

UNESCO'S PROGRAM FOR SEXUALITY  
EDUCATION IN LIGHT OF A PROPER  
UNDERSTANDING OF INTERNATIONAL HUMAN  
RIGHTS

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INTRODUCTION

Over the past few years, several international organizations have advocated a need for sexuality education.<sup>1</sup> From June to December 2009, the United Nations Educational, Scientific, and Cultural Organization [hereinafter UNESCO] published *International Technical Guidance on Sexuality Education: An Evidence Informed Approach for Schools, Teachers, and Health Educators*, and

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1. In September 2008, the Center for Reproductive Rights, a non-government organization, published a document that claimed sexuality education is essential for the progression of international human rights because it is "imperative to an individual's ability to protect his or her health and make informed decisions about sexuality and reproduction." †CTR. FOR REPROD. RTS., AN INTERNATIONAL HUMAN RIGHT: SEXUALITY EDUCATION FOR ADOLESCENTS IN SCHOOLS 1 (Sept. 2008), available at <http://reproductiverights.org/en/document/an-international-human-right-sexuality-education-for-adolescents-in-schools>. (last visited Oct. 24, 2010)). In July 2009, International Planned Parenthood Federation, a non-government organization, published a report that claims sexuality education is "essential to help young people to prepare for healthy and fulfilling lives." (INTERNATIONAL PLANNED PARENTHOOD FED'N., FROM EVIDENCE TO ACTION: ADVOCATING FOR COMPREHENSIVE SEXUALITY EDUCATION, 3 (July 2009), available at [www.ippf.org/NR/rdonlyres/FB127CA3.../SexEdAdvocacy.pdf](http://www.ippf.org/NR/rdonlyres/FB127CA3.../SexEdAdvocacy.pdf). (last visited Oct. 24, 2010)). In 2009, the Population Council, a non-government organization, published a curriculum guideline for sexuality, gender, HIV, and human rights education, declaring the goal of this particular curriculum is to "enable young people to enjoy—and advocate for their rights to—dignity, equality, and healthy, responsible, and satisfying sexual lives." (POPULATION COUNCIL, IT'S ALL ONE CURRICULUM: GUIDELINES AND ACTIVITIES FOR A UNIFIED APPROACH TO SEXUALITY, GENDER, HIV, AND HUMAN RIGHTS EDUCATION, 2 (2009) available at [http://www.popcouncil.org/publications/books/2010\\_ItsAllOne.asp](http://www.popcouncil.org/publications/books/2010_ItsAllOne.asp). (last visited Oct. 24, 2010)).

*International Guidelines on Sexuality Education: an evidence informed approach to effective sex, relationships, and HIV/STI education* (collectively, the Guidelines), outlining the implementation for sexuality education programs for primary and secondary schools.<sup>2</sup> UNESCO published these massive documents with the goal of equipping children and young people with the “knowledge, skills and values to make responsible choices about their sexual and social relationships in a world affected by HIV and AIDS.”<sup>3</sup> Unfortunately, this noble goal is quickly abandoned in favor of advocating an approach that is “rights-based, culturally sensitive, respectful of sexual and gender diversity. . .” and encourages teachers and governments to act in the place of the child’s parents in educating children on sexuality.<sup>4</sup> The purpose of this paper is to provide a critical analysis of UNESCO’s two sexuality education guidelines in light of a proper understanding of the rights of parents, family, and children in binding international law, and to demonstrate that UNESCO’s approach is more focused on sexualizing children through social policy, rather than on health.

Part One provides a brief history of UNESCO’s two guidelines on sexuality education. Part Two discusses the philosophy of UNESCO’s approach to the topic of sexuality and its appropriateness in education as presented in its two sexuality education guidelines. Part Three summarizes UNESCO’s sexuality education documents and compares how slight differences in the documents demonstrate an intent to expose young people to overtly sexual information. Part Four outlines several additional issues in international law and their relation to the sexualization of children. This analysis gives greater insight into the Guidelines, and reveals that UNESCO’s objective is indoctrination and desensitization of children by overwhelming them with sexual-based information, rather than the promotion of better sexual health.

