

# **DITSHWANELO - The Botswana Centre for Human Rights**

## **TWO YEAR REPORT: 1996 - 1997**



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## 1.1 Historical background on DITSHWANELO: The Botswana Centre for Human Rights

DITSHWANELO was officially established during January 1993, following an extensive feasibility study

of similar institutions operating in the Southern African Region, namely:

- The Legal Assistance Centre in Namibia,
- The Legal Resources Centre in South Africa, and
- The Harare Legal Projects Centre in Zimbabwe.

This initial assessment was primarily focused upon learning from the experiences gained by those

institutions, as well as exploring potential opportunities for establishing a regional network on information sharing.

Based upon the findings of the feasibility study, selected Botswana based Non-Governmental Organisations

(NGO's) and delegates from the University of Botswana were brought together to determine the initial focus

of DITSHWANELO activities. The result of those meetings determined that the Centre would primarily

focus upon:

- the coordination of human rights activities in Botswana,
- the coordination and training of para-legal staff,
- the initiation and ongoing support of research specific to human rights issues as they were identified by other NGO activities,
- the provision and dissemination of documentation related to specific legal matters and human rights in general, and
- ongoing active participation in international human rights networks.

Through assistance of the Danish Centre of Human Rights in Copenhagen, the initial formation of a Board

of Directors was finalised. The founding Board was comprised of representatives from the Botswana NGO

community, the academic community, and by individuals identified by their active interest in human rights

related activities. The Patron of DITSHWANELO, the Archbishop of Central Africa, His Grace W.P.K.

Makhulu was also appointed at that time.

## 1.2 DITSHWANELO's Mission Statement

DITSHWANELO is an advocacy organisation that plays a key role in promotion and protection of human

rights in Botswana society. The Centre seeks to affirm human dignity and equality irrespective of gender, ethnicity, religion, sexual orientation, social status, or political convictions. In pursuit of this mission we seek to educate, research, counsel, and mediate on issues of Human Rights, with specific reference to the marginalised and disempowered. However, due to our commitment to this indivisible nature of Human Rights, this mission extends our regional boundaries to international levels.

1.3 Human Rights concerns identified by DITSHWANELO, 1996-1997  
Historically, DITSHWANELO's focus has been the need to promote a culture of Human Rights within the "liberal democracy" of Botswana. Although relatively stable, Botswana citizens have recorded, both publically and privately, concerns questioning their right to, and entrenchment of, Human Rights practises. Issues such as those listed below were identified areas of concern for DITSHWANELO during 1996-1997.

#### HIV/AIDS epidemic

A very real and major threat directly linked to Botswana's human rights continued development has been, and continues to be, HIV/AIDS. During this time frame Botswana was one of the worst affected countries in Africa, with 23% of the sexually active population believed to be HIV infected. At the household level, the death of parents was creating a major problem of children in distress. The traditional family structures were dramatically altered due to AIDS related deaths or illness, often leaving children in charge. Botswana living with HIV did begin to mobilize, but to date many are still suffering in silence and poverty due to negative public perceptions and reaction. By the year 2000 the number of AIDS orphans within Botswana is projected to reach at least 65,000. The epidemic is still believed to be increasing dramatically.

#### Lack of good governance and the strengthening of civil society

At a national level, DITSHWANELO was active on several fronts. For some time the Centre had been recording allegations of torture and rape of persons held in the custody of the Botswana Police Force, the Botswana Prison Service, the Botswana Defence Force, and the Department of Wildlife. The Centre continues was actively

involved in calls for national law reform on issues such as the abolition of the death penalty; provided objective guidance during parliamentary debates, which concluded in the country's development of the Economic Crime and Corruption Act; released statements publicly questioning the Government's proposed Media Bill; questioned the Government's stand on the use of landmines; and monitored the Government's commitment to the following human rights related issues, as laid out in their 8th National Development Plan (NDP 8):

- Economic diversification, job creation and poverty alleviation.
- Policy reform and strengthening the capacity of the public sector.
- Provision of an economic infrastructure and associated cost recovery.
- Human resource development and population policy.
- Rural development, agriculture, environment and land use policy.

#### Increasing militarism within Botswana

At an international level, DITSHWANELO was active in protesting the Dutch government's attempted sale of 50 tanks, 200 troop carriers, and a battery of light guns to the Botswana Defense Force (BDF). The Centre's concerns were primarily focussed on three issues:

- the implied expansion of the Botswana Defense Force during a time of apparent relative peace in the Southern African Region;
- the allegations of abuse and torture enacted by the BDF toward indigenous persons, "poachers", living within the Central Kgalakgadi Game Reserve (CKGR);
- the BDF's lack of democratic accountability to the citizens of Botswana.

#### Refugees/Asylum Seekers

Still on the national front, DITSHWANELO was called in to assist in the 1996 refugee crisis involving individuals living in the Dukwi Refugee Camp. DITSHWANELO'S role became that of a mediator between the refugee and asylum seekers, the United Nations High Commission for Refugees (UNHCR), and the Government of Botswana. At this time, the Patron of DITSHWANELO, His Grace, Archbishop W.P.K. Makhulu, requested an audience with the President, His Excellency Q.K.J. Masire, in an effort to assist in the release and repatriation of these refugee and asylum seekers from a Botswana high security prison.

