake presided over the dispute and noted that the employer had demonstrated the highest level of compassion and care, as the company had cooperated throughout the three years to ensure that the employee receive the medical attention he required. The Court ruled that his dismissal was substantially unfair

The Court underscored that to exclude an HIV/AIDS positive employee from employment through dismissal solely because he is HIV positive and without having established that he is incapacitated, lacks a rational foundation and is unfair.

as it was “not clear” what triggered the dismissal after tolerating absenteeism for about three years. The employee was not warned at the meeting of the 28th of January 2004 that his job was in jeopardy. Furthermore, the Court noted that it was not shown, let alone suggested, that the employee was incapacitated to perform his job.

Justice Dingake highlighted that even in the case of progressive incapacitation, the employee cannot be dismissed without first being given a fair enquiry, at which the nature of the incapacity; the cause of incapacity; the likelihood of recovery; improvement or recurrence; the period of absence; its effect on the employer’s operations; and the employee’s length of service, amongst other things should be considered

The Court underscored that to exclude an HIV/AIDS positive employee from employment through dismissal solely because he is HIV positive and without having established that he is

incapacitated, lacks a rational foundation and is unfair.

Moreover, the Court reasoned that the Constitution, Section 7 (1) thereof, which prohibits inhuman and degrading treatment, was violated in that the employee’s right to dignity was infringed.

The Court also held that the employee’s dismissal was procedurally unfair in that he was not given an opportunity to make representations concerning his fate. It was also noted that the employer ought to have fully explained to the employee why what had been accepted for the past three years could no longer be accepted. The employer should have held a proper discussion with him as to whether and to what extent his post should be adapted.

The employer was ordered to pay compensation equivalent to his salary for six months.

According to Attorney Monica Tabengwa, who represented the

employee on behalf of BONELA, this is a sound and palatable landmark judgment which should inspire persons in similar circumstances to fight for the observance of their rights.

“The sad and cold reality is that similar cases of discrimination go on undetected and/or unreported. I urge Batswana to come out of their closets and advocate for their rights at all costs. It is long overdue that Legislators should enact substantive laws regulating discrimination in the workplace”, she concludes.

In the final analysis, this case and the three other previous decided cases involving HIV/AIDS at the workplace, demonstrate amply that it is incompetent and unlawful to dismiss an employee solely on the grounds that such an employee is HIV positive.

Uyapo Ndadi

Uyapo is a Fourth Year law student at UB who has been volunteering with BONELA since January 2004.

BONELA Round-up

BONELA would like to take this opportunity to wish you a happy, healthy and prosperous new year! As the year wound up, BONELA was very busy. We have many new projects for the year 2005.

- In October BONELA attended the BOCONGO Strategic Plan Review and AGM where discussions were held on how to strengthen the organisation.



- The BONELA team worked on our soon to be completed training manual at a second retreat held at the Big 5 on the 13th and 14th of December 2004.

- BONELA has hired a consultancy team to edit, layout and illustrate our human rights training manual.

- Kristi Kenyon, Oratile Kidd and Milikani Ndaba have been preparing for the upcoming pilot for the training manual.

- BONELA’s Christmas party on 16th December 2004.



- Our accountant Nana Gleeson attended a BONASO workshop on funding proposals.

- Nana Gleeson sat on the panel for the Barclays Bank “Women of Substance Making a Difference” pageant.

- Visit from the Swaziland Minister of Health and other health officials, a visit organised through Baylor’s Centre for Paediatric Excellency.

- In January, BONELA staff was busy writing proposals and work plans for the upcoming year.

A Human Rights and HIV Training Manual for Action

BONELA is proud to announce that its long awaited resource and training manual is nearing completion. The manual entitled “Human Rights and HIV: a manual for action” is a comprehensive resource intended to be used as both a training manual and an informational reference.

The impetus for the manual came from the realisation that no training materials existed on human rights and HIV in Botswana. BONELA staff felt that it would be useful to formalise the training already offered by BONELA. In addition, the training manual will be used as a tool to train trainers thereby developing a network of resource people throughout Botswana. We aimed to make the manual as comprehensive as possible so that if trainers had only this one resource they would have enough information to train, to answer questions and to direct people to services and resources.

The concept of the manual is that a personalised training package can be developed for each group by choosing the relevant modules.

