

DITSHWANELO ANNUAL REPORT

1998



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HISTORICAL BACKGROUND

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.

DITSHWANELO'S MISSION STATEMENT

<p>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.</p>

HUMAN RIGHTS CONCERNS IDENTIFIED BY DITSHWANELO

DITSHWANELO's focus has always 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 as primary areas of concern for DITSHWANELO during 1996-1997, and remain focal points within our organisation's ongoing planning.

1996-1997 (see DITSHWANELO's 1996 - 1997 Two Year Report for more specific details)

- *HIV/AIDS EPIDEMIC*
Lack of good governance and the strengthening of civil society
- Increasing militarism within Botswana
- *REFUGEES/ASYLUM SEEKERS*
- *MINORITY RIGHTS/THE BASARWA*
- *LABOR RIGHTS OF DOMESTIC WORKERS*
- *HOMOSEXUAL AND LESBIAN RIGHTS*
- *GENDER BIAS AND LEGAL INEQUALITY*
- *POVERTY*
- *LACK OF REGIONAL COLLABORATION*

Leading up to and during 1998, the following concerns were further identified, and responded to by the Centre:

1998

- *BASARWA - NATIONAL - LAND CLAIMS*

During the past five years DITSHWANELO has received increased reports of torture and coercion being levied against the Basarwa by the Botswana Government. Much of these reports centre around the issue of the Government's desire to move the Basarwa into permanent communities, and away from their current geographical and social environment.

The implied basis of the Government's claims is their desire to provide improved education and healthcare facilities, and 'modern citizenship rights'.

The understood basis of these claims is much more complicated. The current geographical territories under question are desired, by the Government, for expansion of the existing tourism and mining industry within Botswana.

Historically, the Basarwa communities being relocated have been, and still are, considered "marginalised", with reference to their rights socially, economically, and politically. During 1995, the late John Hardbattle, the then leader of the First People of the Kalahari, petitioned the United Nations for assistance with their claims, as the Basarwa were being denied their constitutional rights to land, democratic representation, linguistic choice, and culture. The reports and claims which substantiate the above are numerous. (Copies of our reports entitled "When will this moving stop?"; "Research Reports: Part 1 and 2 - Basarwa Communities Outside the CKGR"; "Basarwa Fact-Finding Mission - Nov.'98")

- *BASARWA - INTERNATIONAL - LAND CLAIMS*

Linked closely to the national issues are those of an international nature. While the Basarwa of the Central Kalahari Game Reserve must battle with the Botswana Government on the issue of national land claims, they must in-turn solicit the assistance of the Government with reference to international claims. There are a number of Basarwa communities which exist along the Botswana - Namibia border. As the Basarwa are by tradition hunter-gathers, and nomadic by culture, they often cross international borders without understanding the political implications of such actions.

Those less rooted in the nomadic lifestyle find themselves involved in the current dispute, between Botswana and Namibia, surrounding the Caprivi Strip. The communities in question have allocated 'ploughing lands', located in the Caprivi Strip, and are therefore often accused of illegally ploughing either in Botswana or Namibia.

• *BASARWA - LAND RIGHTS BOOKLET - "KNOW YOUR LAW SERIES: PART 5"*

In response to complex issues of land rights, DITSHWANELO, Kuru Development Trust, Working Group of Indigenous Minorities in Southern Africa (WIMSA)-Botswana, and the First Nations - USA have begun the necessary procedures required to design and implement a 'land rights booklet'. The booklet will then be used to train opinion leaders within the Basarwa communities about their land rights, and they in turn will be expected to educate their communities. The ultimate objective is to address the issues of democratisation and empowerment of a marginalised community of citizens.

• *BOTSWANA GOVERNMENT'S RATIFICATION OF INTERNATIONAL HUMAN RIGHTS CONVENTIONS*

Listed below are both the United Nations (U.N.) and the African Human Rights Conventions which Botswana has signed and not signed. While a 50% rate of signing may be viewed as progressive, we at DITSHWANELO's remain concerned. During the past decade, ongoing contraventions of both the signed and unsigned conventions has occurred within the borders of this country. The lack of efficacious behaviour on behalf of the Botswana government is quite alarming.

