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Evidence of Systemic and Unlawful Promotion of Comprehensive Sexuality Education by UN Secretariat, Agencies, and other Entities

At the International Conference on Population and Development (ICPD) in 1994, UN member states agreed to provide “age-appropriate sex education” with “appropriate direction and guidance from parents and legal guardians.” Since then, the landscape has changed significantly, with a concentrated effort by a group of mostly wealthy Western countries to gain acceptance of “comprehensive sexuality education” (CSE). This effort has been largely unsuccessful, and has met with opposition from the local to the international level. Nevertheless, the UN system has thrown its weight behind the effort to make CSE not only available but mandatory and ubiquitous in every country of the world.

This fact sheet does not address the controversial aspects of CSE, nor many of the terms that have been proposed in negotiations to replace CSE, many of which contain caveats that sex education should be age-appropriate, culturally relevant, and conducted with the knowledge and approval of parents or guardians. It focuses on the UN’s promotion of “CSE” despite the clear lack of consensus among member states that it should do so.

UN Agencies Promoting CSE

The major UN agency promoting CSE is UNESCO, the UN Educational, Scientific, and Cultural Organization, which has taken the lead in creating standards for CSE curricula. However, the guidance coming from UNESCO is frequently produced in collaboration with other agencies, particularly UNICEF, UNFPA, UNAIDS, UN Women, and the World Health Organization (WHO). The following examples are listed by the lead organization, but many are produced jointly:

UNESCO

The journey towards comprehensive sexuality education: Global status report (2021) – “Three-quarters of countries responding to the 2019-2020 Survey self-report that ‘HIV&AIDS/STIs’ is ‘extensively’ included in their secondary education curriculum. Additionally, the topic of ‘Puberty’ was reported to have been ‘extensively’ included by 67 per cent of countries. Slightly more than 55 per cent of countries also referred to the following topics as ‘extensively’ included in their secondary curriculum: gender and gender norms, pregnancy and birth, love and relationships and sexual abuse/violence. The topics that are included to a lesser extent were ‘access to safe abortion’, ‘sexual orientation and gender identity’, and ‘online media and technology’.”¹

International technical guidance on sexuality education: An evidence-informed approach (Revised edition) (2018) – This guidance “was developed to assist education, health and other relevant authorities in the development and implementation of school-based and out-of-school comprehensive sexuality education programmes and materials. It is immediately relevant for government education ministers and their professional staff, including curriculum developers, school principals and teachers. Non-governmental organizations (NGOs), youth workers and young people can also use the document as an advocacy or accountability tool, for example by sharing it with decision-makers as a guide to best practices and/or for its integration within broader agendas, such as the SDGs. The Guidance is also useful for anyone involved in the design, delivery and evaluation of sexuality education programmes both in and out of school, including stakeholders working on quality education, sexual and reproductive health (SRH), adolescent health and/or gender equality, among other issues.”²

UNICEF

Education Cannot Wait: Gender Policy and Accountability Framework 2019-2021 – Education Cannot Wait is a UN fund to provide children in crisis and humanitarian situations with education. While this is a laudable goal, the ECW gender policy instructs partners to use certain materials in implementation, including the 2018 UNESCO International Guidance on Sexuality Education (see above under UNESCO).³

UN Women

Seven ways to change the world (2021) – “The upcoming Generation Equality Forum in Paris is discussing key solutions, such as expanding comprehensive sexuality education and increasing the quality of and access to contraceptive services for millions more adolescent girls and women by 2026. The Action Coalition on Bodily Autonomy and Sexual and Reproductive Health and Rights is also focused on ensuring that, in five years’ time, 50 million more adolescent girls and women live in jurisdictions where they can access safe and legal abortion.”⁴

Statement by UN Women Executive Director Phumzile Mlambo-Ngcuka for International Youth Day (2019) – “Comprehensive sexuality education is crucial for

girls' ability to understand their bodies and make decisions about their health care, including their sexual and reproductive health.”⁵

Remarks by UN Under-Secretary-General and Executive Director of UN Women, Phumzile Mlambo-Ngcuka at the High-Level Ministerial Breakfast Event on the Role of Sexual and Reproductive Health and Rights in the Economic Empowerment of Women (2017) – “Schools and community activities that involve young people are important platforms for us to implement solutions. Comprehensive sexuality education is critical. The extent to which we have not been able to have this universally embraced by Member States presents a challenge.”⁶

World Health Organization (WHO)