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2. UNESCO, INTERNATIONAL TECHNICAL GUIDANCE ON SEXUALITY EDUCATION: AN EVIDENCE INFORMED APPROACH FOR SCHOOLS, TEACHERS, AND HEALTH EDUCATORS, Vol. 1, pg. 2-3 (Dec. 2009), available at [http://portal.unesco.org/en/ev.php-URL\\_ID=42114&URL\\_DO=DO\\_TOPIC&URL\\_SECTION=201.html](http://portal.unesco.org/en/ev.php-URL_ID=42114&URL_DO=DO_TOPIC&URL_SECTION=201.html). (last visited Oct. 24, 2010) [hereinafter Technical Guidelines]; UNESCO, International Guidelines on Sexuality Education: an evidence informed approach to effective sex, relationships, and HIV/STI education, Conference Ready Version (2009), available at <http://www.unhcr.org/refworld/pdfid/4a69b8902.pdf>. (last visited Oct. 24, 2010) [hereinafter INTERNATIONAL GUIDELINES].

3. INTERNATIONAL GUIDELINES, *supra* note 2, at 3.

4. *Id.* at 3, 4.

## I. HISTORY OF UNESCO'S TWO SEXUALITY EDUCATION GUIDELINES

As previously mentioned, UNESCO has published two documents that provide an overview on sexuality education.<sup>5</sup> The first of these two documents, INTERNATIONAL GUIDELINES ON SEXUALITY EDUCATION [hereinafter International Guidelines], was published in June 2009.<sup>6</sup> UNESCO states that the purpose of publishing this document was to help reduce the risk of young adults contracting HIV/AIDS and to prevent coercive and abusive sexual activity.<sup>7</sup> The International Guidelines were intended to target education and health ministers in order to globally implement sexuality education programs.<sup>8</sup> Further, UNESCO argues that sexuality education is “an essential part of a comprehensive response to HIV and AIDS at the national level.”<sup>9</sup>

The second document, INTERNATIONAL TECHNICAL GUIDANCE ON SEXUALITY EDUCATION [hereinafter Technical Guidelines], was published several months later in December 2009.<sup>10</sup> UNESCO states that the Technical Guidelines are aimed at “education and health sector decision-makers and professionals.”<sup>11</sup> The Technical Guidelines received more support than the International Guidelines, as the Technical Guidelines were developed not only by UNESCO, but with contributions from UNAIDS (The Joint United Nations Programme on HIV/AIDS), UNFPA (United Nations Population Fund), WHO (World Health Organization), and UNICEF (United Nations Children’s Fund).<sup>12</sup> In this document, UNESCO also describes effective sexuality education as “a vital part of HIV prevention.”<sup>13</sup> During a web conference in April 2010 that discussed the Technical Guidelines, UNESCO presented the rationale for these guidelines as reducing “the risk of acquiring HIV infection and

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5. See generally TECHNICAL GUIDELINES, *supra* note 2; INTERNATIONAL GUIDELINES, *supra* note 2.

6. See INTERNATIONAL GUIDELINES, *supra* note 2, at ii.

7. See *id.* at 2.

8. See *id.* at 3-4.

9. *Id.* at 4.

10. TECHNICAL GUIDELINES, *supra* note 2, at i.

11. *Id.* at iii.

12. *Id.*

13. *Id.* at 2.

passing it along to others” by means of changing young people’s behavior through sexuality education.<sup>14</sup>

UNESCO can claim to speak as an authority on education because they are considered “the UN specialized agency for education.”<sup>15</sup> Acting as a specialized agency for education, UNESCO “undertakes its work in a broader effort . . . to move towards universal access to comprehensive HIV prevention programs, treatment, care and support . . . [particularly through] Education Sector reform.”<sup>16</sup> One of the purposes education can serve is to “create the understanding and tolerance that contribute to reduced stigma and discrimination against vulnerable and marginalized communities and people living with HIV.”<sup>17</sup> UNESCO states that to achieve the best effect on preventing the spread of HIV and AIDS, “holistic approaches” are necessary.<sup>18</sup> Within the motive to prevent the spread of HIV and AIDS, UNESCO is more explicit that its educational programs must promote “respect for sexual diversity and non-discriminatory attitudes and behaviors against same-sex attracted individuals, individuals of different sexual orientation and transgendered individuals.”<sup>19</sup> Rather than categorizing sexuality education as objective, UNESCO uses the term “non-judgmental” in describing its efforts to prevent HIV and AIDS via education.<sup>20</sup>