United Nations Human Rights Conventions:

NOT SIGNED

Convention Against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment
International Convention on the Protection of the Rights of All Migrant workers and Members of their Families
International Covenant on Civil and Political Rights
International Covenant on Economic, Social and Cultural Rights

ACCESSION, AND "EIF DATE" AND DATE OF "RECEIPT OF INSTRUMENT" PROVIDED

Convention on the Elimination of All Forms of Discrimination against Women

EIF date - 12/09/96

Rec. of instr. - 13/08/96

Convention on the Rights of the Child

EIF date - 13/04/95

Rec. of instr. - 14/03/95

International Convention on the Elimination of All forms of Racial Discrimination

EIF date - 22/03/74

Rec. of instr. - 20/02/74

African Charter on Human and Peoples' Rights:

Ratified the Charter 17/07/86

Bi-annual reports have not been submitted since the ratification date.

During the past 24 months, DITSHWANELO has been involved in both research and test case development which reveal and challenge the current lack of efficacy, with reference to ratification of UN and Organisation of African Unity (OAU) conventions, by the Botswana Government.

Our preliminary findings into the existence and use of torture in Botswana (a copy of the report is available upon request.) warrants further in-depth investigation and continued lobbying of the Government to sign the UN *Convention Against Torture and Other Cruel Inhuman or*

Degrading Treatment or Punishment, and the International Covenant on Civil and Political Rights.

DITSHWANELO's continued assistance to the Baswara, with reference to land, linguistic, education and health care rights, has proven to reconfirm the Government's lack of commitment to the rights of minority groups within the country, and the International Covenant on Economic, Social and Cultural Rights. (Copies of our reports entitled "When will this moving stop? - 1996"; "Research Reports: Part 1 and 2 - Basarwa Communities Outside the CKGR"; "Basarwa Fact-Finding Mission - Nov. '98")

- *DEATH PENALTY*

DITSHWANELO's intervention in the criminal case "Criminal Trial No. F58 of 1995 - T.P. Maauwe and G.B. Motswetla" further illustrates the need for monitoring of Government action. The Centre's initial concern, with reference to this case, was due to the fact that the Botswana Commissioner of Prisons denied DITSHWANELO basic information such as the actual date of execution for these men.

While this test case will only reach the courts during 1999, DITSHWANELO has offered, with the offer being accepted, to provide efficacious counsel for these two men. The ultimate goal of pursuing this test case is to solicit both private and public will for the abolition of the death penalty, and ratification of the International Convention on Civil and Political Rights.

- *DOMESTIC VIOLENCE*

During late 1997, DITSHWANELO completed their preliminary assessment on "Torture in Botswana", which revealed overwhelming evidence and indicators of abuse, due to domestic violence. In all cases the survivors were identified as being female, not belonging to any one age group, geographical location, ethnic, economic, religious, or educational background. The perpetrators of the abuse were identified as legal spouses, partners, or ex-partners, but never a stranger. The identified and recorded forms of abuse were predominantly physical in nature, not psychological. Women in Botswana are subjected to beatings / assault, which are often accompanied by the use of a weapon and / or rape.

By the close of 1997, under public pressure from various national Non-Governmental Organizations, of which DITSHWANELO was one, the Botswana Police Force carried out an internal investigation into their Department's responses to complaints of domestic violence. While the Police Department conducted an extensive examination, which revealed need for action, they announced that due to fiscal restraint they would not be establishing the much required "Domestic Violence and Child Abuse Unit". Similarly, the Police Department did not make any future provisions, with reference to domestic violence, as they make no reference to such an effect in either National Development Plan 8 (NDP 8) or Vision 2016.

- *INHERITANCE LAWS AND AIDS ORPHANS*

A very real and major threat directly linked to Botswana's human rights record is HIV/AIDS. By the year 2000, the number of AIDS orphans within Botswana is projected to reach approximately 65,000, with 10 children under the age of five dying every day from AIDS related problems. Many children will be left orphaned by the death of parents due to AIDS. Negatively compounding these statistics are the current inheritance laws of Botswana which discriminate against a non-marital child. Botswana employs both common law and customary law, both of which deny the father of a non-marital child powers of guardianship. The consequence of this ruling is that the non-marital child is

not entitled to inherit from his/her biological father unless such is provided for under the biological father's will. If no provision is made in such a will, there is no right of inheritance, including from the estate of the biological father's relatives. Marital children on the other hand can succeed intestate from both their parents and are further entitled to succeed to their parents' relatives in the absence of any other heirs.

