

Sexuality Education as a Human Right



Christina Zampas
Center for Reproductive Rights

*Reproductive Rights: Opportunities and constraints in the Republic
of Moldova*

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Human Rights related to Health Education

- Right to education and information
- Right to health
- Right to life
- Right to be free from discrimination



Right to Information

Children's Rights Convention:

'...have the right to access adequate information essential for their health and development' and states must ensure 'that all adolescent girls and boys, both in and out of school, are **provided with , and not denied**, accurate and appropriate information on how to protect their health and development and practise healthy behaviours...'

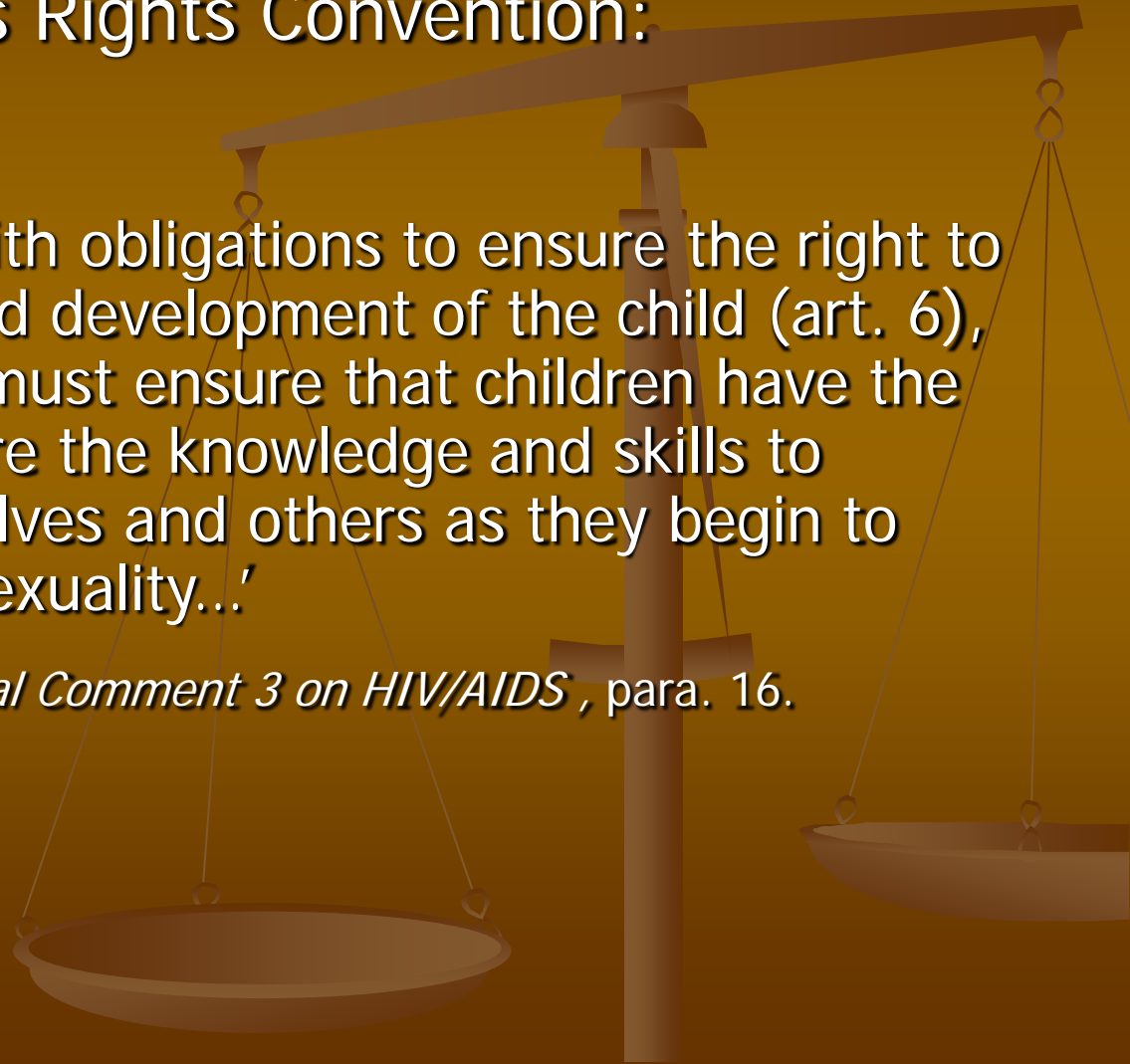
-General Comment 4 on Adolescent Health, para. 26