The manual contains modules on:

- Understanding HIV
- Human Rights
- Human Rights and HIV
- HIV and the Law
- Confidentiality
- Testing
- Right to Health
- HIV in the Workplace
- Youth and Children
- Men and HIV
- Women and HIV
- Sexuality and Sexual Orientation
- Research and HIV
- Wills and Inheritance

The training manual has come a long way since its conceptualisation several years ago. Over the past year the writing team (consisting of: Kristi Kenyon, Elizabeth Maxwell, Milikani Ndaba, Nthabiseng Nkwe, Natalie Doyle) has held consultative meetings with non-governmental organisations (NGOs), doctors, lawyers, activists, academics and other stakeholders, and has conducted library and internet based research as well as a survey of existing publications. Two training manual retreats have taken place for all BONELA staff to give feedback on the structure and content of the manual.

In December the consultancy team of: John McAllister, Lucy Dixon-Clarke and Tony Okuku was hired in order to put the text into an adult education format including activities, editing, Setswana translation of key components, illustrations and professional layout. The team will finish their work in February. At this time, the manual will be passed from the research department to the training team of Milikani Ndaba and Oratile Kidd. Milikani and Oratile will hold two pilot training workshops in late February and early March. Comments and suggestions from these workshops will then be incorporated into a final version of the manual. We are also currently in consultation with the Botswana Training Authority (BOTA) to assess whether we can accredit the training course that we will be offering using the manual. The final version of the manual is expected to be printed and circulated in March.

We would like to thank HIVOS, NACA, the Global Fund and WUSC for their support on this project.

Kristi Kenyon



World AIDS Day: Making the Message Last and Transcend Barriers

The theme of World AIDS Day Commemoration 2004 is a crucial one in the fight against the epidemic: Women, Girls and HIV and AIDS. Many NGOs, government representative, diplomats and the President himself were present for December 1st 2004 National World AIDS Day Commemorations in Gantsi. Other commemorations, organised by District Multi-Sectoral AIDS Committees, were held in most districts. Part of the BONELA team travelled to Gantsi to take part in the commemorations.

During World AIDS Day celebrations in Gantsi, there seemed to be two types of women and girls; those who were well dressed, had money and were comfortably sitting on chairs under a tent listening to the speeches, and those who were dressed in shambles, had less money and were sitting on the ground. The second group, consisting mostly of marginalized groups, caught my attention as I was shocked that although the theme targeted girls and women, policemen were pushing them back with a baton, a baton!! Later, when food was being distributed to people at lunch time, many of these women came to us claiming they had not received food. Whether or not they were saying this to get more food or if they really had not received their share, this group clearly seemed to have been excluded. When it comes to HIV/AIDS, however, one thing is for sure; everybody must be included for the fight against HIV/AIDS to be successful. It must include rich and poor, men and women, heterosexuals and homosexuals, young and old and different cultural groups.

Although World AIDS Day is celebrated on December 1st, the theme and the messages conveyed at this event must last year-round for these to really make a difference. And although there was a genuine commitment and interest

in this year's theme, most of us agreed that it would take more than a Presidential speech and a few t-shirts and posters for gender equality to be reached in Botswana and to make women less vulnerable to HIV/AIDS.

Sadly, girls and young women aged 15-24 make up 62% of the young people in developing countries living with HIV/AIDS. In fact, "women and girls are particularly vulnerable to HIV infection for biological, social and economic reasons".¹ Violence against women, structural poverty, and cultural subordination of women to men are all factors that contribute to intensifying inequalities and making women more vulnerable to HIV/AIDS. If Botswana is to achieve Vision 2016, which states that the spread of HIV shall have stopped "so that there will be no new infections by the virus that year", it is imperative that gender inequalities be reduced.

For this to be possible, however, behaviours must change, and of course, change takes time. Implementing laws that protect women against gender-based violence and gender-based inequalities could accelerate the process of change in this regard. In addition, laws not only entice people to change their behaviours but actually legally bind people to do so. In December 2004, the abolition of the Marital Power Bill for women married under common law promised hope for change in 2005. (See article on opposite page)

Natalie Doyle

¹ Dr. Catherine Hankins, Chief Scientific Advisor at UNAIDS at a consultation on HIV vaccine trials in Lausanne, Switzerland, from 26-28 August 2004. Press release on "A Globally Effective HIV Vaccine Requires Greater Participation of Women and Adolescents in Clinical Trials", released by UNAIDS in collaboration with WHO.



Program Officer Milikani Ndaba delivering a workshop for the World AIDS Day Commemorations in Gantsi.