- *MEDIA BILL AND FREEDOM OF THE PRESS*

During 1998, the government presented a draft media bill which if accepted by the Botswana Parliament would have monitored/regulated the media coverage within Botswana. DITSHWANELO was one of many players within the Botswana Non-Governmental Organisation (NGO) community to lobby government and assist in the democratization of the proposed media bill. DITSHWANELO also provided public support during this time for two local journalists who were formally charged with inciting civil unrest due to their reporting of youth gang activities in Maun, Botswana. While the charges were eventually dropped the incident highlights the lack of one's true democratic rights within Botswana's society. These rights are further affected by the Government's current position on the International Covenant on Economic, Social and Cultural Rights.

- *WATER*

As far as the national policy of Botswana concerns, the government finds piping water from the Okavango/Chobe rivers expensive and seems more comfortable with drilling boreholes, the community see piping river water as cheap and reliable. In Shakawe, the government was accused of supplying salty and sometimes unclean water. Children suffered from diarrhoea and people preferred afterwards to fetch the water from the river.

Namibia is planning a giant multi-million pula pipeline canal, the Eastern National water Carrier, which will carry water to Windhoek. The amount of water siphoned off will effect available resources for those further down the water shed, i.e. Botswana. As Botswana is a semi-arid country, this external impact coupled with internal impacts such as increasing human population, agricultural and industrial demands, tourism, etc. will put additional pressure on this existing, and primary, water resource.

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.

DITSHWANELO'S OBJECTIVES

Objectives identified as supporting the Centre

- Achievement of financial sustainability within the next five years.
- Attraction and retention of committed 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 for Botswana.

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.

EVALUATION PRACTISES EMPLOYED BY DITSHWANELO

Internal evaluation practises

Financial reports

- monthly financial audits for each programme submitted to the Director, and Programme Coordinator.
- 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 endeavours with NGOs and similar institutions.
- annual review of DITSHWANELO's human resources capacity.

External evaluation practises

Annual financial audits

- 1998 financial audit was conducted by Price Water House Coopers, Gaborone, Botswana.

Board memberships, 1998

- African Network for Human Rights and Development (AFRONET).
- Life and Peace Research Institute, Sweden.
- Minority Rights Group, United Kingdom.
- Network of Southern and Eastern African NGO's (MWENGO) - Zimbabwe

Memberships, 1998

- 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 Organisations - Coordinator for the Human Rights Division (BOCONGO).
- Botswana Ethics, Law and HIV/AIDS Network.
- Violence Against Women Working Group - Women's NGO Coalition..
- 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 Regional Human Rights Non-Governmental Network - Botswana Representative (SAHRINGON)
- Southern African Regional Democracy Fund - Project Committee Co-ordinator (SARDF).
- Women in Law and Development (WILDAF).
- Working Group of Indigenous Minorities in Southern Africa (WIMSA).

Secretariat, 1998

- Under directive from the Botswana Government and the United Nations Development Plan (UNDP), the Botswana Chapter of the Network on Ethics, Law and HIV Secretariat will be located within the offices of DITSHWANELO.

Advisory Capacity, 1998

- Kuru Development Trust - Advisor to the Board of Directors.

CHALLENGES ENCOUNTERED IN FULFILLING ORGANISATIONAL OBJECTIVES

- Key senior staff vacancies:
 HUREP : Departure of a full-time expatriate consultant during July '98. Promotion of this consultant's assistant during August '98, to the position interim coordinator.
 Paralegal: Departure of a full-time expatriate consultant during July '97. Post filled during March '98 and subsequently vacated November '98.
 Information: Departure of a full-time consultant during 1997. Post filled during August, 1998.

Senior management have had to take over where programmes have collapsed due to staff departures and changes. In all, much of the work has been done by very few, thus creating a very stressful working environment and lower than desired productivity.