Right to life, survival and development

Children's Rights Convention:

'...consistent with obligations to ensure the right to life, survival and development of the child (art. 6), States parties must ensure that children have the ability to acquire the knowledge and skills to protect themselves and others as they begin to express their sexuality...'

-CRC Comm., *General Comment 3 on HIV/AIDS*, para. 16.



Right to Health

States should...

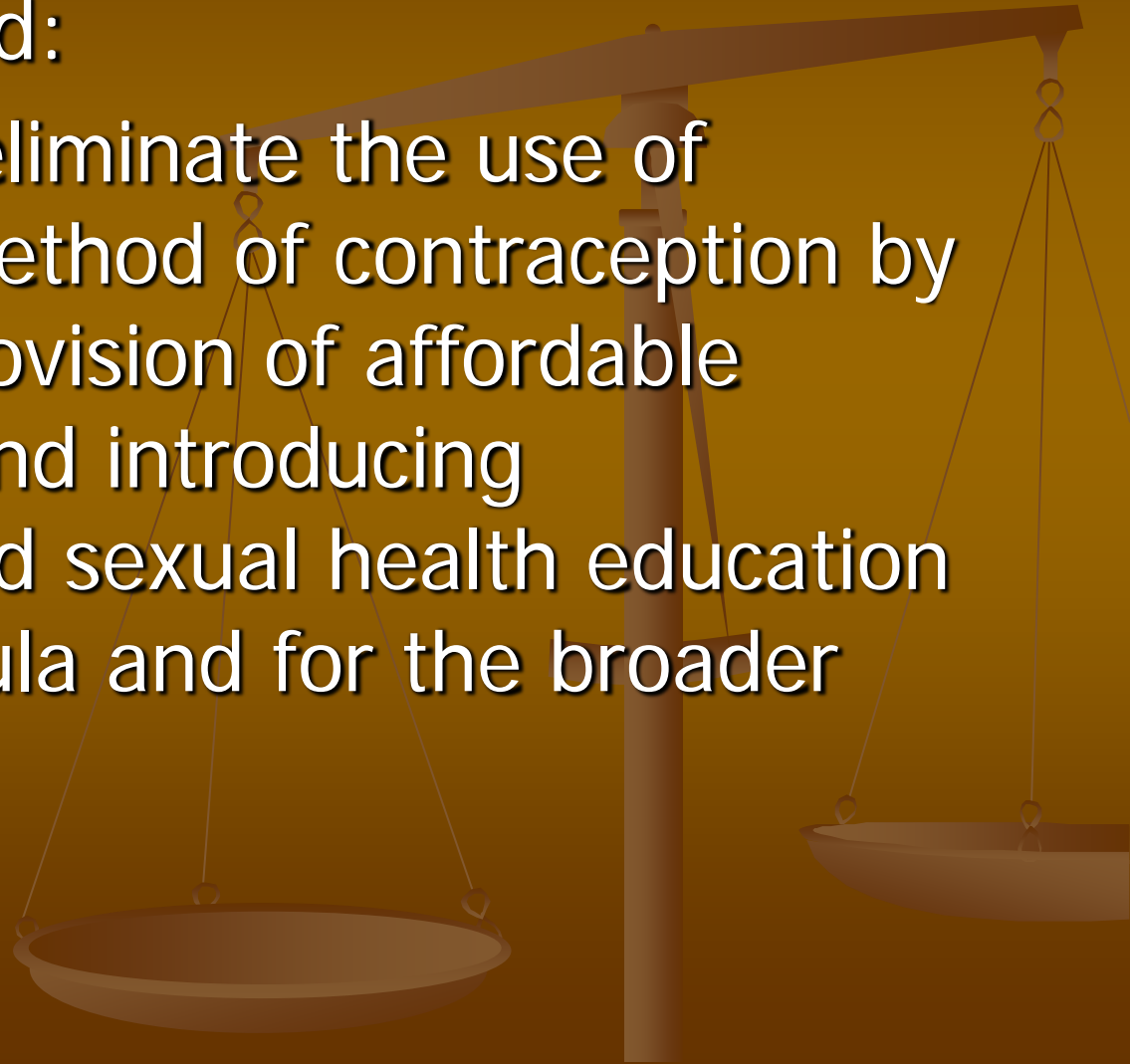
- Prioritize the prevention of unwanted pregnancy through family planning and sex education...
- Allocate programme resources for adolescents for the prevention and treatment of sexually transmitted diseases, including HIV/AIDS;