#### Minority Rights/The Basarwa

During late 1996, due to the death of Mr. John Hardbattle, leader of the First Peoples of the Kalahari,

DITSHWANELO was requested to provide mediation services between the Government and the First Peoples of the Kalahari. This position of trust was reaffirmed through an official mandate to represent several NGOs at inter-ministerial committee meetings concerned with the relocation of the Basarwa people from the CKGR. Directly linked to this position is DITSHWANELO'S ongoing investigations into the forced removal of a Basarwa community of approximately 400 people in Ngamiland, Botswana.

#### Labor Rights of Domestic Workers

The Centre has undertaken qualitative activist research into the situation and circumstances of domestic workers in Botswana. What has been emerging, as a result of this study, is a coordinated development of 200 domestic workers' understanding of their legal rights as people and employees. Issues raised and focussed upon by this group, have been the question of bargaining power, the definition and validation of their work, the limitations and lack of effective protection by the laws, and the general lack of appreciation of work ethics and the law as related to their circumstances. Concurrently, DITSHWANELO continues to extend this initial work by assisting in the development of extended skills training for Domestic Workers, and to actively lobby the Government for inclusion of Domestic Workers' Rights within the country's labor laws.

#### Homosexual and Lesbian Rights

Currently the laws, and general societal attitudes, within Botswana prohibit ones' choice of sexual orientation. The Centre is actively involved in calls for national awareness raising regarding the legalization of homosexuality between consenting adults.

#### Gender Bias and Legal Inequality

Women have fared worse than men when it comes to sharing in economic opportunities and improved livelihood in Botswana. Women have less access to assets, employment, and high income levels, but experience higher dependency rates and secondary school drop out rates often due to teenage pregnancy. Other areas of concern include conflict and violence against women, maternal mortality, women's modest participation in decision making and political activities, and the constraints of the "Marriage and Community of Property Laws" which appoint the husband as power of attorney over his wife's economic and legal affairs.

## Poverty

In spite of impressive gains in economic and social development, Botswana continued to face great challenges in terms of sustainable human development. Among these perhaps the leading problem is poverty. The recent study of Poverty and Poverty Alleviation in Botswana found that, although poverty is greatly reduced over the past ten years, 47% of the population was still living in poverty (equivalent to 38% of all households). Poverty was highest in remote rural areas, where there are fewer economic opportunities. Other challenges sited, with reference to sustainable human development, were growing unemployment, especially among youth, and the current movement toward retrenchment and privatization within the government.

## Lack of Regional Collaboration

There has been very limited and informal based regional sharing of human rights concerns, related statistics, and research findings within the region. Movement is being made to counter this trend, but to date most human rights organizations within Southern Africa are working in isolation from one and the another with reference to structured/formalized information networking.

### 1.4 DITSHWANELO's aims

DITSHWANELO'S collective activities, operations and interventions were aimed at improving the current and future Human Rights environment within Botswana. Through the identification of communities needs, tangible action plans were established and implemented. The desired improvements of the Human Rights status were the targeted results which the Centre aimed at bringing about. They were based upon realistically obtainable results, the effects of which all of DITSHWANELO'S activities are focussed. In brief they were of a strategic nature and identified as follows:

- Ensuring equal rights for all before the law.
- Advocating and lobbying for law reform with reference to discriminatory laws.
- Improving access to affordable legal assistance.
- Increasing awareness and knowledge of human rights and legal concerns within society.
- Engendering a culture of human rights practise within Botswana society.

### 1.5 DITSHWANELO's objectives

#### 1.5.1 Objectives identified as supporting the Centre

- Achievement of financial sustain ability within the next five years.
- Attraction and retention of high caliber staff.
- Establishment and maintenance of an automated information and documentation centre on human rights.
- Continuation of research into abuse of human rights in Botswana.
- Identification and initiation of test case initiatives in order to challenge existing laws.
- Assuring ongoing human rights education, counselling, and training in Botswana.
- Continued provision of objective and credible mediation services.
- The release of the Centre's research findings as a means of creating public awareness.
- Ongoing monitoring of the Government's commitment to the priorities outlined in the 8th National

Development Plan (NDP 8) for Botswana.

#### 1.5.2 Translation of identified objectives into reality

- Regular up-dating of our in-house policies for financial procedures and administration.
- Training of staff on financial management procedures.
- Determining long range planning for the Centre's programming activities.
- Creation of an annual activity based budgets.
- Reviewing short term and long term financial needs, and fund-raising accordingly.
- Auditing existing research projects to ensure that they are progressing and nearing completion.
- Standardizing the human resources policies and procedures within the organisation.
- Continuation of work on behalf of the marginalised within Botswana's society.
- Providing ongoing support for the Basarwa persons of Botswana.
- 1996 - DITSHWANELO Strategic Planning Workshop, Gaborone Sun, Gaborone, Botswana
- 1997 - DITSHWANELO Strategic Planning Workshop, BNPC, Gaborone Botswana

#### 1.5.3 Evaluation practises employed by DITSHWANELO

Internal evaluation practises:

Financial reports

• monthly financial audits for each programme submitted to the director, and programme leader.

• annual fundraising audits presented to the board.

• annual financial audit presented to the board.

Staff and programme reviews

• monthly staff meetings.

• quarterly Board meetings.

• quarterly programme reports.

• biannual staff reviews.

• biannual project reviews.

• annual work plan reports.

• annual situation analysis.

• annual review of networking endeavors with NGOs and similar institutions.

• annual review of DITSHWANELO'S human resources capacity.

External evaluation practises:

Annual financial audits

- 1996 financial audit was conducted by Price-Waterhouse, Gaborone, Botswana.
- 1997 financial audit was conducted by Price-Waterhouse, Gaborone, Botswana.