DITSHWANELO'S ORGANISATIONAL STRUCTURE DURING 1998

Patron of DITSHWANELO

Archbishop W.P.K. Makhulu

DITSHWANELO's 1998 Board of Trustees

The 1998 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

D. Modiega

Childline Botswana

B. Monthe

Cooperation for Research, Development, and Education (CORDE)

K. Molokomme

Emang Basadi

M. Madisa (Chairperson)

K. Machangana

Human Rights Association of Botswana (HURABO)

R. Khan

The Young Women's Christian Association (YWCA)
E. Ndlovu
University of Botswana Legal Aid Clinic

M. Mothobi
Individuals
J. Anderson
D. Inger
R. Molefhe

DITSHWANELO's 1998 staffing structure

The 1998 staffing structure within DITSHWANELO was composed of the following (with one vacancy in the full-time professional staff filled during late 1998, and one position becoming empty during late 1998):

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

**SUMMARY OF
DITSHWANELO's CORE
ACTIVITIES AND PROGRAMMES
DURING 1998**

• ***The Secretariat***

The aim of the Secretariat has been to provide the citizens of Botswana with a strong focal point for human rights understanding; to be publically recognized as such by the community it serves and by the donor community; and, to establish positive and permanent contact with regional and international human rights networks.

The Secretariat also supports the efforts of the Centre's individual programmes by providing a co-ordinated body of administrative and financial management.

• ***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 has been used to formulate the activities and plans of our Paralegal

Programme, Education Programme,
Information Programme, and our
Activism Programme.

- ***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.

WAY FORWARD FOR 1999

- Engage appropriate legal and research staff in order to properly undertake the identified test case with reference to the death penalty.
- Continue providing assistance and mediation for those involved with land rights issues and the Basarwa.
- Establish a satellite office in Kasane in order to enhance direct communication with those involved in the land rights issues.
- Identify and employ a researcher to further the Centre's research on Torture in Botswana.
- Development and delivery of human rights education information for the "Primary School Human Rights Education Manual".
- Continue the Centre's practises of responding to the needs of those working with and afflicted by HIV/AIDS.
- Continue supporting the newly established organisation "Lesbian, Gays, and Bisexuals of Botswana" (LEGABIBO).

Comprehensive Review of DITSHWANELO's Programmes, 1998

DITSHWANELO'S SECRETARIAT

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 Secretariat forms the core of DITSHWANELO's management structure, under which the following programmes currently function:

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

The Secretariat 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 Secretariat 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.
- Acquire permanent offices within the City of Gaborone's commercial zone.

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.
- Begin the process of identifying appropriate office accommodation.

TRANSLATION OF OBJECTIVES INTO REALITY

Appointments

Elected as Secretariat of HIV/Ethics and Law Network

Fundraising

Annual National Dinner and Dance

Fund-raising meetings with the Protestant Association for Cooperation in Development / Evangelische Zentralstelle für Entwicklungshilfe E.V. (EZE), HIVOS, UNICEF, Canada Fund, British High Commission, Missions Abroad, Danish Centre for Human Rights, Swedish International Development Agency (SIDA), Minority Rights Group - U.K., Survival International, Catholic Fund for Overseas Development (CAFOD), Christian Aid, Rowntree Foundation.

Publications

1996-1997 Narrative Report Finalised

1997 Financial Year Audit Finalised

Draft revised "Policies and Procedures Manual" prepared for the Board

Promotion

Magazine article published in the Marung Magazine outlining DITSHWANELO's activities.

CONFERENCES - REGIONAL - COORDINATED, 1998

Convenor for the "Human Rights and Democracy Conference" - Gaborone, Botswana (sponsored by SIDA)

CONFERENCES - INTERNATIONAL - ATTENDED, 1998

African Regional Consultation for Non Governmental Organizations, Kampala, Uganda

HUMAN RESOURCES CAPACITY

Currently the core of the Secretariat was staffed by the Director (50% split with the Activism Programme), Programme Co-ordinator, Bookkeeper/Driver,

Secretary, Office Assistant, and Gardener.

THE SECRETARIAT'S IDENTIFIED STRENGTHS AND WEAKNESSES, 1998

Identified strengths:

Installation of an automated financial management system.