■ *CEDAW General Recommendation 24 on Women's Health, para. 31*

Human Rights Committee 2009 to Moldova

... Moldova should:

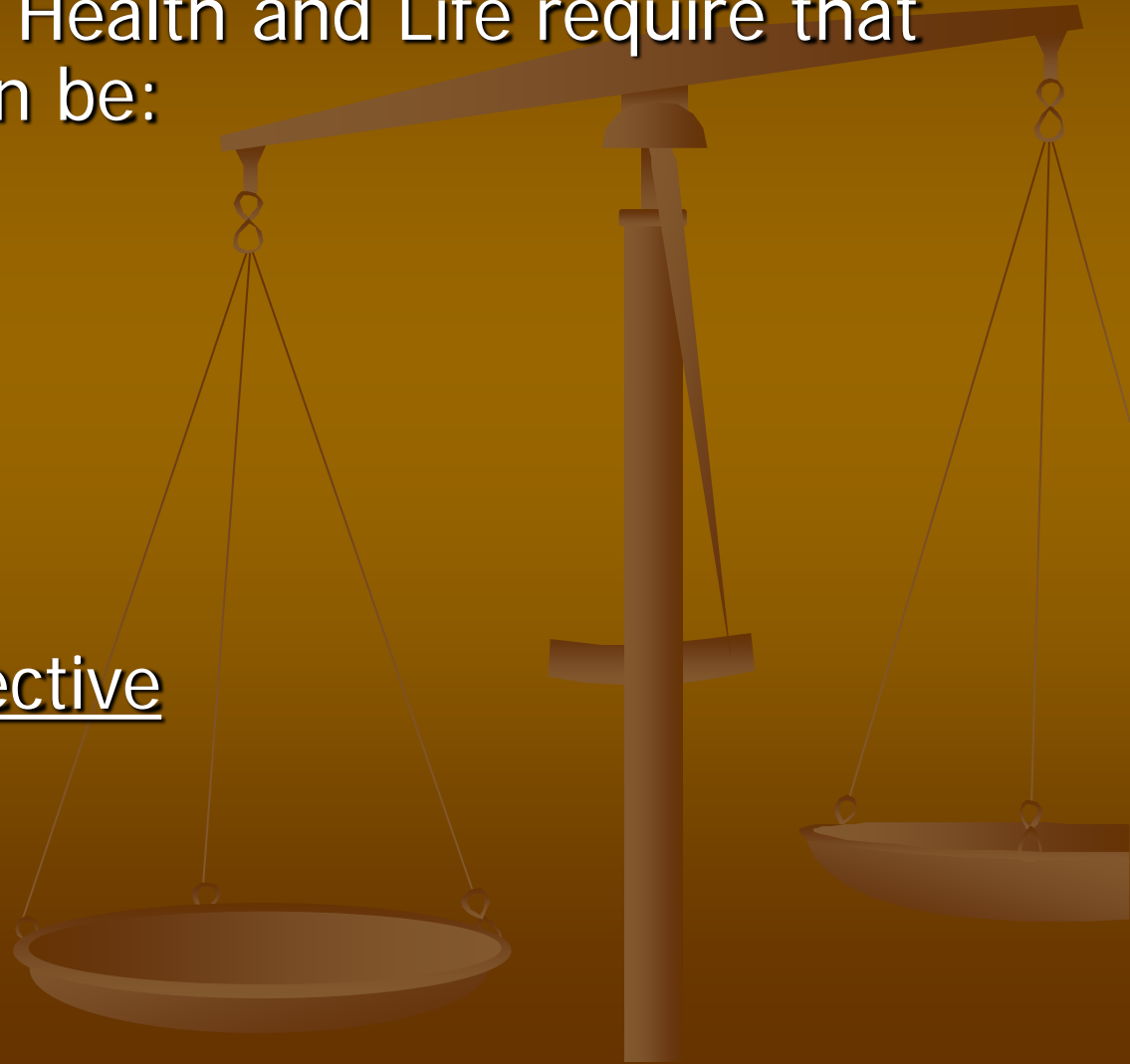
- "Take steps to eliminate the use of abortion as a method of contraception by ensuring the provision of affordable contraception and introducing reproductive and sexual health education in school curricula and for the broader public;"