Donor review

- 1997 - Final donor review audit was conducted by the Danish Centre for Human Rights.

Board memberships, 1996 - 1997

- African Network for Human Rights and Development (AFRONET).
- Life and Peace Research Institute, Sweden.
- Minority Rights Group, United Kingdom.
- Southern Africa Centre for Non-for-Profit Law.
- World Council of Churches: Sub-committee on International Affairs, Switzerland.

Memberships, 1996 - 1997

- African Commission on Human and Peoples Rights - observer status.
- African Regional Ethics, Law and HIV/AIDS Network.
- All African Conference of Churches.
- Botswana Council of Non-Governmental Organizations - District Coordinator for the

Human Rights

Division (BOCONGO).

- Botswana Ethics, Law and HIV/AIDS Network.
- Botswana Lobby Group re: Government and Police attitudes and perceptions toward domestic violence.

• Botswana Network of AIDS Service Organizations (BONASO).

• Botswana Women's NGO Coalition - Executive Committee Member.

• Central Kalahari Game Reserve Negotiation Team - Non-voting member.

• El Taller, Tunisia.

• Forum on Sustainable Agriculture, Botswana (FONSAG).

• Gaborone Womens' Shelter - Secretary Deputy-Chair for the founding committee.

• Kagisano Society Women's Shelter - Management Committee.

• Network of Southern and Eastern African NGO's, Zimbabwe (MWENGO).

• Southern African Campaign Against Land Mines - Interim Steering Committee.

• Southern African Centre for Not-for-Profit Law.

• Southern African Regional Democracy Fund - Project Committee Co-ordinator (SARDF).

• Southern African Regional Human Rights Non-Governmental Network - Botswana representative

(SAHRINGO).

• Women in Law and Development (WILDAF).

• Working Group of Indigenous Minorities in Southern Africa (WIMSA).

Secretariate, 1996 - 1997

• Under directive from the Botswana Government and the United Nations Development Plan (UNDP), the

Botswana Chapter of the Network on Ethics, Law and HIV Secretariate will be located within the offices

of DITSHWANELO.

Advisory Capacity, 1996 - 1997

- Amnesty International Research Mission to Australia - Investigating human rights violations rooted in systematic discrimination against Aborigines.
- Kuru Development Trust - Advisor to the Board of Directors.

Awards Received, 1996 - 1997

- 1997 - Recipients of the Mellemfolkeligt Samvirke Award from Denmark.

## 1.6 DITSHWANELO's organisational structure during 1996-1997

### 1.6.1 DITSHWANELO'S 1996 - 1997 Board of Trustees

The 1996 - 1997 Board of Trustees was comprised of the following representatives drawn from the national NGO and academic community, and individuals involved in Human Rights related activities.

- Botswana Christian Council
  - Father Bokala
  - G. Moatshe
  - D. Modiega
  - J. Potter
- Childline Botswana
  - B. Monther
  - S. Essack
- Cooperation for Research, Development, and Education (CORDE)
  - K. Molokomme
- Emang Basadi
  - M. Madisa (Chairperson)
  - K. Machangana
  
- Human Rights Association of Botswana (HURABO)
  - R. Khan
  - Canon T. Mwamba
- The Young Women's Christian Association (YWCA)
  - E. Ndlovu
- University of Botswana Legal Aid Clinic
  - M. Mothobi
- Individuals
  - Archibishop W.P.K. Makhulu (Patron of DITSHWANELO)
  - J. Anderson
  - D. Inger
  - Ms. Letshwiti

R. Molefhe

### 1.6.2 DITSHWANELO's 1996-1997 staffing structure

The 1996 - 1997 staffing structure within DITSHWANELO was composed of the following (with one vacancy in the full-time professional staff):

- seven full-time professional staff,
- 3.5 support staff,
- volunteers,
- one student intern per month,
- readily accessible pool of qualified consultants.

### 1.7 Summary of DITSHWANELO's core activities and programmes during 1996-1997

#### • The Secretariate

The aim of the secretariate has been to provide Botswana with a strong focal point for human rights projects; to be recognized as such by all involved organizations and by the donor community; and to establish positive and permanent contact with regional and international human rights networks.

#### • The Human Rights Action Research Programme

The aim of the research programme has been to provide grassroots and objective information on actual human rights violations occurring within Botswana. During the past four years, this information this information has been used to formulate the activities and plans of our paralegal program, education program, information program, and our activism program.

#### • The National Paralegal Training and Services Programme

The aim of the national paralegal programme has been to provide the "marginalised" or "disempowered" within Botswana's society, with the legal knowledge, education, and skills to end the existing cycle of abuse and oppression.

#### • The National Human Rights Education Programme (HUREP)

The aim of HUREP has been to promote Human Rights as something relevant to all Batswana irrespective of gender, ethnicity, religion, sexual orientation, social status, or political convictions. DITSHWANELO's approach entails breaking down the concept of Human Rights into specific educational issues and forums through which different groups in society can be reached and educated.

#### • The National Information Programme

The general aim of the information programme has been threefold. Firstly, the information programme aims at providing accessible information, produced internally and externally, for the board, staff and volunteers of DITSHWANELO. Secondly, the programme aims at providing support to all the Centre's programmes via editorial guidance on style, layout, communication patterns, etc., and on the distribution and promotion of DITSHWANELO'S publications. Thirdly, the information programme officer is to perform public relations and marketing duties for DITSHWANELO.