Continued to work with staff to develop and implement work plans.

Identified weaknesses:

Ongoing battle to find and retain high caliber and committed staff

WAY FORWARD FOR 1999

- To contribute to the achievement of management practises of high standards that aim to strengthen institutional capacity and sustainability.
- To attract and retain high calibre staff.
- To plan effective management of activities, projects, and programmes.
- Coordination of a financial management plan to strengthen institutional capacity and sustainability
- To develop national and international fundraising strategies.
- To ensure that the organisation stays true to its mission and objectives.
- To contribute to the strategic development of the centre.

**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 Programme, Education Programme, Information Programme, and our Activism Programme.

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

Internal Torture Report finalised.

External Torture Report finalised and released.

Fact-Finding Missions

Fact - Finding Mission, November 1998
- Basarwa outside the Central Kalahari Game Reserve (CKGR.)

Lobbying Activities

Met with De Beers Prospecting, on behalf of the Negotiating Team, in order to explore their position with reference to their prospecting activities at Gope, in the CKGR.

Briefed Survival International about developments in the CKGR, and obtained more understanding about their work in Botswana.

Met with the British High Commissioner in order to clarify the role of the Botswana NGO community, in comparison to that of the Government of Botswana and organizations such as Survival International, with reference to

the resettlement of communities in the CKGR and the proposed Department for International Development (DFID) poverty conference.

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.

THE ACTION RESEARCH PROGRAMME'S IDENTIFIED STRENGTHS AND WEAKNESSES, 1998

Identified strengths:

Able to conduct in-depth investigations as required.

Identified weaknesses:

Permanent staff are often engaged in other projects, and therefore this programme often relies on the skills of consultants.

WAY FORWARD FOR 1999

Prepare for an in-depth research project on torture.

DITSHWANELO'S NATIONAL PARALEGAL PROGRAMME

PROGRAMME DESCRIPTION

"Access to justice" continued as the primary focus of DITSHWANELO's Paralegal Programme during 1998. The Paralegal Team fulfilled their role as a front line facilitator of this focus, by ensuring DITSHWANELO clients with ready access to a learned base of legal knowledge and expertise. The desired impacts were noted as the Paralegal Team fulfilled their role as both a support mechanism for those prepared to exercise their rights, and as a mediator for those wishing to pursue resolution outside the legal system.

In this regard the Paralegal Programme's objectives were, and have remained, the improvement of the Batswana's awareness of human rights and legal matters, as well as improving their access to affordable 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.
- Finalize the 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.

- Providing legal assistance for criminal cases.
- Establish a computerized database on human rights issues within Botswana.
- Launch public awareness/educational materials outlining the 12 primary areas of focus for the Paralegal Programme's "Know your Law" series.
- Address the Paralegal Team's productivity by scheduling and receiving at a maximum of six clients in one day.

Objectives marked as priority projects

- Formulate research proposals for funding by donors, in order to sustain the programme and required human resources capacity.
- Conduct survey research and mapping of target groups.
- Launch public awareness/educational materials outlining the 12 primary areas of focus for the Paralegal Programme.
- Collating the information required for the Paralegal Syllabus and Training Manual.

TRANSLATION OF OBJECTIVES INTO REALITY

406 cases attended to by the Paralegal Staff during 1998:

Labour related cases accounted for 46% of Paralegal's activities during 1998.

- Civil related cases accounted for 26% of Paralegal's activities during 1998.
- Mediation of non-legal related cases accounted for 11.6% of Paralegal's activities during 1998.
- Contractual cases accounted for 7.4% of Paralegal's activities during 1998.
- Criminal related cases accounted for 5% of Paralegal's activities during 1998.
- Political cases accounted for 2.2% of Paralegal's activities during 1998.
- Immigration related cases accounted for 2% of Paralegal's activities during 1998.
- Domestic related cases accounted for 0.2% of Paralegal's activities during 1998.

Press Statements

- The Death Penalty
- May Day Celebrations and the Domestic Workers Group
- World Press Freedom Day
- Censorship of Journalists

- The Penal code Amendment Act, of 1998
- Discrimination against Gays and Lesbians

Advocacy Work

Refugees

May Day demonstration of domestic workers.

