

**Cambodia experiences  
in conducting national reviews and  
consultations on legal and policy barriers to  
universal access to HIV services**

Amari Pattaya, 4-5 March 2014

Dr. Phalla Tia, NAA  
Ms. Narmada Acharya, UNAIDS  
Mr. Horn BunVirak, CPN+

# National Legal Review in Cambodia

---

- **Purpose**

- Improve the legal environment
- Input to mid-term review of NSP III (2011-2015)
- Support Cambodia 3.0
- Support the development of NSPIV ( 2016-2020)

- **Objectives**

- Analyze legal environment and impact on access to HIV services
- Develop recommendations through consultative process

- **Process**

- Led by NAA, supported by UNAIDS
- Desk review
- Consultation meetings
  - Government, UN and donors
  - Communities
  - NGOs
- Key informant interviews
- National Review Meeting
- Report with recommendations

## Format of the report

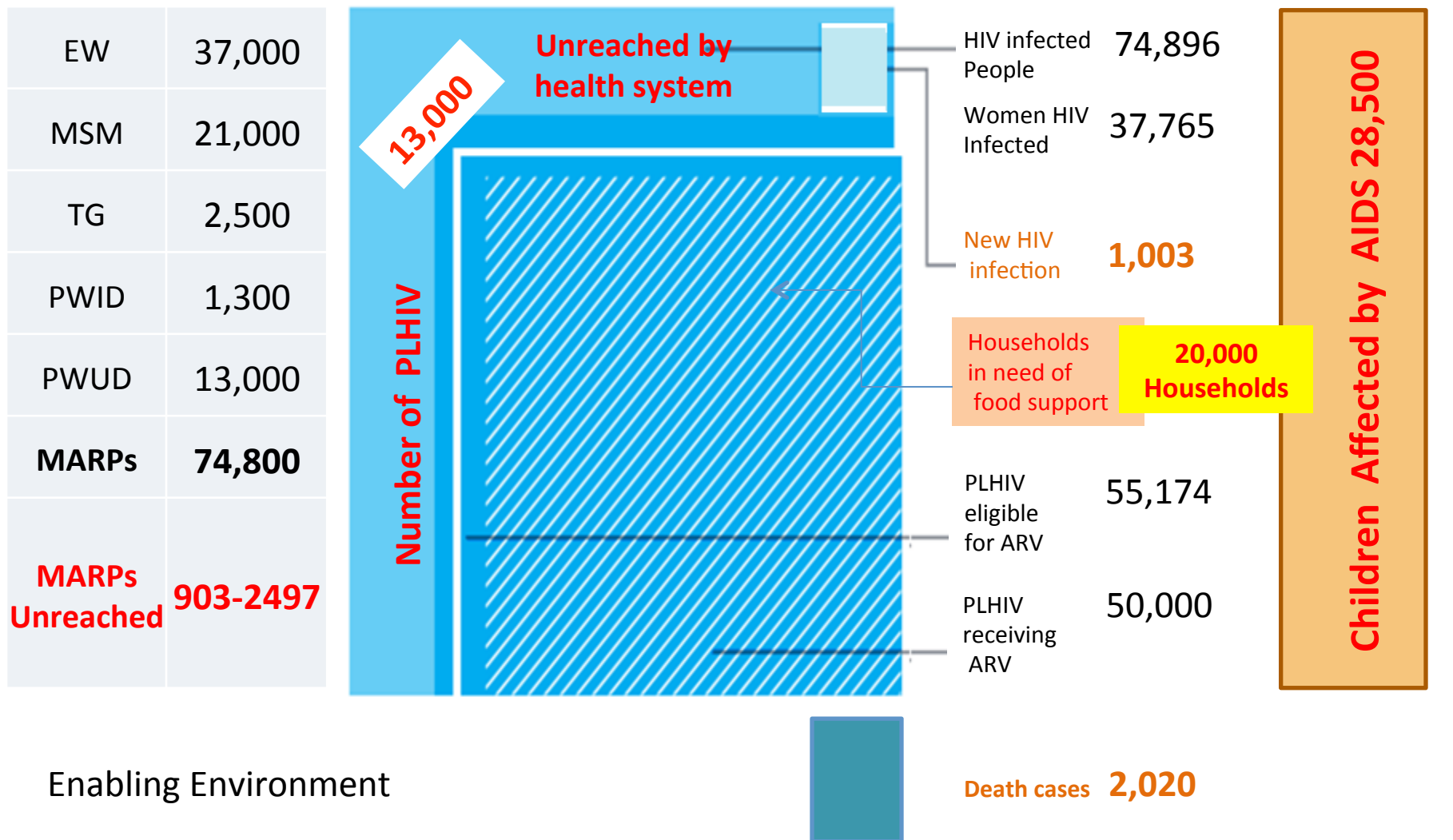
### Context

- Situation
- Program
- Law and Policies

Issues raised during consultations and National Review Meeting










Recommendations

# Situation of HIV and AIDS Response in Cambodia in 2014



2013 Health Sector HIV Program Review helped identify priority actions to accelerate case detection, maximize retention, and prepare for sustainability.

**HIV sensitivity and Social Protection**

Midterm review on the Targets of United Nations General Assembly on HIV and AIDS Political Declaration ( June 2013)			Investment Framework		
			Basic Programs	Critical Enablers	Development Synergies
Target 1	Reduce sexual transmission of HIV by 50% by 2015	 1.	3	1	0
Target 2	Reduce transmission of HIV among people who inject drugs by 50% by 2015	 2.	3	3	0
Target 3	Eliminate new HIV infections among children and substantially reduce AIDS-related maternal deaths by 2015	 3.	3	2	1
Target 4	Reach 15 million people living with HIV with lifesaving antiretroviral treatment by 2015	 4.	3	2	1