- Human Rights Activism Programme

The aims of the activism programme to date have been:

- to ensure that DITSHWANELO responds promptly to human rights violations,
- to ensure that DITSHWANELO effectively performs its role as a human rights watchdog, nationally, regionally, and on the continent of Africa, and
- to contribute to the development of a human rights culture in Botswana through law reform, test cases, and advocacy work.

Although DITSHWANELO does not focus on women specifically, but on human rights issues as they affect all citizens, it is policy that all the Centre's operations encompass a gender perspective.

Comprehensive Review of DITSHWANELO's Programmes, 1996 - 1997

## DITSHWANELO'S SECRETARIATE

### Programme Description

DITSHWANELO: The Botswana Centre for Human Rights was established in 1993, following a feasibility study conducted within the Southern African Region. The aim of the Centre, during its inception, was to "learn from the experiences of others working in similar sectors" (The Legal Assistance Centre in Namibia; The Legal Resources Centre in South Africa; The Harare Legal Projects Centre in Zimbabwe), and to examine the opportunities available for the establishment of a regional network. Initial core funding for the Centre was obtained through assistance from the Danish Human Rights Centre and the Danish International Development Agency (DANIDA).

The secretariate forms the core of DITSHWANELO'S management structure, under which the following programmes currently function:

- Research Programme
- Human Rights Education Programme (HUREP)
- Paralegal Programme
- Information Programme
- Activism Programme

The secretariate ensures that the individual programmes within DITSHWANELO are provided with appropriate physical facilities, equipment, staff, and financial management through which to administer their specific projects.

### Programme Aims

The aim of the secretariate is to provide Botswana with a strong focal point for human rights projects, to be recognized as such by all involved organizations and by the donor community, and to establish positive and permanent contact with regional and international human rights networks.

### Programme Objectives

Objectives aimed at strengthening the programme

- Ensure the attainment of financial sustainability for the Centre.
- Ensure that the various programmes with the Centre, are supported via the development of staff policies and procedures.
- Ensure the recruitment of high-caliber long-term staff.
- Providing a clean, and orderly physical environment in which to work.

- Provide leadership for future development through the direction of the Director and Programme Co-ordinator.

- Provide a link to both the Board members and the Botswana community.

Objectives marked as priority projects

- Develop a sound financial policy framework, with financial procedures and administration.

- Develop and implement a fundraising strategy in line with current trends and needs.

- Update existing recruitment strategies, and develop guidelines accordingly.

- Provide management capacity for both satellite and in-house staff.

- Initiate a staff development programme.

Translation of Objectives into Reality

Fundraising - 1996

- Addressed areas of concern within the financial management division of the secretariate, and made changes where necessary.

- Recruited a consultant to provide guidance on strategies and procedures for fundraising.

- Annual Fundraising Dinner - Guest was Prof. D. Davis, U.C.T

- Fund-raiser for the expansion of DITSHWANELO'S services to the rural regions.

- Provided preliminary exploration reports into the use of other community based organizations (CBO's)

- and village development committees (VDC's) to expand into the rural areas.

- Determined a very fair market oriented salary scale in order to attract quality staff.

- Established a review committee to restructure the recruitment policies and guidelines.

- Updated existing job descriptions, interview techniques, etc..

- Made provisions for study leave and continuing education by seeking financial support for temporary staff.

- Held a Human Rights Film Festival.

- Participated alongside FONSAG at the Botswana International Trade Fair.

Fundraising - 1997

- Annual Fundraising Dinner - Guest was Rev. Desmond Tutu, The Truth and Reconciliation Commission.

Workshops - Regional - Attended, 1996

- MWENGO (Mwelekeo wa NGO): Philanthropy and Domestic Fundraising Workshop.

Workshops - Regional - Attended, 1997

- BOCONGO Domestic Fundraising Workshop for Southern Africa.

- Guidelines for NGO good policy and practice.

- National seminar on the review and rationalization of the SADC programme of action.

- Self improvement for the professional secretary.

Human Resources Capacity

Currently the core of the Secretariate was staffed by the Director (50% split with the Activism Programme), Programme Co-ordinator, Bookkeeper, Secretary, and Office Assistant.

## DITSHWANELO'S HUMAN RIGHTS ACTION RESEARCH PROGRAMME

### Programme Description

The action research programme within DITSHWANELO provides a response to mechanism to problems identified at the grassroots level. It is used to establish a forum through which the researcher, through assistance from the community, gathers and interprets data in order to solve practical problems. By linking research to action DITSHWANELO strives to build shared ownership, community based learning, and community action in response to identified problem areas. As such these encounters have developed credibility and validity to the subsequent findings and recommendations within the research reports. These final research reports form the basis of DITSHWANELO'S decision making, the foundation for our action plans, and a mechanism for auditing each stage of a much larger process. The research division of DITSHWANELO is guided by the executive, who are in constant contact with subject specialists. These specialists form the foundation of our research consulting pool. DITSHWANELO works very closely with these researchers, and over the years has come to rely upon their proven capabilities.

### Programme Aims

The aim of the research programme is to provide grassroots and objective information on actual human rights violations occurring within Botswana. It is this information which is used to formulate the activities and plans of our paralegal program, education program, information program, and our activism program.

### Programme Objectives

Objectives aimed at strengthening the programme

- Systematic identification of target groups by Board Members, and Internal Programme Co-ordinators.
- Conduct and Commission research on human rights and related issues in Botswana.
- Conduct workshops with identified target groups to both gather and disseminate information.
- Embark on operational research programmes focussing on human rights status of the target groups.
- Prepare reports outlining the findings from the research.