Monthly meetings for the 200 members of the Domestic Workers Project.

Analysis and position paper on Amended Penal Code Act 31 of 1997.

Publications

Production of Know Your Law Series: Parts 1-4

Co-ordination of final production of SARDC book : Women in Botswana

WORKSHOPS - NATIONAL - ATTENDED, 1998

- Botswana Open Society Launching, Gaborone, Botswana.
- Culture and Human Rights, Gaborone, Botswana.
- Police Conference February'98, Gaborone, Botswana.

CONFERENCES - REGIONAL - ATTENDED, 1998

- International Lesbian and Gay Association, Johannesburg, South Africa
- National Coalition for Gay/Lesbian Equality, Johannesburg, South Africa
- Southern African Network of Legal Assistance NGO's Conference, Johannesburg, South Africa

CONFERENCES - INTERNATIONAL - ATTENDED, 1998

- Protection of Human Rights at a National Level, Ireland

HUMAN RESOURCES CAPACITY

During 1998, the Paralegal Programme was supported by one national Paralegal Training Coordinator, who was hired during March, 1998, one Paralegal Training Officer, and by short-term student placements from the University of Botswana.

**THE PARALEGAL PROGRAMME'S
IDENTIFIED STRENGTHS AND
WEAKNESSES, 1998**

Identified strengths:

- The number of cases reviewed by DITSHWANELO indicates an increased community perception that The Centre is successfully providing the “marginalised”, or “disempowered”, with “access to justice”.
- The Paralegal Team was presented with several possible test cases during the 1998 period.
- The low number of queries related to domestics workers labour issues reflects upon DITSHWANELO’s success in this area.

Identified weaknesses:

- Limited human resources capacity continues to impact negatively upon the overall productivity of this programme.
- Difficulties in recruiting a Paralegal Training Coordinator left the programme without leadership during the initial months of 1998.
- Inadequate funding for “test case” initiation and sustainability limited the Paralegal Team’s ability to pursue key identified cases.

WAY FORWARD FOR 1999

Identify and hire a Programme Coordinator for the Paralegal Programme.

Monitor the 1999 elections in Botswana.

To provide ongoing consultation for clients who seek advice about legal matters.

To facilitate the domestic workers project.

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 Botswana 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

- Sensitise 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 sensitisation workshops.
- Initiate public debate on human rights.
- Establish human rights clubs in Secondary Schools.
- Evaluate existing syllabi and implement changes where required.

- Engage the services of a distributor for “Tsa Bana”.

TRANSLATION OF OBJECTIVES INTO REALITY

Projects ongoing

Human Rights Clubs within Secondary Schools

Annual Essay and Poetry Competition

Completed projects

Fundraising

Sponsored walk - Human Rights Clubs in Secondary Schools.

Forum Discussions

People Joining Hands - HIV/AIDS in Botswana.

Who’s Responsibility is it to protect our environment?

Parent-Child Relationship in the Contemporary World.

Children’s Rights and Responsibilities.

Human Rights and Civic Responsibilities.

Children’s Rights on “Let’s Talk” on Radio Botswana 2.

Press releases

World Press Freedom Day.

Launchings

“Tsa Bana” Secondary School Human Rights training manual by Hon. Minister Chiepe, Ministry of Education.

Calendar

Production of the 1999 Human Rights Calendar for Botswana.

Production of the 1999 Human Rights Poster for Botswana.

Peer education activities

On-going support to the Botswana Police Force Training College with reference to integrating human rights practises into their curriculum.

TRADE FAIR - REGIONAL- ATTENDED, 1998

Had a stall at the Botswana International Trade Fair in collaboration with FONSAG.

WORKSHOPS - NATIONAL - CONVENEED, 1998

Training workshop introducing the use of DITSHWANELO's publications "Ke Tsa Rona" and "Children's Rights Package", Maun, Botswana (in collaboration with the (BOFWA) Association).

Gays, Lesbians and Bisexuals in Botswana, Gaborone, Botswana.