Quality of sex ed

Rights to Education, Health and Life require that sexuality education be:

- Mandatory
- Not censored
- Accurate and Objective



Mandatory



Human rights standards recommend that sexuality education be made:

- n mandatory/compulsory component of all students' schooling, including vocational schools.
- n part of the official curricula for both primary and secondary schools
- n And have raised concern about programs that allow parents to opt-out on behalf of their children.

n *Kjeldsen, Busk Madsen & Pederson v Denmark*
(European Court of Human Rights)

Not Censored



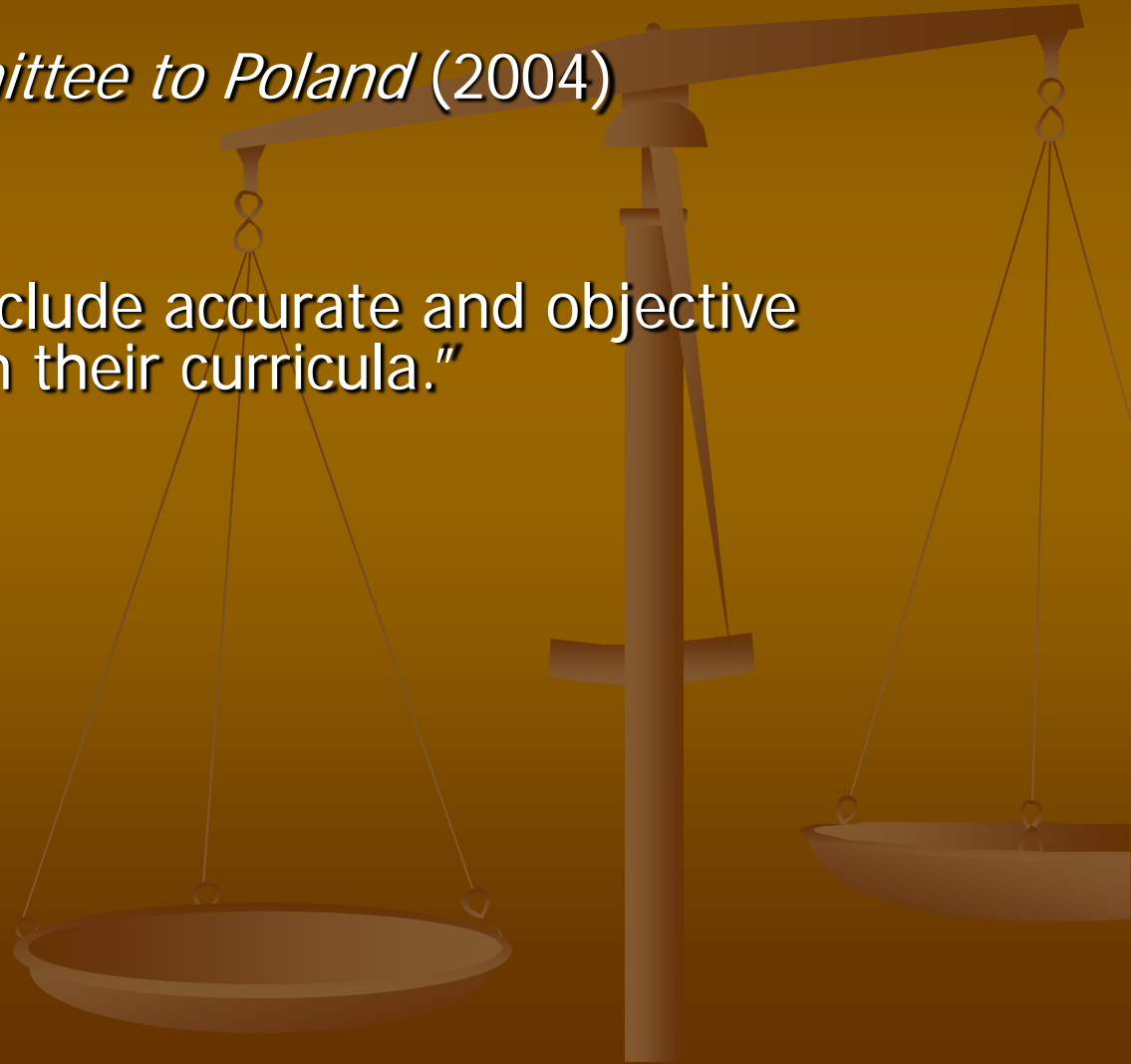
"States should refrain from...censoring, withholding or intentionally misrepresenting health-related information, including sexuality education and information."