Objectives marked as priority projects

- Formulate research proposals for funding by donors.

- Publish existing reports for further use within the organization, and by those involved in human rights activism.
- Translating key existing research into ongoing projects within the paralegal, education, and activism programmes.

#### Translation of Objectives into Reality

##### Research - 1996

- Domestic Workers in Botswana - An Action Research Report

##### Fact-finding missions - 1996

- When will this moving stop!, fact finding mission in the Central Kalahari Game Reserve.

##### Fact-finding missions - 1997

- Torture in Botswana - A Preliminary Assessment-completed
- Report on a Fact-finding Mission of the Basarwa community of Saikarawe (Okavango Sub District).

##### Workshops - Regional - Attended, 1996

- Regional Advocacy Workshop
- University of Botswana Fieldwork Seminar

##### Workshops - Regional - Attended, 1997

- Women and Law in Southern Africa: Paralegal Research Methodology

#### Human Resources Capacity

The research teams were composed of persons working within the professions of social work and law, including persons from the University of Botswana. Additionally, DITSHWANELO maintains an up-to-date database on researchers who are well acquainted with Botswana, and who practise within the fields of education, health, sociology and economics.

## DITSHWANELO'S NATIONAL PARALEGAL PROGRAMME

### Programme Description

"Access to justice" is the primary focus of DITSHWANELO'S paralegal programme. The paralegal team functions as front line facilitators of this focus, thus promoting and ensuring the development and protection of Batswanas' rights and freedoms. In this regard the objectives were, and remain, the improvement of the population's awareness of human rights and legal matters, as well as improving their access to affordable legal assistance. One of DITSHWANELO'S most successful endeavors, with reference to access to affordable legal assistance, was the establishment, during 1996, of a satellite office in the Gaborone suburb of Old Naladi. The citizens of this community are composed primarily of low income earners, who exhibit low literacy and job skills, and who have continually shown their need for accessible legal assistance.

### Programme Aims

The aim of the national paralegal programme is to provide the "marginalised" or "disempowered" within Botswana's society, with the legal knowledge, education, and skills to end the existing cycle of abuse and oppression.

### Programme Objectives

Objectives aimed at strengthening the programme

- Establish long-term links for financial sustainability of the programme.
- Attract and retain core permanent staff and volunteers.
- Train paralegal staff to provide legal advice.
- Prepare a syllabus and training manual concerning "Everyday Legal Issues".
- Identify and take-up test-cases as a measure for testing the validity of legislation in Botswana.
- Establish a computerized database on human rights issues within Botswana.
- Develop public awareness/educational materials outlining the 12 primary areas of focus for the paralegal programme.
- Sustain the human resources capacity of receiving at a minimum six or more clients in one day.

Objectives marked as priority projects

- Formulate research proposals for funding by donors.
- Conduct survey research and mapping of target groups.
- Initiation of a test case challenging the constitutionality of the penal code of Botswana, which

criminalizes homosexual behaviour.

#### Translation of Objectives into Reality

1996

During 1996, DITSHWANELO'S Paralegal Programme was involved in 144 cases.

- Labor related cases accounted for 47% of the 144 cases.
- Domestic cases accounted for 33% of the 144 cases.
- License related cases accounted for 13% of the 144 case
- Criminal cases accounted for 7% of the 144 cases.

1997

During 1997, DITSHWANELO'S Paralegal Programme was involved in 268 cases.

While the types of case

expanded beyond those undertaken during 1996, the predominant issues remained labor and domestic related.

Labor related cases account for 59% of Paralegal's activities to-date and include issues such as:

- unlawful termination,
- not being remunerated for work completed,
- not being remunerated for overtime work, travel allowance, or commission earnings.
- lack of workers compensation coverage,
- abuse of pension privileges.

Domestic related cases account for 27% of Paralegal's activities to-date and include issues such as:

- inheritance,
- child custody disputes,
- appeal applications for cases related to domestic abuse,
- adultery,
- maintenance support for women and children,
- divorce,
- seduction.

Criminal related cases account for 7% of Paralegal's activities to-date and include issues such as:

- robbery,
- assault,
- rape,
- murder.

Civil related cases account for 1% of Paralegal's activities to-date and include issues such as:

- non-payment of accounts.

Licence related cases account for .4% of Paralegal's activities to-date and include issues such as:

- immigration,
- motor vehicle insurance claims,
- insurance,
- sale in execution,
- mediation in council market.

Political related cases account for .4% of Paralegal's activities to-date and include issues such as:

- protecting the rights of asylum seekers and refugees living within in Botswana.

Publications:

Pamphlets

- DITSHWANELO: The Botswana Centre for Human Rights - Paralegal/Paralegal Ke Eng? - (Setswana)
- The Death Penalty in Botswana - Botswana Penal Code Section 26 - (English)
- What is a Paralegal? - (English)

Booklets

- Rights of the Domestic Worker
- Know your law series

Workshops - Regional - Attended, 1996

- African NGO Networks Caucus
- FORMSAG - World Summit follow-up workshop: one year after Copenhagen
- SARDC Regional Workshop
- University of Botswana Politics and Administration Society panel discussion
- Workshop on: Affiliation Proceedings Act

Workshops - Regional - Attended, 1997

- 2nd Southern African Human Rights Regional Workshop
- Basic Mediation Skills Workshop
- CIVICUS: African Regional Consultation
- Home Help, Health and Safety Day Course
- International Women's Day Workshop
- National Network of People Living with HIV/AIDS in Botswana
- Pan African Human Rights Consultative Forum: towards an African human rights movement