Target 5	Reduce tuberculosis deaths in people living with HIV by 50% by 2015	 5.	3	2	1
Target 6	Close the global AIDS resource gap & reach annual global investment of US\$22-24 billion in low- and middle-income countries by 2015	 6.	4	4	4
Target 7	Eliminate gender inequalities and gender-based abuse and violence and increase the capacity of women and girls to protect themselves from HIV	 7.	0	0	3
Target 8	Eliminate stigma and discrimination against people living with and affected by HIV through promotion of laws and policies that ensure the full realization of all human rights and fundamental freedoms	 8.	0	2	2
Target 10	Eliminate parallel systems for HIV-related services to strengthen integration of the AIDS response in global health and development efforts, as well as to strengthen social protection systems	 10.	0	2	4
Total	53		19	18	16

# Methodology for desk review & consultations

## Existing Law and Policies

1. PLHIV

2. EW

3. MSM/TG

4. PWID/PWUD

5. Women and Girls

6. Children and young people

7. Prisoners and people in custody

8. Migrants

**Global  
Commis  
sion  
Recom  
menda  
tions**

1. Law on Patents, Utility Model Certificate and Industrial Design 2003  
(Draft Law on Compulsory Licensing for Public Health)

2. Law on Suppression of Human Trafficking and Sexual Exploitation 2008 and its explanatory notes MOJ(2013)

3. Village Commune/ Sangkat Safety Policy Guideline Ministry of Interior

4. Law on the Control of Drugs 2012

5. Law on the prevention of Domestic Violence and the Protection of the Victims 2005

6. Prakas No. 108 of on Education on HIV/AIDS, Safe Migration, and Labour Rights for Cambodian Workers Abroad. MOLVT 2006

1. Penal Code 2010

2. Law on the Prevention and Control of HIV/AIDS 2002 and its implementing Guidelines

3. Prakas No. 086 on the Creation of the HIV/AIDS Committee in Enterprises and Establishments and the Prevention of HIV/AIDS in the Workplace (MLVT 2006) and its Guidelines, MOLVT 2010