-Convention on Economic, Social and Cultural Rights, General Comment 14, para. 34

Accurate and Objective

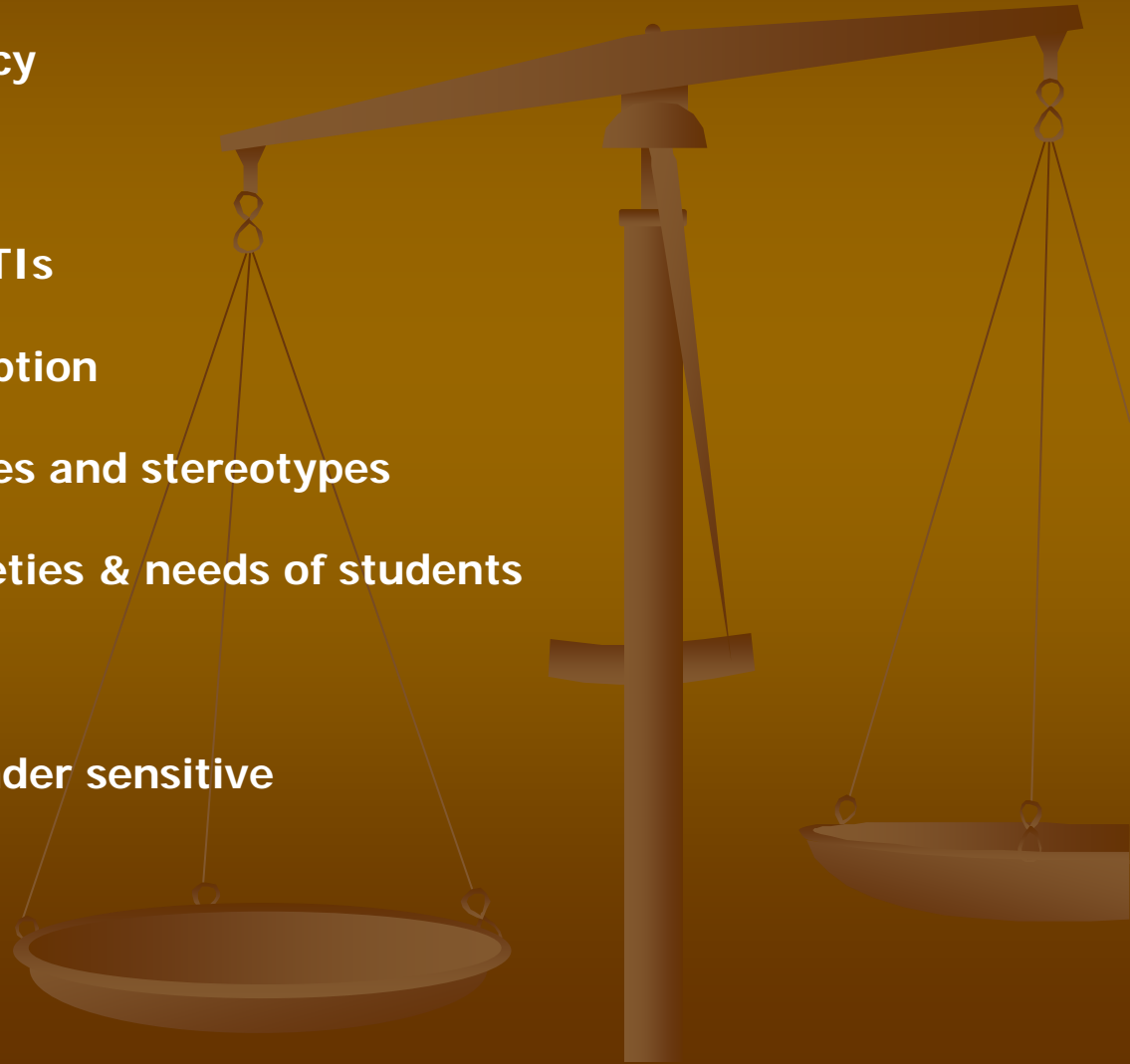
- *Human Rights Committee to Poland (2004)*