- People against Rape and Violence
- Sarah Foundraine: DOG Botswana workshop
- Women's NGO Coalition: workshop for parliamentarians
- Workshop on trafficking women

Workshops - International - Attended, 1996

- DHCR - Training workshop
- Justice, Impunity, and Reconciliation workshop

Workshops - International - Attended, 1997

- Centre for Conflict Resolution workshop

Workshops - Regional - Co-ordinated, 1997

- BOC - lecture - Gender issues in Botswana
- Women and Rape
- Women's Fellowship Broadhurst Church - lecture - Human Rights

Conferences - Regional - Attended, 1996

- Lawyers for Human Rights
- Legal Resources Centre Conference

Conferences - Regional - Attended, 1997

- 7th conference - Network of Southern African Legal Aid and Legal Aid NGO's
- INTERIGHTS: the international centre for the legal protection of human rights
- Legal Resources Centre conference
- Regional Human Rights Network conference
- SARDC - Gender advisory group and standing committee

Human Resources Capacity

During 1996 - 1997, the Paralegal programme was supported by one national Paralegal Training

Coordinator, one Paralegal Training Officer, and by student interns from the University of Botswana.

## DITSHWANELO'S HUMAN RIGHTS EDUCATION PROGRAMME (HUREP)

### Programme Description

The Human Rights Education Programme was established in October 1994, by DITSHWANELO to facilitate the creation of a Human Rights culture in Botswana. This is achieved through education and information dissemination programmes targeting the citizens of Botswana, in particular marginalised groups within our population. A key component of HUREP is community involvement. Rather than identifying issues on behalf of communities, HUREP does so in consultation with them.

### Programme Aims

The aim of HUREP is to promote Human Rights as something relevant to all Batswana irrespective of gender, ethnicity, religion, sexual orientation, social status, or political convictions. Our approach entails breaking down the concept of Human Rights into specific issues which different groups in society can relate to.

### Programme Objectives

Objectives aimed at strengthening the programme

- Sensitize society through education and training on human rights.
- Establish education programmes focussing specifically on their rights of children.

Objectives marked as priority projects

- Produce training materials.
- Lobby the government to integrate DITSHWANELO'S Human Rights Educational materials into the school curriculum.
- Conduct community sensitization workshops.
- Initiate public debate on human rights.
- Establish human rights clubs targeting the adult population.
- Evaluate existing syllabi and implement changes where required.

### Translation of Objectives into Reality

Projects ongoing

- Continued to work with the Human Rights Clubs within the schools.
- Conducted Human Rights Clubs training seminars.
- Ongoing development of Human Rights Clubs Information Packages.
- Essay and Poetry competitions focussed on the Domestic Worker.
- Development of a reference booklet for Asylum Seekers and Refugees in Botswana.

Completed projects

Pamphlets

- Children's Right.

- Why Childrens' Rights? Facts.
- Botswana HIV/AIDS and Human Rights Charter" - (English/Setswana).
- Acquired Immune Deficiency Syndrome / AIDS Mathatha Mo Botswana.
- The conditions of Basarwa Human Rights in Botswana.
- Draft code of practise on HIV/AIDS and employment.
- Self-esteem and dignity pamphlet.

#### Puzzles

- Human Rights Quiz Squares

#### Drama

- Searching for Justice - HIV/AIDS and Human Rights / Roleplay Activity

#### Calendar

- Human Rights Calendar 1997

#### Stickers

- Fight HIV/AIDS - not - the people living with it!
- People with HIV/AIDS have Human Rights too!

#### Training manuals

- Human Rights Teacher's Manual
  - Human Rights Tsa Bana! Human Rights Modules for Secondary School Teachers
  - Ke Tsa Rona!: A participatory Human Rights Education Training Manual for Youth

#### and Non-Formal

Sectors (Setswana/English).

- REDI: Shared Rights, Shared Responsibilities - HIV/AIDS and Human Right

#### Peer education activities

- Human Rights Clubs Training Seminars

#### Workshops - Regional - Attended, 1996

- Botswana Federation of Trade Unions: presentation of the code of practise on AIDS and employment

to the minister of labour and home affairs

- Conflict resolution and decision-making among the Basarwa
- Implementation plan for the proposed distance education college for Botswana
- University of Botswana - International Health Programme

#### Workshop - Regional - Attended, 1997

- Anglican Church 25th Anniversary Talk Show - "Rights of a child: their rights and responsibilities"

- Debswana Diamond Company (Pty.) Ltd.: Jwaneng mine AIDS awareness day.
- FONSAG annual planning workshop
- FONSAG: policy reform workshop
- Impact of HIV/AIDS at the company level - Botswana
- Government of Botswana. Ministry of Health workshop: Drug Abuse
- South African Campaign to Ban Landmines
- UNICEF Regional Convention on the Rights of the Child - Convention on the

#### Elimination of all Forms

of Discrimination Against Women Workshop

- Women's Shelter Project Workshop

- Workshop on the Socio-Demographic impact of HIV and the consequences for Socio-Economic development

#### Workshops - Regional - Co-ordinated, 1996

- Children's Rights workshop for the social workers of the Gaborone City Council
- Children's Rights workshop for the social workers of the North-East District Council
- Public Forums:
  - Children's Rights: how accessible are they for the African Child
  - Disability and Human Rights
  - How accessible is the Law
  - Human Rights and Culture: do women's rights go against our culture?
  - Human rights and the Press
  - The Right to Development