4. National Strategic Plan for Comprehensive and Multi-sectoral response to HIV/AIDS III (2011-2015).

## Practice

- But reality on the streets is different
- Implementation & enforcement is weak

**Recommendations  
towards  
achievement of  
3 Zero  
Targets**

Rights Holders

Duty Bearers

# Tools for National Legal Review

	Global Commission Recommendations	Existing National laws and Policies	Gaps/ Areas of non-compliance with Global Commission recommendations
1PLHIV			
2EW			
3MSM/TG			
4PWUD/PWID			
5Women and Girls			
6Children & Young People			
7Prisoners & People in custody			
8Migrants			

# National Legal Review

	Global Commission Recommendations	Existing National laws and Policies	Gaps/ Areas of non-compliance with Global Commission recommendations
2EW/ SW (Enter tainm ent Worke rs/ Sex Worke rs)	<ul style="list-style-type: none"> <li>- Full decriminalization of commercial sex</li> <li>- No detention centers</li> <li>- Ensure health and safety of sex workers under Labor Laws</li> <li>- Provide voluntary, community empowerment services</li> </ul>	<ul style="list-style-type: none"> <li>- Law on Trafficking 2008 &amp; Explanatory Note</li> <li>- Police Community Partnership Initiative</li> <li>- Boosted CoPCT</li> <li>- National Action Plan on Violence Against Women</li> <li>- Local law enforcement undermines national policy intent</li> <li>- Prakas 086 on HIV in the Workplace</li> </ul>	<ul style="list-style-type: none"> <li>- Give priority in legislation / policies to measures that empower EW/ SW to protect themselves from HIV and STIs.</li> <li>- Police training on MOJ Explanatory Notes on the Law on the Suppression of Human Trafficking and Sexual Exploitation</li> <li>- Clarify the Village Commune Safety Policy</li> <li>- Apply labor standards to provide workplace health and safety rights for entertainment workers</li> </ul>

# Changing context of entertainment services and interventions ...after the enactment of Anti Human Trafficking Law in 2008