Workshop participants were informed about the dual nature of the legal system, with common and customary law systems both operating in Botswana. We reviewed inheritance and custody rights with particular attention to children and surviving cohabiting partners. At this workshop, many were surprised to learn that when married in community of property under customary law, all possessions are managed by the head of the family. In this context, this means that if the husband passes away, possessions are handled by the husbands' family, most often by the eldest son, leaving little room for the widow to voice her needs and concerns. If married out of community of property under common law, women are legally entitled to inheritance and custody rights.

Call for submissions

THE BONELA GUARDIAN is looking for timely, insightful articles on any topic related to HIV/AIDS and human rights, ethics, policy development, or the law.

If you enjoy writing and are passionate about a topic related to HIV/AIDS we

encourage you to send us an article! We welcome first-person accounts, opinion pieces, and responses to articles we have published. Alternative topics, including articles about the medical or social dimensions of living positively with HIV, will also be considered.

Submission of relevant photographs or other artwork is encouraged.

For further information, or to submit your ideas, please contact Natalie Doyle or Milikani Ndaba at BONELA (tel: 393-2516)

Have your say!

Abolition of the Marital Power Bill - A Step Forward or Backwards?



Is the Abolition of Marital Power Bill good or bad for Botswana? This is the question that is on the minds and lips of most people as they wait for President Festus Mogae to sign the Bill into law. Internationally, the Bill is in line with the United Nations Convention on the Elimination of All Forms of Discrimination Against Women, which Botswana acceded to in 1996. Locally, it is supported by the country's 1998 Review of Laws Affecting the Status of Women in Botswana which recommended a system of joint decision-making in place of Marital Power. It has gone through all readings in parliament and has been received with different opinions with some people applauding it, some condemning it, and others just being sceptical about it.

But what does the Marital Power Bill entail? In an interview with the BONELA Guardian, the Acting National Coordinator of Women and Law in Southern Africa Research Trust (WILSA)-Botswana, Minkie Bokole, described it as a Bill that simply says men and women "are equal in marriage" and if any decisions are to be made they will be made by both parties. The Bill is trying to correct the Marriage Act which gives the husband marital power and describes the woman as a minor in marriage. Bokole added that the Bill is only applicable to common law marriages and excludes those marriages that are not registered at the District Commissioner's Office, which include customary law marriages and religious marriages where the parties do not register.

As mentioned earlier, the Bill has been received with different opinions. The camp that supports it says the Bill is good because it will make men and women equal in marriage and they do not see why women should be treated as minors. Another advantage of the Bill is that it empowers women and this is likely to

help in the fight against the HIV/AIDS pandemic. Studies have shown that empowering women helps prevent the spread of HIV/AIDS because it reduces their vulnerability to domestic violence, unsafe sex and other HIV related risks. When women are treated as equals in a marriage they have the power to decide when to have children and they can negotiate for safer sex methods. Traditionally, the men are the ones who decided such issues in the home.

Those that believe the Bill is not good say it is just upsetting the natural order of things which demands that the man be the head of the household and it is against Botswana culture. Lesedi Gabonowe of Borong, a village a few kilometres outside Francistown, was quoted in the 11 January 2005 edition of Mmegi saying families are going to break up as men are supposed to be the heads of the household not women. First, these people are misunderstanding the Bill. The Bill does not intend to make women heads of households, rather it is saying there is no head of the family and husband and wife are partners. Secondly, they need to understand that culture is dynamic and it always and must change with the times.

Another group says the Bill is against Christianity as the bible says the man is the head of the household. In fact, Selibe-Phikwe East's Member of Parliament Norofo Molefhi is fighting to replace 'head of the family' with 'administrator of the joint family estate' in the new Bill also sighting the same argument. However the same Bible tells husbands to love their wives, and when one loves his wife, he will surely treat her the way he himself would want to be treated - as a full human being, not a minor.

Then there are the sceptics. They agree with the bill but fear that some women will think that the law is giving them a right

to disrespect their husbands. The Women's Affairs Department is also concerned about this and held a news conference at the end of January to address such issues. Essentially, the public needs to be educated to avoid misinterpretations. The first people to be educated should be political representatives to be prepared to educate the masses, as a representative from Emang Basadi rightly pointed out. The Women's NGO Coalition pleaded with the media to report clearly and correctly about what the bill is about to help in educating the masses.¹

Lastly, is the bill enough in terms of empowering the married woman? The Acting National coordinator of WILSA-Botswana thinks it is not. She says while it is a step in the right direction, the bill should include all marriages, as Botswana uses a dual legal system, with common and customary laws. Excluding other types of marriages does not empower all married women in Botswana.