#### Workshops - Regional - co-ordinated, 1997

- Children's Rights Workshop
- Moshupa Secondary School Workshop on Child Abuse and Teen Pregnancy
- Rights of a Child Prisoner
- Sexual Harassment
- Teenage Mothers

#### Conferences - Regional - Attended, 1996

- BNPC's First Stake Holder Conference on Productivity
- Human Rights Education Conference
- Regional Co-operation in Environmental Government Conference

#### Conferences - Regional - Attended, 1997

- Conference on AIDS in African Prisons
- O.A.U. Conference on Landmines
- Landmine Conference
- University of Botswana: challenging sexual harassment and sexual violence in Southern African Tertiary Institutions of Education

#### Conferences - International - Attended, 1997

- 4th International NGO Conference on Landmines: towards a mine free Southern Africa

#### Human Resources Capacity

The HUREP component within DITSHWANELO was staffed by one Human Rights Education

Programme Coordinator, and a number of volunteers from the University of Botswana, the community, and from international volunteer agencies.

## DITSHWANELO'S HUMAN RIGHTS INFORMATION PROGRAMME

### Programme Description

The information programme within DITSHWANELO was established, and continues, to ensure that the staff and volunteers of the Centre have access to in-house research reports, basic legal and educational information, editorial support for the publication of documents, and overall support for public relations endeavors.

### Programme Aims

The general aim of the information programme is threefold. Firstly, the information programme aims at providing accessible information, produced internally and externally, for the staff and volunteers of DITSHWANELO. Secondly, the programme aims at providing support to all the Centre's programmes via editorial guidance on style, layout, communication patterns, etc. and on the distribution and promotion of DITSHWANELO'S publications. Thirdly, the information programme officer is to perform public relations and marketing duties for DITSHWANELO.

### Programme Objectives

Objectives aimed at strengthening the programme

- Create and support a database on human rights situation for the paralegal programme.
- Provide guidance on editorial layout, repackaging, and final distribution of the documentation.
- Publish reports emanating from DITSHWANELO.
- Create and support a database to assist and store the research programme of the Centre.
- Maintain an up-to-date information and documentation centre within DITSHWANELO.
- Provide public relations and marketing strategies and support for the Centre.

Objectives marked as priority projects

- Hire and retain a qualified information officer.
- Issue press releases based upon research findings, and test case results.
- Publish two monthly newsletters for the Centre.
- Publish and distribute research reports, pamphlets, and booklets.
- Establish links with relevant data collecting agencies concerned with human rights.
- Establish a public presence for DITSHWANELO within Botswana and the region.

### Translation of Objectives into Reality

1996 - 1997

- Submission of the SARDC Country Profile on Women in Botswana.

- Launching of an in-house video on DITSHWANELO and Human Rights in Botswana.
- Launching of: Tsa Bana!: Human Rights Modules for Secondary School Teachers.
- Primary contact for all visitors to DITSHWANELO.

#### Completed projects

##### Pamphlets

- DITSHWANELO: The Botswana Centre for Human Rights (English / Setswana)
- DITSHWANELO: The Botswana Centre for Human Rights - Our Mission

##### Statement

- Domestic Workers Guidelines - (Setswana)
- Human Rights Education Programme - HUREP
- Information for Asylum Seekers in Botswana
- HIV / AIDS and Human Rights
- DITSHWANELO: The Botswana Centre for Human Rights
- REDI Project: Shared Rights; Shared Responsibilities: HIV / AIDS and Human

##### Rights

##### Booklets

- Rights of the Domestic Worker - (English / Setswana)

##### Manuals

- DITSHWANELO: The Botswana Centre for Human Rights - Draft Polices and

##### Procedures Manual

##### Project reports

- 1996 - REDI: Shared Rights; Shared Responsibilities.

#### Workshops - Regional - Attended, 1996

- African Commission for human and peoples rights
- BOCONGO - Dukwi Settlement
- Botswana Youth Rally - Opening speech: Youth today and social change
- Disadvantaged groups at Heinaveld at Ncgaku
- International Human Rights Day - Speeches presented, Gaborone, Botswana
- SADC National seminar
- SARDC Workshop
- Southern African Human Rights Non-Governmental Organizations Workshop -

#### Official opening speech

- UNDP - Human Development Report
- UN - International refugee law and policy seminar

#### Workshops - Regional - Attended, 1997

- AFRONET Strategic Planning meeting
- Botswana Journalists Association Workshop - the Mass Media Communications

#### Bill

#### Conferences - Regional - Attended, 1996

- Ethics, Law, and HIV Network
- THENGO Legislative Conference
- U.S. Peace Core Volunteer's Conference

#### Conferences - Regional - Attended, 1997

- African Network on Ethics, Law, and HIV: strategic planning workshop

Conferences - International - Attended, 1997

- European Network for Information and Action on Southern Africa

Human Resources Capacity

The senior programme position was vacant due to the resignation of the information officer during February, 1997. Recruitment for this post commenced during 1998. All other staffing for this programme was facilitated through job sharing within DITSHWANELO, and through volunteers to the Centre.

## DITSHWANELO'S HUMAN RIGHTS ACTIVISM PROGRAMME

### Programme Description

The activism programme within DITSHWANELO was established to deal with issues which both require urgent attention and are not being dealt with by already existing programmes.

### Programme Aims

The aims of the activism programme are threefold:

- to ensure that DITSHWANELO responds promptly to crisis situations which demand urgent action,
- to ensure that DITSHWANELO effectively performs its role as a human rights watchdog, nationally, regionally, and on the continent of Africa, and
- to contribute to the development of a human rights culture in Botswana through law reform, test cases, and advocacy work.