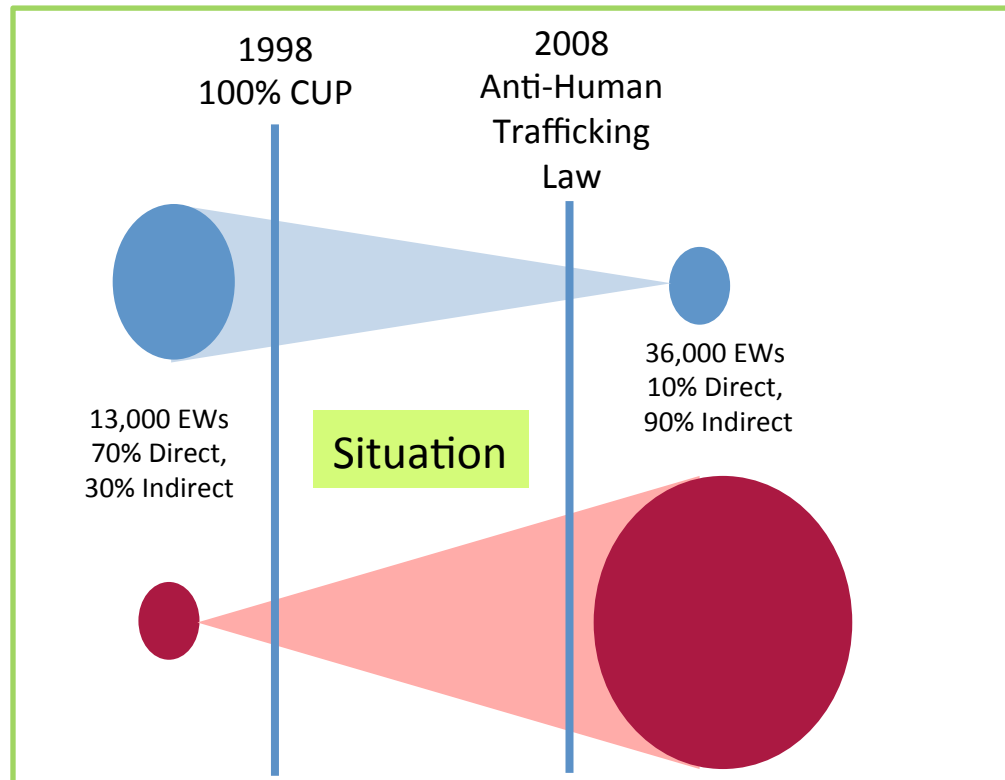
## Enabling Environment

**100% Condom Use Program**

## Services Provision

*STI case Management  
VCCT, Behavior Change, Social Marketing*

Source: BCC Unit, NCHADS

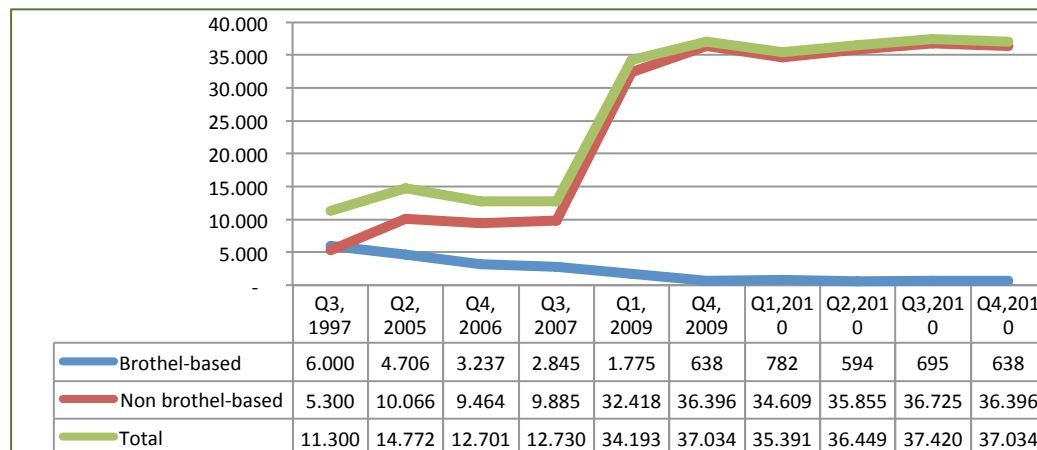


## Enabling Environment

1. Harm reduction Policy
2. Village Commune Safety Policy
3. 100% Condom Use Program
4. Police Community Partnership Initiative (PCPI)

