



In recent years, the debate surrounding sex education has focused on the question of whether States must provide “comprehensive sex education.” This debate is troubling because the term “comprehensive” is a misnomer—“comprehensive” programs do not give a complete picture of human sexuality. Rather, comprehensive sex education (CSE) is a pedagogy that emphasizes sexual fulfillment and pleasure, advocates contraceptive use and access to abortion, and seeks to empower children and teenagers to explore sexuality and gender identity. CSE does not emphasize a holistic understanding of the human person in relation to sexuality; it is not age-appropriate or culturally sensitive.

### International law does not mandate comprehensive sex education.

#### Treaties do not require sex education.

- There is no right to sexual or reproductive health in ICESCR, ICCPR, or ICERD.
- CEDAW affirms a woman’s right to decide freely and responsibly on the number and spacing of her children and to have access to information, education, and means to do so. CEDAW **does not require any particular type of sex education to be taught in schools.**
- CRC requires States to ensure that parents and children are informed and have access to education about child health, including family planning education services. CRC allows States to determine what is appropriate **in the context of national policies, cultures, and values.**
- Treaties reaffirm the right of **parents** to ensure the religious and moral education of their children.

#### Consensus documents do not require CSE.

- International consensus documents are not a source of binding international law. They are aspirational.
- ICPD Programme of Action suggests that States provide access to education and counseling on human sexuality and reproductive health to **individuals of appropriate ages, when it’s appropriate.**
- Beijing Platform for Action recommends that States enable adolescents to deal in a positive and responsible way with their sexuality, **with parental support and guidance.**
- International Conference on Primary Health Care emphasizes the importance of educating young people about how to achieve good health, but urges **associations of parents** to assume this responsibility.

### When IPPF, SIECUS, and others claim a right to CSE, they are misreading international law.

For example, the Center for Reproductive Rights claims that both CEDAW and the CRC guarantee a right to comprehensive sex education. This is not true. No treaty identifies a right to CSE.

### The Reproductive Rights Agenda twists the language of treaties and consensus documents to find a right to CSE.

- The phrase **evolving capacities of the child**, found in the CRC and consensus documents, does not mean that a child’s autonomy is the ultimate goal. Instead, it reminds States to tailor sex education curricula to ensure that they are appropriate for the age and maturity of the child. Proponents of CSE have twisted this language to support child autonomy and to minimize the role of parents in educating children. International law does not support this reading.
- Proponents of CSE use the **vague wording of international law** to read treaties expansively. Instead, international law requires that treaties and other documents be read narrowly, focusing on the words agreed to by the States Parties rather than “reading between the lines.”
- A requirement to provide **access to information and education** does not mean that States must provide it. If sex education is provided by nongovernmental actors, associations of parents, or religious organizations, for example, States do not need to create a school curriculum. States are not the final arbiter of the content of education; parents are. States must respect the rights of parents to ensure that their children’s education is in conformity with their own convictions.

#### WYA’s stance:

- States should read treaties narrowly. Treaties do not provide a right to comprehensive sex education.
- International consensus documents are not binding sources of international law.
- No source of international law mandates any particular form of sex education. States may decide to implement the programs that fit the culture, religion, and norms of their people.

### There is no international right to comprehensive sex education.

For more information, please see WYA’s published article: Melissa Curvino & Meghan Grizzle Fischer, *Claiming Comprehensive Sex Education is a Right Does Not Make It So: A Close Reading of International Law*, 20 THE NEW BIOETHICS 72-98 (2014), available at <http://essential.metapress.com/content/u02505vj52055781/>.

A pre-print, working copy of the published article and an executive summary are also available at [www.wya.net/sexualeducation](http://www.wya.net/sexualeducation).