Another issue is that the bill does not address other aspects which contribute to marital power. Some of these issues include the lack of legal protection for married men and women against domestic violence and marital rape, and the paying of Bogadi which some men may use to claim their position as the head of the family. Another issue pointed out by Log Radithokwa in the 19 January 2005 Issue of The Midweek Sun is that a married woman is not only subordinate to her husband, but to all important relatives who believe in cultural appropriate marital relations. The government needs to address such and other issues if Botswana is to not only achieve gender equality but also an AIDS free nation by 2016.

Werani Chirambo

¹ Daily News Online, 31 January 2005.

ON THE INTERNATIONAL FRONT

Emergency Relief versus Long Term Aid for HIV/AIDS

The December 26th 2004 tsunami shook the world with an unprecedented force, sweeping everything in its path and causing victims upon impact in 11 countries along the Indian Ocean coastline. The sudden death of over 150,000 people is a tragedy that the world is not soon to forget and its impact will be felt for years to come.

Less conspicuously, it may appear at first sight, another tragedy is sweeping across Africa ruthlessly taking away lives and affecting the very essence of families and communities; HIV/AIDS. Since the tsunami disaster, HIV/AIDS-related deaths have surpassed by more than half the victims of the tsunami. In fact, in 2004 an estimated 3.1 million people died of AIDS-related illnesses.¹ While deaths caused by HIV/AIDS and poverty are incredibly high, financially, the public seems to respond faster and in larger sums to natural disasters such as the tsunami.

Perhaps the urgent nature of disasters and the fact that people can easily imagine themselves in such catastrophes makes them relate more and thus share more. In the aftermath of the tsunami disaster, Canadian executive director of Doctors Without Borders David Morley remarked with a note of irony that people “can’t imagine themselves slowly dying of AIDS, can’t imagine being in a desert like Darfur, but they can imagine themselves suddenly dying on the beach because we’ve all been there.”²

Stephen Lewis, the UN Secretary-Generals’ Special Envoy for HIV/AIDS in Africa commended “the outpouring of international concern and generosity” in response to the tsunami at a Press Briefing held on January 18 2005. Echoing the feelings of many people working in the field of HIV/AIDS, nonetheless, Lewis

added that the immense support for tsunami relief operations “raised predictable anxieties about support for other humanitarian crisis”. Many people fear HIV/AIDS will receive less support because of the abundance of financial support given for tsunami relief. Others were simply surprised to see such large sums of money readily available for tsunami relief while funds for HIV/AIDS have taken years to amass. Because of the taboo nature of HIV/AIDS, there may be less appeal for people to financially support the illness than natural disasters.

Strikingly, more than \$5 billion U.S. has been pledged for tsunami relief compared with \$5.8 billion U.S. for all humanitarian relief around the world last year and \$3.6 billion U.S. pledged by Western governments for the global fight against HIV/AIDS.³ Every year, United Nations Secretary General Kofi Annan’s Global Fund to Fight AIDS, Tuberculosis and Malaria requests for \$10 billion but struggles to obtain \$1 billion.⁴ To date, the Global Fund has committed \$ 3 billion U.S. in 128 countries to support aggressive interventions against HIV/AIDS, Tuberculosis and Malaria. Nonetheless, while country commitments for the cause of HIV/AIDS are substantial; the actual money that has been disbursed and received by implementing agencies (governments and civil society) is much lower. In fact, for 2005, countries have committed \$3 billion to the Global Fund while in reality, only \$1 billion has been disbursed.⁵ Pledges should be materialised into concrete donations.

There is no doubt the fight against HIV/AIDS should be higher on the international community’s agenda. The question is how can people’s empathy and pocketbooks warm-up to the cause of HIV/AIDS?

Because HIV/AIDS has been somewhat contained in North America and Europe, the spread of the disease has been less mediocrised than when it first emerged in the 1980s and 1990s. Although HIV/AIDS claims enough lives daily to make it into the news, in many countries, the ongoing scourge is often replaced by more sensational events such as conflict, plane crashes and natural disasters. As a result of this, many people may not be aware of the magnitude of HIV/AIDS in Africa. Portraying the enormity of the disease in mainstream media across the world would sensitise people and, perhaps, encourage them to make more donations towards this cause.