WHO pledges extensive commitments towards women's empowerment and health (2021) – “WHO also committed to investing in the evidence base for sexual and reproductive health and rights, including delivering comprehensive sexuality education outside school settings; improving access to quality and rights-based family planning in 14 middle-income countries ; supporting 25 countries in increasing adolescents' access to and use of contraception; disseminating updated guidelines on safe abortion; and building knowledge among adolescents of their entitlements and ability to advocate for their needs.”⁷

WHO Stands Up for the Right to Health (2018) – “States have an obligation under human rights law to provide information and education to adolescents. CSE is part of the core obligations of states to uphold the right to sexual and reproductive health, which means that it is considered one of the basic minimum actions states must take to give meaning to this right. Based on the evidence and the human rights rationale, WHO recommends the provision of age-appropriate, scientifically-accurate comprehensive sexuality education within and outside schools.”⁸

WHO Manual on Sexual health, Human Rights and the Law (2015) – “Harmonizing laws with human rights standards can foster the promotion of sexual health across and within various populations, while the negative impact of laws that are in contradiction with human rights standards has been increasingly documented. For example, laws that foster the dissemination of objective, comprehensive sexuality information, if implemented for all, contribute to people's knowledge of what protects or damages their sexual health, including where and how to seek further information, counselling and treatment if needed.”⁹

United Nations Population Fund (UNFPA)

My Body Is My Own: State of World Population (2021) – “Laws can help support bodily autonomy by, for example, guaranteeing everyone's access to sexual and reproductive health services, mandating schools to provide comprehensive sexuality education and requiring informed consent in the provision of health care.”¹⁰

International Technical and Programmatic Guidance on Out-of-School Comprehensive Sexuality Education (CSE) (2020) – “When talking about sexual and reproductive

anatomy, label diagrams inclusively: Diagrams should not be labelled as male and female, and body parts should not be assigned to one gender. Teaching anatomy can be approached by asking participants what words they use for each part, allowing for a range of labels.”¹¹

What is comprehensive sexuality education? A life saver. (2019) – This page displays a picture of a youth activist celebrating at the 2019 Nairobi Summit hosted by UNFPA. She is holding up a green bandana, a symbol of the pro-abortion movement in Central and South America. “Twenty-five years [after ICPD], participants at the Nairobi Summit are again calling for action to inform young people of their reproductive health and rights. Already, dozens of Summit attendees have committed to strengthening comprehensive sexuality education for young people, either through school curricula or other means.”¹²

UN Agency-Led Review Conferences Promoting Abortion The Nairobi Summit and Generation Equality Forum

In recent years, conferences reviewing the outcomes of major consensus agreements such as the ICPD in 1994 and the Beijing women’s conference in 1995 have shifted away from being held under the auspices of the General Assembly at its headquarters and producing a consensus outcome. This format had largely prevented normative shifts on controversial issues away from the original agreements. Instead, the twenty-fifth anniversary observances of Cairo and Beijing were coordinated by UNFPA and UN Women respectively, were held outside UN headquarters, and produced no consensus document, but rather a collection of pledges from countries and other stakeholders, many of which pertained to issues like CSE which would never have enjoyed consensus.

The 2019 Nairobi Summit commemorating ICPD issued a statement that did not explicitly mention the phrase “comprehensive sexuality education,” but included reference to “sexual and reproductive health and rights” (SRHR), which have never been agreed in any global context, with a footnote suggesting “this could be further guided by the expanded definition of SRHR interventions, as proposed in the Report of the Guttmacher/Lancet Commission on sexual and reproductive health and rights,” which includes CSE.¹³

The 2018 Report of a Guttmacher/Lancet Commission observed how regional reviews of ICPD and Beijing progressed further than the 2030 Agenda in explicitly calling for abortion and LGBT rights and included non-internationally agreed language on sexual orientation, gender identity, comprehensive sexuality education, and other controversial subjects, without adequate caveats or qualification with regard to sovereignty, parental rights, culture, religion, and tradition, as in the ICPD.¹⁴

In 2021, the 1995 Beijing conference was commemorated by two events held in Mexico and France called the “Generation Equality Forum.” As with Nairobi, the events were tightly curated and described as a “champions-only space” by activists hoping to see further promotion of CSE.¹⁵

One of its official “action coalitions” focused on bodily autonomy and SRHR, and it issued a blueprint which had as one of its targets “Increase delivery of comprehensive sexuality education in and out of school reaching 50 million more children, adolescents, and youth by 2026.”¹⁶

UN Treaty Body Promotion of CSE

In their concluding observations to States party to human rights conventions, the treaty monitoring bodies are becoming increasingly aggressive in promoting CSE in countries that have ratified their respective treaties. This is despite the fact that none of the treaties mention CSE in their text, and any attempt to include such a reference would have been strongly rejected by the UN Member States who negotiated the treaty texts in the first place.