## II. UNESCO’S PHILOSOPHY OF SEXUALITY AND EDUCATION

UNESCO is an international organization founded under the authority of the United Nations shortly after World War II.<sup>21</sup> Specifically, UNESCO is a specialized agency under the Economic

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14. Christopher Castle, UNESCO, *International Technical Guidelines on Sexuality Education*, Web Conference (April 29, 2010), available at [http://www.unicef.org/aids/files/Web\\_Conf\\_UNESCO\\_Presentation\\_28\\_Apr\\_10\\_v5\\_FINAL.ppt](http://www.unicef.org/aids/files/Web_Conf_UNESCO_Presentation_28_Apr_10_v5_FINAL.ppt). (last visited August 14, 2011).

15. UNESCO, UNESCO’S STRATEGY FOR RESPONDING TO HIV AND AIDS 10 (February 2007), available at [unesdoc.unesco.org/images/0014/001499/149998e.pdf](http://unesdoc.unesco.org/images/0014/001499/149998e.pdf) (last visited August 25, 2011) [hereinafter *Strategy on HIV and AIDS*].

16. *Id.* at 4.

17. *Id.* at 5.

18. *Id.* at 11.

19. *Id.* at 19.

20. *See id.* at 21.

21. UNESCO, THE ORGANIZATION’S HISTORY, <http://www.unesco.org/new/en/unesco/about-us/who-we-are/history/>. (last visited Nov. 10, 2011).

and Social Council of the United Nations.<sup>22</sup> The purpose of UNESCO is to “contribute to peace and security by promoting collaboration among the nations through *education*, science and culture.”<sup>23</sup> UNESCO’s use of education as a means to peace must be provided in the context of “unrestricted pursuit of objective truth.”<sup>24</sup> In 1948, “UNESCO proclaimed by a special resolution the importance of this Declaration [Universal Declaration of Human Rights] for all activities of the Organization and undertook to make it know[n] as widely as possible.”<sup>25</sup> Under the Universal Declaration of Human Rights [hereinafter UDHR], all human beings are born “free and equal in dignity and rights.”<sup>26</sup> The UDHR states all humans are born with equal dignity and they are “endowed with reason and conscious and should act towards one another in a spirit of brotherhood.”<sup>27</sup> The foundations of this inherent dignity of the human person and his inalienable rights as a part of the human family are “freedom, justice, and peace in the world.”<sup>28</sup> The family is considered to be a union

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22. The Economic and Social Council (hereinafter ECOSOC) of the United Nations was founded under Article 61 of the United Nations Charter. (U.N. Charter art. 61, para. 1, *available at* <http://www.un.org/en/documents/charter/chapter10.shtml> . (last visited Nov. 14, 2010)). ECOSOC coordinates their work with 14 specialized agencies, of which UNESCO is a part (*see* UNESCO, UNESCO’s Participation in the ECOSOC, *available at* <http://www.unesco.org/en/geneva/unescos-participation-at-ecosoc/>. (last visited Nov. 14, 2010)).

23. CONSTITUTION OF THE UNITED NATIONS EDUCATIONAL, SCIENTIFIC, AND CULTURAL ORGANIZATION, art. 1, signed Nov. 16, 1945, entered into force Nov. 4, 1946, *available at* [http://portal.unesco.org/en/ev.php-URL\\_ID=15244&URL\\_DO=DO\\_TOPIC&URL\\_SECTION=201.html](http://portal.unesco.org/en/ev.php-URL_ID=15244&URL_DO=DO_TOPIC&URL_SECTION=201.html). (last visited Nov. 15, 2010) (emphasis added to stress the role of UNESCO in making educational recommendations).