For Botswana, obtaining funding for the fight against HIV may not only be affected by funds being redirected for emergency relief operations but also by the fact that many donors may be reluctant to fund Botswana as it is ranked a middle-income country. On a more optimistic note, nonetheless, the Merck Foundation and the Bill and Melinda Gates Foundation have pledged to fund the fight against HIV/AIDS in Botswana until at least 2009.⁶ These sources of funding will certainly continue to help local organisations and the government of Botswana in the fight against HIV/AIDS.

Natalie Doyle

¹ Emily Chung, World needs to open its pocketbook for HIV/AIDS, Daily Bruin Online, www.dailybruin.ucla.edu/news/articles
² Stephanie Nolen, Federal tsunami aid hits \$425-million... as cash woes hurt African AIDS fight, The Globe and Mail, January 11, 2005, page A-1.
³ Ibid., p. A-1.
⁴ Sunday Standard, Botswana AIDS Funding Won't Dry Up, Say Donors, February 6-12, 2005.
⁵ http://www.theglobalfund.org/en/funds_raised/commitments/
⁶ Sunday Standard, Botswana AIDS Funding Won't Dry Up, Say Donors, February 6-12, 2005.

SAFAIDS Conference in Namibia

Christine Stegling participated in a SAFAIDS Conference in Windhoek from the 22nd to 25th of November 2004.

The conference was held in form of a symposium under the title ‘Securing the future for Southern Africa –Perspectives in the World of Work’. As the title suggests, the forum brought together representatives from the business community, workers organisations, policy makers and AIDS activists from the

region to discuss the challenges of HIV at the workplace.

There were some interesting presentations on best practices of employers with regard to the provision of ARV treatment to their workforce. Christine had been invited to present on some of the litigation that has taken place with regard to HIV/AIDS at the workplace in Botswana. She presented the two BBS cases that BONELA has

documented and the most recent case in which BONELA assisted an HIV positive employee after he was dismissed. The presentation was followed by an interesting and lively discussion around the issues of anti-discrimination laws within the world of work. Most countries in the region are still in desperate need of such legislation in order to ensure that HIV positive workers are able to continue contributing to our economies and leading healthy and fulfilled lives.

BONELA welcomes new Staff Members...

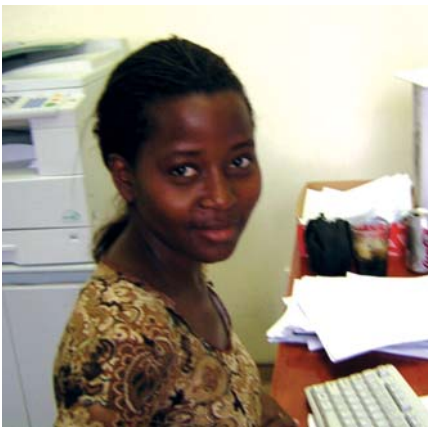
Oratile Kidd - Training Officer

My name is Oratile Changu Kidd and I joined BONELA in mid-January 2005 as the Training Coordinator. I graduated from York University, Toronto, Ontario, Canada in 2002 with an undergraduate degree in Psychology. Since 2002, I have worked on several community projects including as Associate Consultant for an excellent faith-based youth empowerment project called Salvation Army Psychosocial Support Initiative

(SAPSSI). I have also worked as an Economic Empowerment Officer to Kagisano Society-Women's Shelter. Related to training in particular, I contributed to the production of The HIV & AIDS Stigma Toolkit (Zambia, Tanzania and Ethiopia) and continue to participate in what way I can in the area of Stigma and HIV. Since positive anarchy is impossible, I have a high expectation that the law must protect and enable the best happiness for all people. I am excited to join BONELA and look forward to working here.



...and a new Volunteer



Werani Chirambo

I am Werani Chirambo and I joined BONELA at the beginning of January 2005 as a Media Volunteer. I have an undergraduate degree in English from Solusi University and I graduated from London Metropolitan University with a Master of Arts degree in Mass Communication in December 2003. I started working as a Researcher and Africa News presenter for Newsnet Private Limited in Zimbabwe at the beginning of 2004 where I worked for

a year. I have presented a documentary called "Beyond Our Borders" which is produced by Talent consortium in Johannesburg and is aired in 11 southern and eastern African countries including Botswana. During my studies in London I worked as a Marketing and Press Relations Officer for Florence Trust Studios as a volunteer. I decided to volunteer my services to BONELA because I believe in what the organisation is doing and I want to be a part of that.