Examples of CSE promotion by treaty bodies include the following:

Human Rights Committee (monitoring ICCPR):

- » Review of Equatorial Guinea, 2019: “Ensure full access to sexual and reproductive health services and comprehensive sexuality education for men, women, boys and girls throughout the country, including in rural and remote areas.”¹⁷
- » Review of Mexico, 2019: “Ensure unimpeded access to sexual and reproductive health services and to holistic, evidence-based sexuality education in order to raise awareness among men, women, boys and girls throughout the country, including in remote, rural areas.”¹⁸
- » Review of Guatemala, 2018: “Ensure unimpeded access to sexual and reproductive health services, emergency contraceptives and comprehensive sex education for men, women, boys and girls throughout the country.”¹⁹

Committee on Economic, Social, and Cultural Rights (monitoring CESCR):

- » Review of Denmark, 2019: “The Committee recommends that the State party provide age-appropriate, evidence-based, scientifically accurate comprehensive education for all on sexual and reproductive health and sexuality, including on consent in sexual relations. It also recommends that adequate pedagogical programmes for their teaching be developed.”²⁰
- » Review of the Republic of Serbia, 2014: “The Committee recommends that the State party intensify its measures to increase the budgetary allocations to the health sector, ensure that disadvantaged individuals have a health card so that they can have access to health care, and extend health services to rural areas. The State party should also continue to address the spread of HIV/AIDS by promoting adolescent health and providing health counselling and services to the general public, provide for comprehensive sexuality education, and extend the network of mental health services for children while replacing institutional care with community-based support services.”²¹

Committee on the Elimination of Discrimination against Women (monitoring CEDAW):

- » Review of Pakistan, 2020: “Develop and integrate into school curricula: (i) inclusive and accessible content on gender equality, including on women’s rights, and positive portrayals of women in public life, and (ii) age-appropriate education on sexual and reproductive health and rights, including comprehensive sexuality education for adolescent girls and boys, with a particular emphasis on responsible sexual behaviour.”²²
- » Review of Suriname, 2018: “Institutionalize mandatory, age-appropriate and comprehensive sexuality education, including education on responsible sexual behaviour and prevention of early pregnancy.”²³
- » Review of Samoa, 2018: “Ensure the inclusion in school curricula of mandatory, universal, age- appropriate, comprehensive sexuality and reproductive health and rights education addressing the issues of power and responsible sexual behaviour, with special attention given to the prevention of early pregnancy, and strengthen continuing efforts towards awareness-raising in order to change cultural resistance to sexual and reproductive health education.”²⁴

Committee on the Rights of the Child (monitoring CRC):

- » Review of Côte d’Ivoire, 2019: “Ensure access to sexual and reproductive health information and services countrywide for girls and boys at schools, in particular access to modern contraception methods, including by implementing the National Programme on Comprehensive Sexuality Education and by ensuring that sexual and reproductive health education is part of the mandatory school curriculum.”²⁵
- » Review of Malawi, 2017: “Adopt a comprehensive sexual and reproductive health policy for adolescents and ensure that sexual and reproductive health education is part of the mandatory school curriculum both in public and private schools with special attention on preventing early pregnancy and sexually transmitted infections.”²⁶
- » Review of the United Kingdom, 2016: “Ensure that meaningful sexual and reproductive health education is part of the mandatory school curriculum for all schools, including academies, special schools and youth detention centres, in all areas of the State party. Such education should provide age-appropriate information on: confidential sexual and reproductive health-care services; contraceptives; the prevention of sexual abuse or exploitation, including sexual bullying; the support available in cases of such abuse and exploitation; and sexuality, including that of lesbian, gay, bisexual, transgender and intersex children.”²⁷

As is evident from the examples above, UN human rights treaty bodies have frequently and explicitly issued directives to sovereign Member States to institute mandatory CSE in and out of schools. Unlike non-governmental actors that might seek to lobby a national government to institute CSE, UN treaty bodies claim to do so with the authority of enforcing a binding agreement, referring to their concluding observations as “jurisprudence.”

UN Special Procedures' Promotion of CSE

The special mandate holders who operate under the umbrella of the Office of the High Commissioner for Human Rights (OHCHR) are, like the treaty body members, independent experts who are not compensated for their work, but do receive support and staff to assist in carrying out their mandates. Like the treaty bodies, these experts have increasingly exceeded those mandates with impunity with regard to promoting CSE and urging countries make it mandatory.