24. *Id.*

25. UNESCO, UNESCO AND THE DECLARATION (2010), *available at* <http://www.unesco.org/new/en/social-and-human-sciences/themes/human-rights/advancement/60th-anniversary-of-udhr/unesco-and-the-declaration/> (last visited Nov. 25, 2010) (brackets added for clarification); *see also* UNESCO, UNIVERSAL DECLARATION ON BIOETHICS AND HUMAN RIGHTS (Oct. 19, 2005), *available at* [http://portal.unesco.org/en/ev.php-URL\\_ID=31058&URL\\_DO=DO\\_TOPIC&URL\\_SECTION=201.html](http://portal.unesco.org/en/ev.php-URL_ID=31058&URL_DO=DO_TOPIC&URL_SECTION=201.html) (last visited Nov. 25, 2010)(referencing the UDHR in its preamble) and UNESCO, UNIVERSAL DECLARATION ON CULTURAL DIVERSITY (Nov. 2, 2001), *available at* [http://portal.unesco.org/en/ev.php-URL\\_ID=13179&URL\\_DO=DO\\_TOPIC&URL\\_SECTION=201.html](http://portal.unesco.org/en/ev.php-URL_ID=13179&URL_DO=DO_TOPIC&URL_SECTION=201.html) (last visited Nov. 25, 2010) (committing the efforts of UNESCO to fully implement the rights and freedoms outlined in the UDHR).

26. Universal Declaration of Human Rights, G.A. Res. 217A (III), U.N. Doc. A/810, at Art.1 (Dec. 10, 1948), *available at* <http://www.un.org/en/documents/udhr/>. (last visited Nov. 4, 2010).

27. *Id.* at art. 2.

28. *Id.* at pmb1.

between<sup>29</sup> a man and a woman, which forms the “natural and fundamental group unit of society and is entitled to protection by society and the State.”<sup>30</sup> These are the principles of the human person outlined in the UDHR, adopted by UNESCO in its work.<sup>31</sup> Unfortunately, UNESCO’s two documents on sexuality education programs do not appear to adopt these fundamental understandings of human sexuality.

A. *Sexuality in UNESCO’s Technical Guidelines*

According to UNESCO’s Technical Guidance, sexuality is part of the physical, psychological, emotional, social, and cultural development of a person.<sup>32</sup> Sexuality is intrinsically linked to one’s identity and sexual identity unfolds in the social, economic, and cultural context.<sup>33</sup> Human sexuality is referred to as “being sexual,” that is participation in sexual behaviors that are “an important part of many people’s lives [because] it can be a source of pleasure and comfort and a way of expressing affection and love or starting a family.”<sup>34</sup>

As a result of some sexual behavior, people are exposed to certain negative health consequences, particularly HIV/AIDS.<sup>35</sup> In order to prevent the spread of negative health consequences, people must acquire a better understanding of gender and sexuality.<sup>36</sup> Young people suffer at high rates from sexual diseases<sup>37</sup> and unsafe abortions.<sup>38</sup> In order to protect young people from these negative

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29. *Id.* at art. 16(1).

30. *Id.* at art. 16(3).

31. UNESCO AND THE DECLARATION, *supra* note 25.

32. TECHNICAL GUIDELINES, *supra* note 2, at 5.

33. *Id.*

34. *Id.*

35. *Id.*

36. *Id.*

37. *Id.* at 6 (referencing INTERNATIONAL PLANNED PARENTHOOD FED’N, FRAMEWORK FOR COMPREHENSIVE SEXUALITY EDUCATION, 5 (May 2006), available at [www.ippf.org/NR/rdonlyres/CE7711F7-C0F0.../0/Sexuality.pdf](http://www.ippf.org/NR/rdonlyres/CE7711F7-C0F0.../0/Sexuality.pdf) (last visited Nov. 25, 2010) (citing that every year 111 million cases of curable sexually transmitted infections occur in young people age 10 to 24)).