On the road

- Natalie Doyle, Kristi Kenyon and Milikani Ndaba travelled to Gantsi to participate in the National World AIDS Day Commemorations.
- Christine Stegling went to Namibia to partake in a SAFAIDS Conference.
- Picture (right) Caroline Doyle (BONASO), Kristi Kenyon and Natalie Doyle at a booth for World AIDS Day Commemorations in Gantsi.
- Kristi Kenyon and Milikani Ndaba went to Francistown to conduct research for the up-coming training manual.
- Kristi Kenyon travelled to train health care workers in Francistown on Ethics, Law, and Human Rights in Context of Paediatric HIV care as part of the Baylor International Paediatric AIDS Initiative national training.



BONELA is...

The Botswana Network on Ethics, Law and HIV/AIDS (BONELA) is a non-governmental organisation committed to integrating an ethical, legal, and human rights approach into Botswana's response to the HIV/AIDS epidemic. To know more, visit us on the web at www.bonela.botsnet.co.bw

...interested in becoming a member? We welcome members from the legal community, academia, community-based organisations, support groups, and public and private sectors, as well as people living with HIV/AIDS and concerned individuals. Contact us today!

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 Email: bonela@botsnet.bw

From the directors desk

I wish you all a happy and healthy New Year. At BONELA we are definitely planning for a productive and busy 2005 with many training workshops, research activities and a lot of advocacy coming your way. We are very excited about the year ahead. The secretariat's capacity has been further increased through our two new staff members. Moses Tshipo has joined the network as a driver and will perform a double act as a messenger. We are also happy to announce the arrival of the long-awaited vehicle, sponsored by the Global Fund. The vehicle will allow for a lot more mobility of BONELA staff and will mainly be utilised for community training activities. The second member of staff, who we would like to warmly welcome, is our new training coordinator Oratile Kidd. While welcoming new members to the team we sadly also have to say good bye to Natalie Doyle who has done a great job in assisting BONELA with the media campaign. Natalie will complete her placement through Human Rights Internet at the beginning of March 2005. We would like to take this opportunity to thank her for all the energy and effort she has contributed to our work in the past six months and we wish her all the best for the future.

Oratile and Milikani are about to start a heavy schedule of training workshops utilising our recently completed training manual. The training will take them to all parts of Botswana, including Kasane, Maun and Kang. We hope that many of you will be able to utilise this training and that what we will offer will make a difference in your work on HIV/AIDS. The training activities will be complemented by a number of advocacy seminars that are planned over the year which we hope will give you and other stakeholders the opportunity to discuss pertinent issues



BONELA was pleased to finally receive its own vehicle, funded by The Global Fund to Fight AIDS, Malaria and Tuberculosis. BONELA welcomes our new driver Moses Tshipo.

and exchange ideas about the many challenging aspects of HIV and AIDS.

BONELA notes with great appreciation that there has finally been some movement in the area of legislation, even though it is still at the level of review rather than at parliament. The NAC Sector on Ethics, Law and Human Rights recently commissioned a consultancy to a team of experts to review all laws, regulations and policies with regard to HIV and AIDS. The team is expected to report back by the beginning of July 2005. The sector is looking forward to receive advice as to whether or not HIV specific legislation should be suggested to parliament, what type of legislative reforms are required and whether there need to be innovations in the institutional machinery overseeing the implementation of proposed legislation. The sector is aware that the danger of such legislative reviews is being yet another document which decorates the shelves of policy makers rather than informs concrete legislative action. The consultancy team is therefore expected to give drafting instructions to help translate the recommendations into law. BONELA is confident that all stakeholders have a vested interest in

translating the recommendations into appropriate laws in order to fulfil the fifth goal of the National Strategic Framework on HIV/AIDS. Another major development with regard to reviewing laws and policies is currently undertaken by the Ministry of Labour and Home Affairs. BONELA has played an active role in assisting them with the drafting of a National Policy on HIV/AIDS and Employment which will eventually inform new legislation. The policy is almost completed and will soon be discussed by the National AIDS Council.

On a parting note, let me voice BONELA's sincere wish that in 2005 more people will have the courage and determination to find out about their HIV status and that those who test positive will be able to access the necessary services such as counselling and medical treatment. It is for all of us to make the difference and make the right decisions in our own lives and support those around us.