## Services Provision

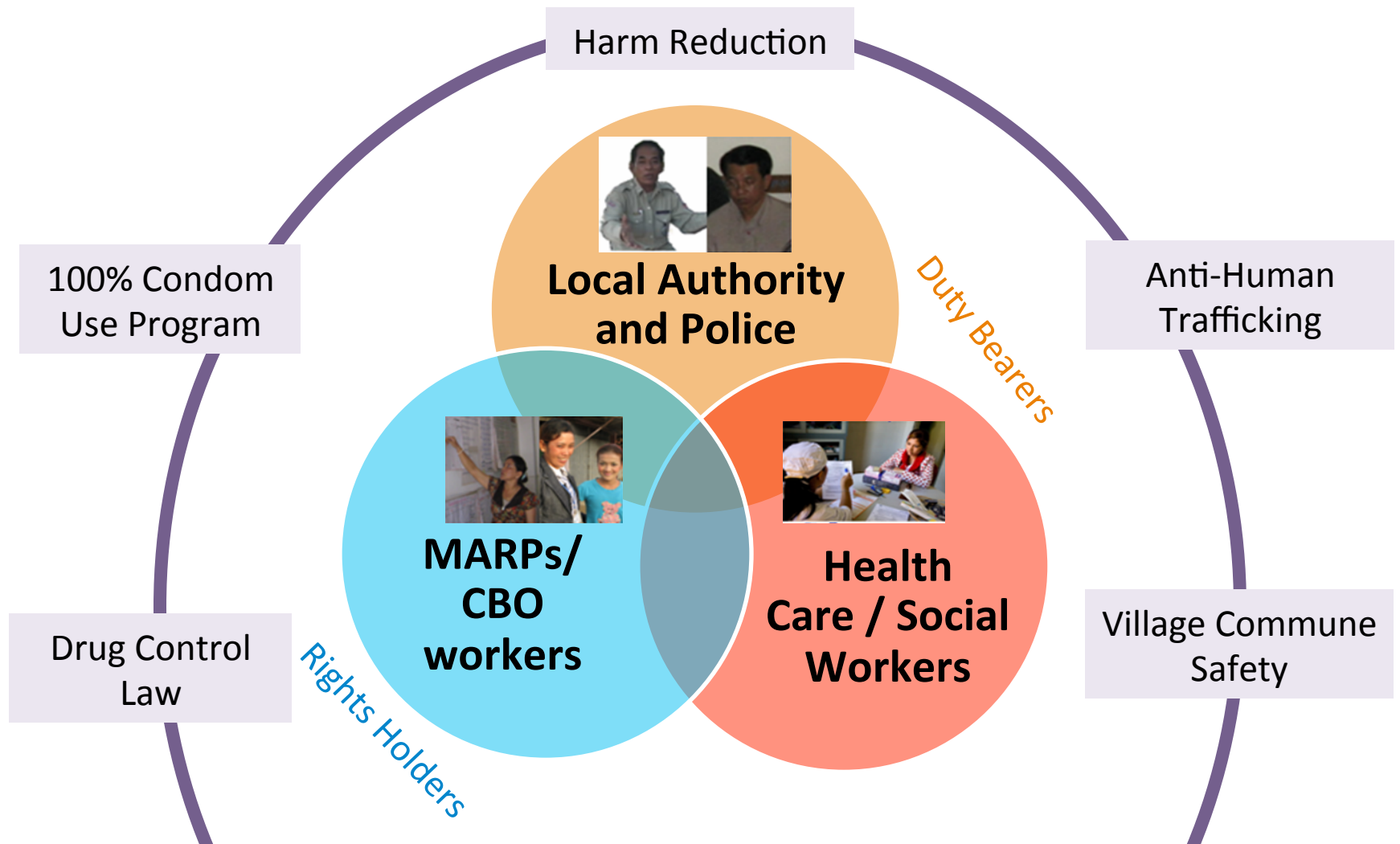
*Boosted Continuum of Prevention to Care and Treatment for MARPs (BCoPCT)*