### Programme Objectives

Objectives aimed at strengthening the programme

- Establish a performance monitoring system.
- Monitor government's acknowledgment and adherence to international treaties.
- Provide expertise and information on consultative basis to ensure financial sustainability of the programme.
- Advocate the reform of laws which encourage human rights abuses.
- Act as a mediator where human rights issues are a concern.

Objectives marked as priority projects

- Identify a staff member to monitor Government activities.
- Train staff in monitoring and evaluation.
- Work with the Centre's information officer to properly develop this programmes public relations potential.
- Challenge the Law Reform Committee regarding effectiveness and credibility .
- Prepare proposals for alternative law reforms.
- Provide up-to-date training in conflict mediation and resolution.

### Translation of Objectives into Reality

The prominent issues of 1996 - 1997

- Publicly supported concerns surrounding the "Media Draft Bill: 1997" .
- Met with District Commissioners concerning alleged poor conditions within Botswana's prisons.
- Conducted a public forum outlining the facts ascertained during the fact finding mission on the Basarwa communities in Ngamiland.

- Coordination of a test case based upon one's freedom from discrimination on the right of association and the right to privacy, with reference to the Botswana Constitution.
  - Monitored and publicized human rights abuses in Botswana.
  - Publicly supported land rights initiatives.
  - Campaigned against the imprisonment and/or forced repatriation of refugees/asylum seekers in Botswana.
  - Continued to advocate for, and provide support for, the Basarwa communities in Botswana.
  - Continued to provide prompt reaction to identified "emergency" legal issues.
  - Continued to publicly support all legal aid endeavors undertaken by the Centre.
  - Lobbied Government and the Organization for African Unity with reference to civil unrest and human rights violations in Kenya.
  - Issued letters of support to requesting Non-Governmental Organizations in Kenya, with reference to the current situation of civil unrest.
  - Investigation of alleged corruption within the BDF, and in conjunction with the Central Tender Board.
  - Released a statement in support of the International Human Rights Day, 1997.
  - Prepared a submission to BOCONGO with reference to requests for the 1998 Botswana Budget Speech.
  - Released a statement supporting human rights concerns in Swaziland.
  - Lobbied against the sale of military equipment between the Government of the Netherlands and the Government of Botswana.
  - Lobbied the Government for effective and non-discriminatory HIV/AIDS legislation.
- Research reports, 1996
- When will this moving stop? (Report issued as a result of a fact-finding mission conducted in the Central Kgalagadi Game Reserve.).
- Research reports, 1997
- Draft Media Bill Report.
  - Basarwa Resettlement Plan in Ngamiland, Botswana.
- Fact-finding missions, 1996
- When will this moving stop!, fact finding mission in the Central Kalahari Game Reserve.
- Fact-finding missions, 1997
- Report on a Fact-finding Mission of the Basarwa community of Saikarawe (Okavango Sub-District).
- Working groups, 1997
- Part of a national working group focussed on lobbying both the Government and Police, with reference to attitudes and perceptions surrounding domestic violence.
  - Accepted an invitation from the Commissioner of Police to discuss human rights training for the

Botswana Police Force.

Workshops - Regional - Attended, 1996

- Basarwa Research Workshop.
- Botswana Society Symposium on the Quality of Life in Botswana.
- Consultative Seminar on Violence Against Women - paper presented
- A Discussion on Co-Habitation.
- EUROSTEP consultation with Southern African Partners.
- International Council on social welfare - Introductory Speech
- Maru-a-pula School - human rights forum.
- Southern African NGO Human Rights Workshop - Opening Address
- World Consumer Rights Day.

Workshops - Regional - Attended, 1997

- AFRONET/Amnesty International training - Lobbying and Advocacy Roles
- American Women's International Association - Role of DITSHWANELO in Botswana.
- Botswana Christian Council's Workshop: Indigenous People's Consultation Programme - speech delivered, "Botswana Context - Issues of Indigenous People".
- Botswana National Youth Council: official launching for the month of Youth Against AIDS.
- GBC's Talkshow: Focusing on AIDS in Botswana.
- Human Rights Reporting: national capacity strengthening.
- MISA Botswana - media code of ethics workshop.
- National Action Programme for the convention to combat desertification and drought workshop for women.
- National workshop on Post-Beijing.
- Training of the negotiating team and election of leaders from the Human Rights organisation, Lawyers, etc.. - CKGR: First people of the Kalahari.
- UNDP and the Department of Women's Affairs Workshop: National Gender Programme.

Workshops - International - Attended, 1996

- IUCN Workshop on Indigenous Knowledge and Practice in Natural Resource Management - World Conservation Congress.

Workshops - International - Attended, 1997

- Partnership Africa

Conferences - Regional - Attended, 1996

- IDSA Conference on Information: a foundation of democracy.
- Role of the Military in Democratisation: a Southern African perspective.

Conferences - Regional - Attended, 1997

- Annual Congress of the Medical and Dental Association of Botswana.
- Conference on Women and the Environment.

- Electoral Institute of South Africa: roundtable discussion.
- EU-ACP Cooperation in Agriculture and Rural Development after 2000.
- Regional conference on Human Rights in Southern Africa.
- Women's NGO Coalition.

#### Human Resources Capacity

The activism programme is staffed by the Director of the Centre, and supported by the Programmes Director.

Audited Financial Statements, 1996 and 1997