CONFERENCES - NATIONAL - ATTENDED, 1998

Department of Education Conference for School Heads, Lobatse, Botswana

CONFERENCES - INTERNATIONAL - ATTENDED, 1998

African Human Rights Camp - 1998, Harhoura-Temara, Morocco

HUMAN RESOURCES CAPACITY

The HUREP component within DITSHWANELO was staffed by one Human Rights Education Programme Coordinator (Jan. - July), and an assistant (July - Dec.), a number of volunteers from the University of Botswana, the community, and from international volunteer agencies.

HUREP'S IDENTIFIED STRENGTHS AND WEAKNESSES, 1998

Identified strengths:

- Follow the work plan rigidly.
- Work well as a team.
- Good networking system with other NGOs, schools, University of Botswana volunteers and lecturers.
- Relevant trained staff that is committed towards achieving Organisational objectives and mission.

Identified weaknesses:

- The HUREP programme lacks adequate staff and office space.
- Insufficient time for staff to up-date their knowledge base through additional reading.
- The high level of senior staff turnover has negatively affected the HUREP programme's productivity.

WAY FORWARD FOR 1999

Continue to work with Human Rights Clubs in secondary schools and introduce it to colleges of education.

To organise the HUREP annual essay and poetry competition

To lobby the Government to integrate DITSHWANELO's human rights educational materials into the school curriculum.

To build links with national, regional, and international human rights NGO's.

To produce human rights training materials

To conduct community sensitisation workshops in the rural areas as well as promoting DITSHWANELO.

To honour requests for public speaking engagements.

To establish human rights clubs.

To organise fundraising activities with and for the clubs.

**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 endeavours.

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

Completed Projects

Pamphlets

Contributed toward the content and layout of the Paralegal pamphlets released during 1998.

Public relations activities

- Hosted a discussion on Children's Rights for the "Lets talk" show on Radio Botswana 2.
- "Civic Education and Human Rights" talk, Tswelopele Brigade, Ramostswa, Botswana.
- "Do Homosexuals have a place in our Society?" talk, University of Botswana, Gaborone, Botswana.
- "Basics of Human Rights" talk, Bonnington Community Junior Secondary School, Gaborone, Botswana.
- "Role of Human Rights in Human Life" talk, Shashe River Senior Secondary School, Shashe, Botswana.
- Attended the Borankanelo Flea Market, to disseminate printed materials, sell the DITSHWANELO Human Rights calendar, and answer questions, Gaborone, Botswana
- Public address to visiting American students on the topic of "Gay and Lesbian rights in Botswana".
- Attended the Zimbabwe International Book Fair, 1998, to promote the following DITSHWANELO publications: Tsa Bana,

Tsa

Rona,

Domestic Workers Report,

Torture Report,

and

HIV/AIDS Charter.

- Established a formal link with MWENGO - Zimbabwe to further distribute these publications.

Press Statements

- Discrimination on the basis of sexual orientation.
- Domestic Workers Celebrate Labour/May Day
- Public briefing by the negotiating team, representing the residents of the CKGR, on their meeting with the President of Botswana, Sir K. Masire.
- CKGR Land Claim
- Execution of Tlhabologang Maauwe and Gwara Brown Motswetla.
- Prosecutions which violate freedom of expression.
- Conference findings - The First Annual General Meeting of the SAHRINGON General Assembly

WORKSHOPS - REGIONAL - ATTENDED, 1998

AFRONET workshop on "Human Rights, Human Rights Standards, and Human Rights Instruments", Lusaka, Zambia.

"Gun Free South Africa", Johannesburg, South Africa.

CONFERENCES - REGIONAL - ATTENDED, 1998

Zimbabwe International Book Fair 1998, Harare, Zimbabwe

HUMAN RESOURCES CAPACITY

Senior post vacant from Jan'98 until August '98.

Full-time consultant hired as of August '98.

Currently the Information programmes is staffed by on full time person, who is supported by the Centre's Programme Coordinator. A vacancy for an Information Programme assistant does currently exist.

THE INFORMATION PROGRAMME'S IDENTIFIED STRENGTHS AND WEAKNESSES, 1998

Identified strengths:

- Existing resource centre.
- Willing support staff, who maintain the basics such as the newspaper clipping files.
- Professional senior staff who were able to cover this post while undertaking their own jobs.
- Freelance consultants and volunteers available to assist when required.