# Next steps for taking agenda forward

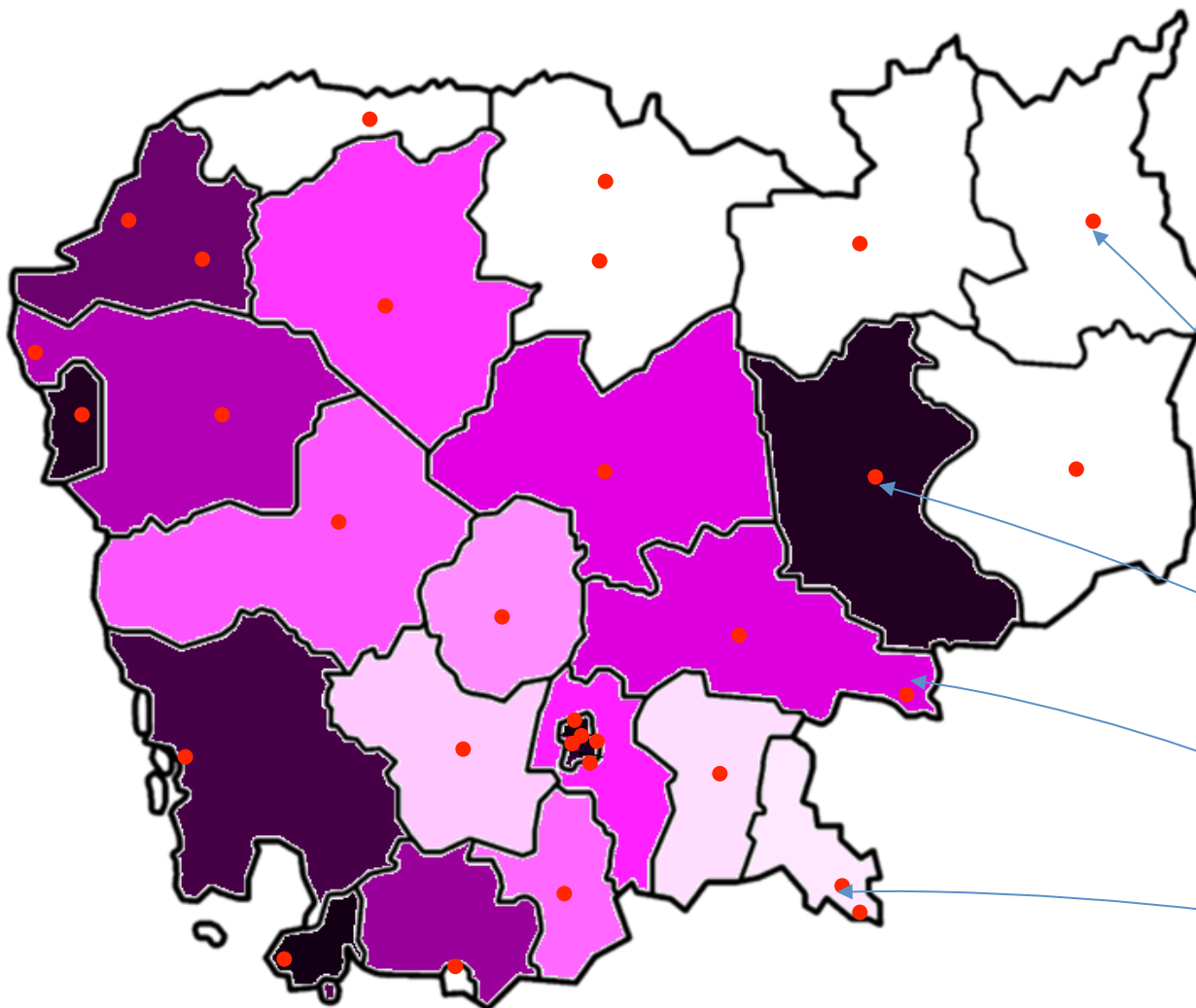
## Police Community Partnership Initiative



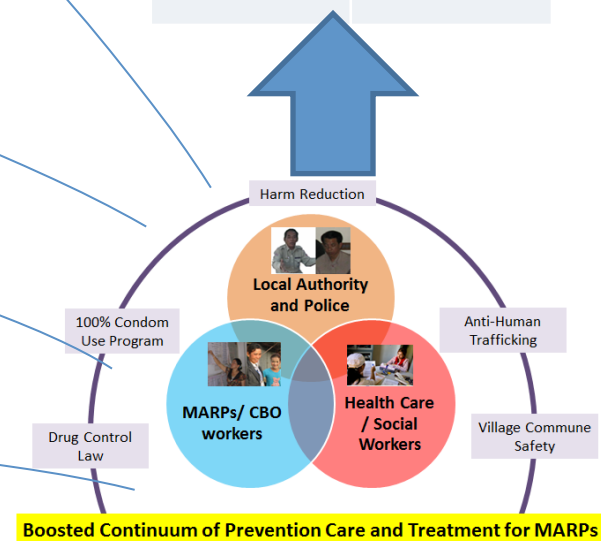
**Boosted Continuum of Prevention Care and Treatment for MARPs**