38. *Id.* (referencing World Health Organization, Unsafe Abortion: Global and regional estimates of the incidence of unsafe abortion and associated mortality in 2003 (5th. ed. 2007), available at [http://www.who.int/reproductivehealth/publications/unsafe\\_abortion/9789241596121/en/index.html](http://www.who.int/reproductivehealth/publications/unsafe_abortion/9789241596121/en/index.html) (last visited Nov. 25, 2010) (citing that the majority of young girls aged 15 to 19 years old in developing countries have unsafe abortions)).

health consequences associated with sexual behavior, they are provided age-appropriate sexuality education in the supportive infrastructures of schools.<sup>39</sup> Schools are appropriate settings for sexuality education because parents are often “reluctant to engage in discussion of sexual matters with children because of their cultural norms, their own ignorance, or discomfort.”<sup>40</sup> Parallel programs address parental concerns by providing updates on the materials of sexuality education to parents.<sup>41</sup> Because sexuality is an inherent part of a person’s identity, health, and well being, sexuality education is vital for fighting the health risks and social stigma associated with unintended pregnancies, HIV/AIDS, sexually transmitted infections, and discrimination based on sexual orientation.<sup>42</sup> In order to provide young people with a comprehensive sexuality education program, there are seven key concepts of human sexuality that are addressed: relationships, values about sexuality, sexuality and culture, society, and human rights, human development, sexual behavior, and sexual health.<sup>43</sup> As will be demonstrated *infra*, UNESCO’s approach to sexuality education contradicts the binding requirements of international law.

B. *Sexuality in UNESCO’s International Guidelines*

According to UNESCO’s International Guidelines, human sexuality is “a process that comprises physical, psychological, emotional, social and cultural dimensions.”<sup>44</sup> Furthermore, human sexuality is “inextricably linked to the development of one’s gender identity . . . by the transmission of cultural values from one generation to the next that forms a critical part of socialization [including] values related to gender and sexuality.”<sup>45</sup> Similar to UNESCO’s Technical Guidelines, the International Guidelines also state “being sexual is an important part of many people’s lives.”<sup>46</sup> Human sexuality is seen as “a source of pleasure and comfort and a way of expressing affection

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39. INTERNATIONAL GUIDELINES, *supra* note 2, at Vol. 1, pg. 6.

40. *Id.* at 5.

41. *Id.* at 12.

42. *Id.* at 7.

43. *Id.* at 6.

44. INTERNATIONAL GUIDELINES, *supra* note 2, at Vol. 1, 5.

45. *Id.*

46. *Id.* at 6.

and love.”<sup>47</sup> Human sexuality is equated to the act of intercourse; therefore, UNESCO justifies the importance of comprehensive sexuality education because it “prioritizes the acquisition and reinforcement of values such as reciprocity, equality, and respect that are prerequisites for healthier and safer sexual and social relationships.”<sup>48</sup> Comprehensive sexuality education purports to create healthier and safer relationships by informing young people (ages 5 through 18) about sexually transmitted infections, namely, HIV/AIDS.<sup>49</sup>

The International Guidelines claim that since some sexual behaviors result in unfavorable outcomes, such as HIV infections and unplanned pregnancies, young people must be educated about sexuality.<sup>50</sup> The best place for discussion about sexuality is in schools because “parents are often reluctant to engage in discussion of sexual matters with children because of cultural norms, their own ignorance, or discomfort.”<sup>51</sup> On the contrary, teachers are better suited to discuss the various aspects of human sexuality with children because “they are the most skilled and trusted source of information.”<sup>52</sup> Likewise, schools are the most favorable setting for sexuality education because “they have the potential to promote communication about important issues between young people, trusted adults, and the broader community.”<sup>53</sup> Human sexuality is taught in light of several topics under the International Guidelines including relationships, values, attitudes, skills, culture, society, law, human development, sexual behavior and sexual and reproductive health.<sup>54</sup> These are the same topics included in UNESCO’s Technical Guidelines on sexuality education.<sup>55</sup> Having seen an overview of UNESCO’s approach to human sexuality, the next section provides the history of UNESCO’s two documents that integrate human sexuality with comprehensive sexuality education programs.

### III. COMPARISON OF UNESCO’S TWO SEXUALITY EDUCATION

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47. *Id.*

48. *Id.*

49. *See id.* at 6.

