

National Assembly

**LAW ON THE PREVENTION AND
CONTROL OF HIV/AIDS**

National AIDS Authority (NAA)

No. NS/RKM/0702/015

KRAM

**We,
Preah Bat Norodom Sihanouk,
King of the Kingdom of Cambodia,**

- Having seen the Constitution of the Kingdom of Cambodia;
- Having seen the Reach Kret No. NS/RKT/1198/72 of November 30, 1998 on the appointment of the Royal Government of Cambodia;
- Having seen the Reach Kram No. 02/NS/94 of July 20, 1994 promulgating the Law on the Organization and Functioning of the Council of Ministers;
- Pursuant to the proposal of the Samdech Prime Minister of the Royal Government of Cambodia;

Promulgates

The Law on the Prevention and Control of HIV/AIDS, which was enacted by the National Assembly on 14 of June, 2002 at its 8th plenary session of the 2nd legislature, and entirely approved by the Senate of its form and legal concepts on the 10th July, 2002 at its 7th plenary session of the 1st legislature, has the following provisions:

LAW ON THE PREVENTION AND CONTROL OF HIV/AIDS

CHAPTER IV

TESTING AND COUNSELING

Article 19:

All HIV tests shall be done with voluntary and informed consent from the individual. For those who are minor, a written informed consent shall be obtained from his/her legal guardian.

In case that such written consent could not be obtained from the legal guardian of the minor, and the test is considered to provide most interest to the individual, the test still can be performed only with an informed consent from the individual.

The State shall be in charge of the mentally incapacitated individual.

Article 20:

It is strictly prohibited to any compulsory HIV testing undertaken to indicate pre or post conditions for employment, admission to educational institutions, as well as for the exercise of freedom of abode, traveling, and the provision of medical services or other services.

Article 21:

The compulsory HIV testing shall be allowed in case of court order only.

Article 22:

All HIV testing shall be performed anonymously. The Ministry of Health shall provide a mechanism for anonymous HIV/AIDS testing, and shall guarantee the anonymity and medical confidentiality during the process of this test.

Article 23:

All testing centers offering the HIV/AIDS testing services are mandated to seek accreditation from the Ministry of Health. The Ministry of health in collaboration with the National AIDS Authority shall set and maintain appropriate accreditation standards.

Article 24:

All testing centers shall provide pre-test and post-test counseling services for those who request HIV/AIDS testing. The counselors shall be sufficiently competent in conformity with a determined standards set by the Ministry of Health.