Streamlined HTC ,TAsP, Integrated Active Case Management to Maximize Retention

# Expanding Police Community Partnership Initiative in 32 Hot spots

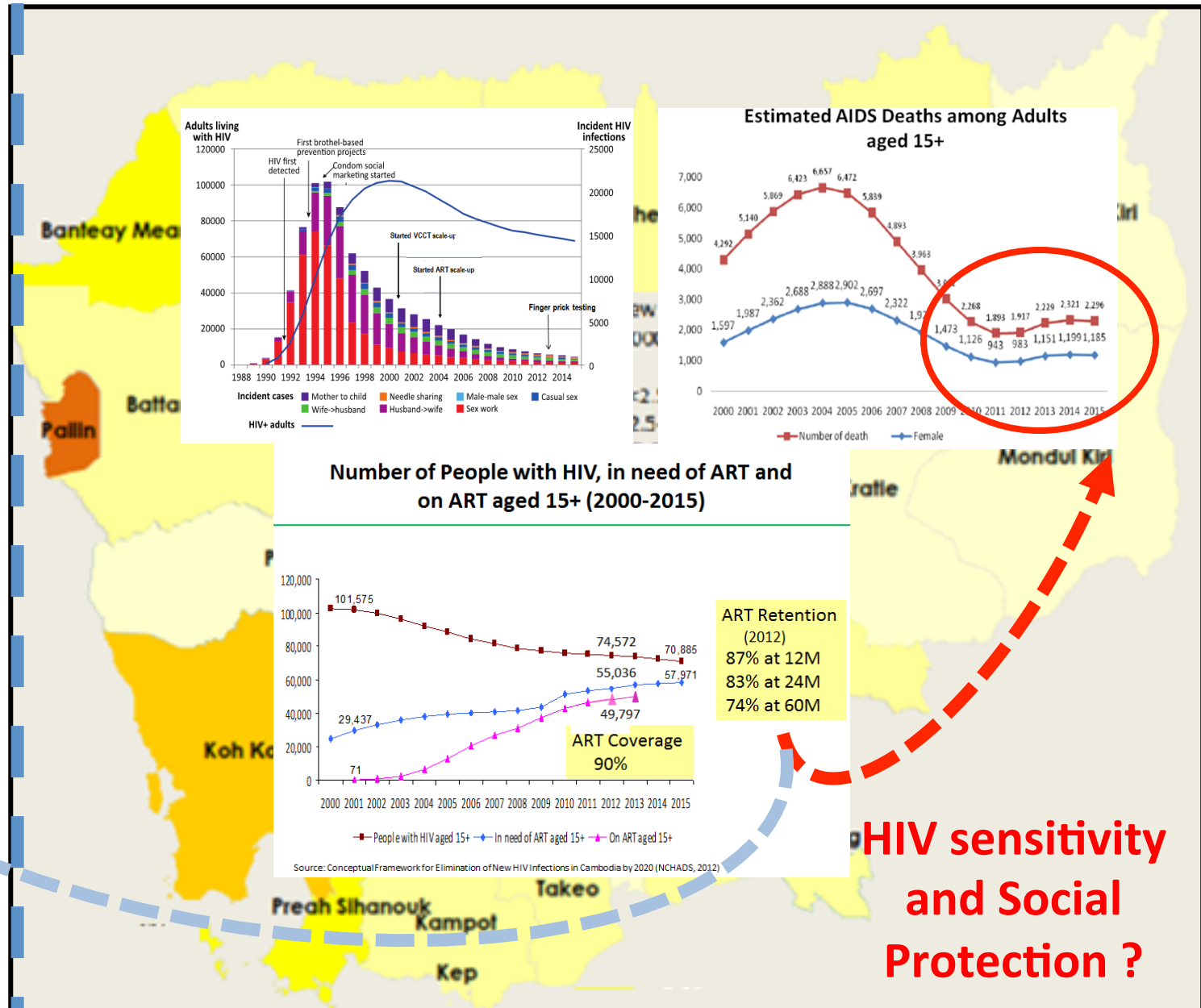


EW	37,000
MSM	21,000
TG	2,500
PWID	1,300
PWUD	13,000
<b>MARPs</b>	<b>74,800</b>
<b>MARPs Unreached</b>	<b>903-2497</b>



Source : Pregnant women infection rate, NCHADS, 2012

# ... Migrants and Access to health care services



# Other issues

- **Migrants**
- **Law on Patents and access to generic medicines**
- **Access to legal aid services**
- **Education of police, lawyers, judges, parliamentarians on HIV, most-at-risk populations and the law**

**HIV sensitivity  
and Social  
Protection ?**