"ensure that schools include accurate and objective sexuality education in their curricula."



Content

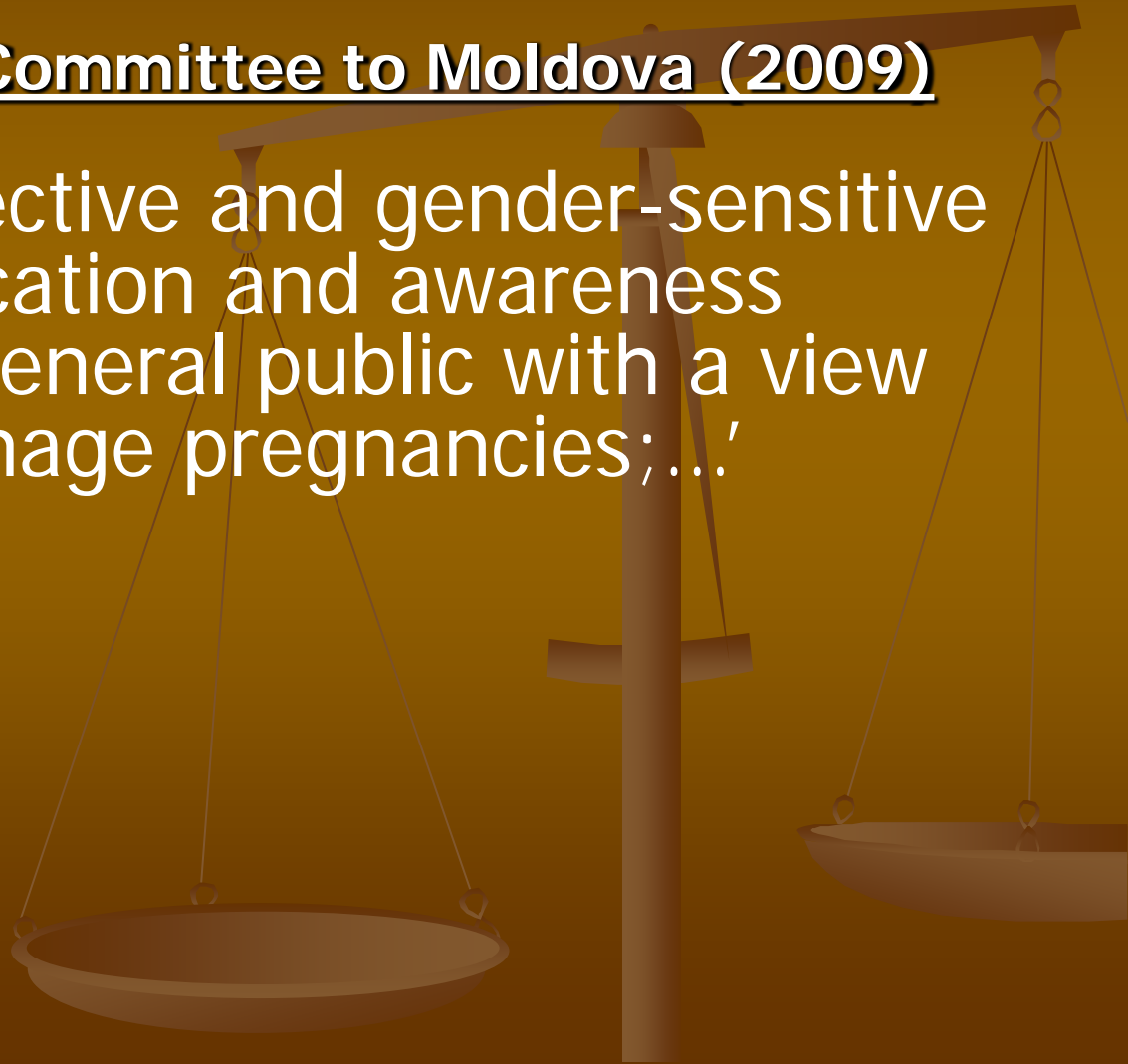
- Comprehensive
- Prevention of teen pregnancy
- Unsafe abortion
- Spread and prevention of STIs
- Family planning & contraception
- Address harmful gender roles and stereotypes
- Adaptable to changing societies & needs of students
- Age Appropriate
- Non-discriminatory and gender sensitive