UN mandate holders have also used their annual reports to promote CSE. These, like treaty body concluding observations, are frequently cited in the reports of various UN agencies. Some examples include:

Report of the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health (2021) – “During the COVID-19 pandemic, a number of factors worsened adolescents’ already limited access to sexual and reproductive health rights. [...] School closures have led to diminished access to interventions offered at school, such as menstrual education and provision of sanitary pads or comprehensive sexuality education, which was also forgotten in online education.”²⁸

Report of the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity (2021) – “The provision and reception of comprehensive gender and sexuality education is legally protected under article 19 of the Universal Declaration of Human Rights and article 19 of the International Covenant on Civil and Political Rights. The Independent Expert wishes to underline the importance of comprehensive gender and sexuality education to deconstruct stigma that lies as a powerful root cause for violence and discrimination, to promote the full development of the human personality and the sense of its dignity under article 13 of the International Covenant on Economic, Social and Cultural Rights, to deconstruct stereotypes about sex, sexuality and pleasure, and to prevent gender-based violence.”²⁹

Special mandate holders often release joint statements promoting CSE including:

Joint statement by several special mandate holders for World Contraception Day (September 2021) – “On the World Contraception Day (26 September) and the International Safe Abortion Day (28 September), we call on States to live up to their legal obligations under current human rights standards, decriminalise abortion, repeal laws prohibiting access to emergency contraception and ensure respect for and protection and fulfilment of sexual and reproductive health rights, including through the systematic inclusion of comprehensive and scientifically based sexuality education in all school curricula, also in the midst of the COVID-19 pandemic.”³⁰

Joint statement by several special mandate holders for World Contraception Day (September 2020) – “In order to make this a reality, everyone must have access to scientifically based comprehensive sexuality education included in school curricula, as well as timely access to safe, effective, affordable and acceptable methods of family

planning of their choice. This includes unbiased and scientifically based information, the opportunity to make an informed decision, options for counselling, modern short- and long-acting contraceptives, and other methods such as emergency contraception.”³¹

Joint Statement by UN human rights experts (2019) – “When it comes to adolescent girls, the lack of universal access to comprehensive sexuality education and contraceptive information and services and the persistent practice of child marriage in many parts of the world continue to lead to teenage pregnancy and the exclusion of girls from education and employment, hence limiting their enjoyment of many other rights.”³²

Endnotes

- 1 Available at: <https://unesdoc.unesco.org/ark:/48223/pf0000377963>
- 2 Available at: <https://unesdoc.unesco.org/ark:/48223/pf0000260770/>
- 3 Available at: <https://www.educationcannotwait.org/wp-content/uploads/2020/01/ECW-Gender-Policy-and-Accountability-Framework.pdf>
- 4 Available at: <https://www.unwomen.org/en/news/stories/2021/6/feature-seven-ways-to-change-the-world>
- 5 Available at: <https://www.unwomen.org/en/news/stories/2019/8/statement-ed-phumzile-international-youth-day>
- 6 Available at: <https://www.unwomen.org/en/news/stories/2017/9/speech-ed-phumzile-event-on-the-role-of-srhr-on-economic-empowerment>
- 7 Available at: <https://www.who.int/news/item/05-07-2021-who-pledges-extensive-commitments-towards-women-s-empowerment-and-health>
- 8 Available at: <https://www.who.int/reproductivehealth/human-rights-day/en/>
- 9 WHO, Sexual health, Human Rights and the Law, available at: https://apps.who.int/iris/bitstream/handle/10665/175556/9789241564984_eng.pdf
- 10 Available at: https://www.unfpa.org/sites/default/files/pub-pdf/SoWP2021_Report_-_EN_web.3.21_0.pdf
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- 13 Available at: <https://www.nairobisummiticpd.org/content/icpd25-commitments>
- 14 See Starrs, A. M. et al. Accelerate progress—sexual and reproductive health and rights for all: report of the Guttmacher–Lancet Commission. The Lancet. Available at: [https://www.thelancet.com/journals/lancet/article/PIIS0140-6736\(18\)30293-9/fulltext](https://www.thelancet.com/journals/lancet/article/PIIS0140-6736(18)30293-9/fulltext)
- 15 See <https://www.reprosfightback.com/episodes-blog/will-the-us-adopt-a-feminist-foreign-policy>
- 16 Available at: https://forum.generationequality.org/sites/default/files/2021-03/SRHR_FINAL_VISUAL_EN.pdf
- 17 Available at: <https://undocs.org/CCPR/C/GNQ/CO/1>
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