Identified weaknesses:

- Inability to employ a full-time senior Information Officer to coordinate and manage the efforts of this programme.

WAY FORWARD FOR 1999

To support Ditshwanelo's professional staff, and therefore our programmes, with relevant information.

To develop an automated database system to store relevant Human Rights information.

To promote Ditshwanelo nationally and internationally

To raise funds to expand the scope of the Information Programme to be able to include external information provision to the public.

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 programme's 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

Memberships

Non-voting member of the negotiation team - Basarwa CKGR issue, meeting with the Minister of Local Government Lands & Housing.

Public activism

- Publicly support meeting and debate about the Draft Media Bill 1997.
- Increase contact with District Commissioners about the existing conditions in Botswana Prisons.
- Publicise the fact-finding missions report about Basarwa communities in Saikarowe - Ngamiland.
- Coordinate a test case on freedom from discrimination, right of association and right to privacy.
- Monitor and publicise human rights abuses in Botswana.
- Publicly support land rights initiatives of the Basarwa.
- Campaign against the imprisonment and/or forced repatriation of refugees/asylum seekers.
- Continue to advocate for and provide support for the Basarwa communities in Botswana.
- Continue to provide prompt reaction to identified "emergency" legal issues.
- Continue to publicly support all legal aid endeavours undertaken by the Centre.
- Continue to promote regional human rights issues.
- A brief comment on the occasion of the Celebration of the Fiftieth Anniversary of the Universal Declaration of Human Rights, Alsace, France.
- Participated in the Stichting Nederlands Vrywilligers (SNV) Panel Debate marking the SNV 20th Anniversary Celebrations, Gaborone, Botswana.
- Lobbied the National Coordinator of Women and Law Southern Africa (WLSA) - Botswana, against the inferred closure of the programme.
- Met Mrs. Robinson of The United Nations Human Rights Commission.

WORKSHOPS - NATIONAL - COORDINATED, 1998

Gay/Lesbian Rights Workshop, Gaborone, Botswana.

The Role of Media Editors in a Democracy, Gaborone, Botswana (joint effort with SARDC)

CONFERENCES - NATIONAL - COORDINATED, 1998

Southern African Regional Institute for Policy Studies (SARIPS) Colloquium, Harare, Zimbabwe

CONFERENCES - INTERNATIONAL - COORDINATED, 1998

Conference on Human Rights and Democracy, Gaborone, Botswana, (Sponsored by SIDA)

CONFERENCES - INTERNATIONAL - ATTENDED, 1998

Commemoration of the 50th Anniversary of the Universal Declaration of Human Rights, Paris, France

HUMAN RESOURCES CAPACITY

The Activism Programme is staffed by the Director of the Centre, and supported by the Programmes Coordinator.

THE ACTIVISM PROGRAMME'S IDENTIFIED STRENGTHS AND WEAKNESSES, 1998

Identified strengths:

- Knowledgeable staff which can react quickly to emergency situations as they arise.
- Staff who demonstrate flexibility in carrying out their daily tasks in order to ensure the programmes objectives are met.

Identified weaknesses:

- The Director of DITSHWANELO must divide her time efficiently and effectively in order to carry out the set mandates of both the Secretariat and the Activism Programme.
- Activism demands a "reactive" approach, and therefore infringes upon a well structured management and financial plan.

WAY FORWARD FOR 1999

To continue to advocate for the less privileged and marginalised.

To monitor the government's adherence to the international treaties.

To provide professional services at a fee in conducting consultancies.

To collaborate with local NGO's in the promotion of human rights.

To strengthen regional and worldwide partnerships with human rights organisations.

To act as a mediation forum in human rights issues.

To promote DITSHWANELO.

Continue to advocate for and provide support for the Basarwa communities in Botswana

Work with the Centre's Information Officer to properly develop this programme's public relations potential.

Increasing contact with District Commissioner about the existing prison conditions in Botswana Prisons.

To co-ordinate the Death Penalty Project.

Audited Financial Statements, 1998

DITSHWANELO's audited financial statements will be released shortly.