Content of Sexuality Education: Gender-sensitive

Children's Rights Committee to Moldova (2009)

'...Develop an effective and gender-sensitive strategy of education and awareness raising for the general public with a view to reducing teenage pregnancies;...'



Complaint

to European Committee of Social Rights

International Center for the Legal Protection of Human Rights
- INTERIGHTS with the Center for Reproductive Rights and
the Centre for Education, Counselling and Research - CESI

v.

the Republic of Croatia

- State failure to provide mandatory, comprehensive and non-discriminatory school-based sexuality education;
- State support of scientifically inaccurate, biased, and discriminatory elective program.

European Committee of Social Rights

Right to Health obligates states to ensure sexual and reproductive health education that is:

- Mandatory & part of ordinary curriculum
- Throughout the entire period of schooling
- Objective, based on 'contemporary scientific evidence'
- Does not involve 'censoring, withholding or intentionally misrepresenting information'
- Non-discriminatory
- Includes biological functions of sexuality but also its social and cultural aspects
- Resource commitment
- Monitored and evaluated

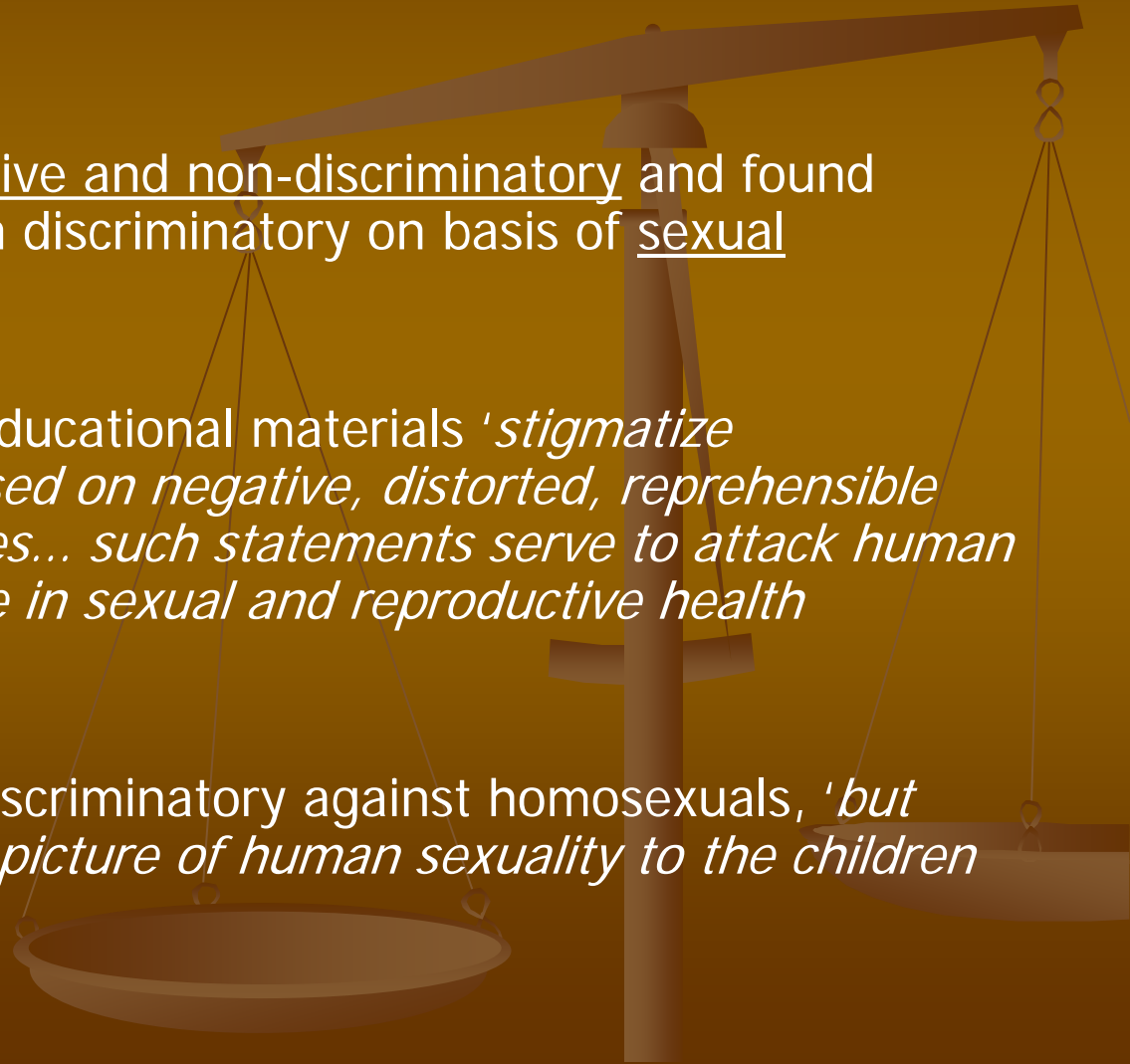
Complaint to European Committee of Social Rights

The Committee noted,

- Education must be objective and non-discriminatory and found Croatian health education discriminatory on basis of sexual orientation:

Information in Croatian educational materials '*stigmatize homosexuals and are based on negative, distorted, reprehensible and degrading stereotypes... such statements serve to attack human dignity and have no place in sexual and reproductive health education...*'

This content is not just discriminatory against homosexuals, '*but also presents a distorted picture of human sexuality to the children exposed to this material.*'



Complaint to European Committee of Social Rights

Results (continued):

- Ministry of Science, Education and Sports has removed textbook from list of approved textbooks for 2009-2010 school year, which also included non-scientific based information on sexual and reproductive health issues;
- And the European Committee of Social Rights is using these new standards to ensure sexual and reproductive health education when assessing state compliance with the right to health



UNESCO on Sexuality Education

*UNESCO International Technical Guidance on Sexuality Education:
An evidence-informed approach for schools teachers and health
educators*

Volume I: rationale for sexuality education

Volume II: topics and learning objectives

<http://unesdoc.unesco.org>