50. *See id.* at 5-7.

51. *Id.* at 5.

52. *Id.* at 7.

53. *Id.*

54. *See id.* at 28.

55. TECHNICAL GUIDELINES, *supra* note 2, at Vol. 1, pg. 6

## GUIDELINES

According to UNESCO's Guidelines, sexuality is part of the physical, psychological, emotional, social, and cultural development of the human person<sup>56</sup> and unfolds in the social, economic and cultural context.<sup>57</sup> UNESCO views human sexuality as participation in sexual behaviors as a source of pleasure, comfort, expressing affection, or starting a family.<sup>58</sup> Some sexual behaviors lead to negative health consequences that affect young people at higher rates, like sexually transmitted infections<sup>59</sup> and unsafe abortions.<sup>60</sup> UNESCO justifies that the Guidelines on sexuality education are necessary to protect young people from these negative health consequences.<sup>61</sup> Schools are appropriate settings for sexuality education because parents are often "reluctant to engage in discussion of sexual matters with children because of their cultural norms, their own ignorance, or discomfort."<sup>62</sup>

Both UNESCO Guidelines address seven key concepts of comprehensive sexuality education: relationships, values about sexuality, sexuality and culture, society and human rights, human development, sexual behavior, and sexual health.<sup>63</sup> The seven key

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56. TECHNICAL GUIDELINES, *supra* note 2, at Vol. 1, pg. 5 (referencing WORLD HEALTH ORGANIZATION, *SEXUAL HEALTH: REPORT OF A TECHNICAL CONSULTATION ON SEXUAL HEALTH* (Jan. 28, 2002), available at [http://www.who.int/reproductivehealth/topics/gender\\_rights/sexual\\_health/en/](http://www.who.int/reproductivehealth/topics/gender_rights/sexual_health/en/) (last visited Nov. 25, 2010)); *see also* INTERNATIONAL GUIDELINES, *supra* note 2, at 5.

57. TECHNICAL GUIDELINES, *supra* note 2, at Vol. 1, pg. 5.

58. *Id.*; *see also* INTERNATIONAL GUIDELINES, *supra* note 2, at 6.

59. INTERNATIONAL GUIDELINES, *supra* note 2, at 6; *see also* TECHNICAL GUIDELINES, *supra* note 2, at Vol. 1, pg. 6 (referencing INTERNATIONAL PLANNED PARENTHOOD FED'N, *FRAMEWORK FOR COMPREHENSIVE SEXUALITY EDUCATION*, 5 (May 2006), available at <http://ippf.org/NR/rdonlyres/CE7711F7-C0F0-4AF5-A2D5-1E1876C24928/0/ComprehensiveSexEducation.pdf> (last visited Nov. 25, 2010) (citing statistics showing that every year 111 million cases of curable sexually transmitted infections occur in young people)).

60. TECHNICAL GUIDELINES, *supra* note 2, at Vol. 1, pg. 6. (referencing WORLD HEALTH ORGANIZATION, *UNSAFE ABORTION: GLOBAL AND REGIONAL ESTIMATES OF THE INCIDENCE OF UNSAFE ABORTION AND ASSOCIATED MORTALITY IN 2003* (5th. ed. 2007), available at [http://whqlibdoc.who.int/publications/2007/9789241596121\\_eng.pdf](http://whqlibdoc.who.int/publications/2007/9789241596121_eng.pdf) (last visited Nov. 25, 2010) (stating that the majority of young girls aged 15 to 19 years old in developing countries have unsafe abortions)); INTERNATIONAL GUIDELINES, *supra* note 2, at 6.

61. TECHNICAL GUIDELINES, *supra* note 2, at Vol. 1, pg. 6; INTERNATIONAL GUIDELINES, *supra* note 2, at 6.

62. TECHNICAL GUIDELINES at 5; *see also* INTERNATIONAL GUIDELINES, *supra* note 2, at 5-7 (discussing the importance of implementation in schools).

63. TECHNICAL GUIDELINES, *supra* note 2, at Vol. 2, pg. 6; INTERNATIONAL GUIDELINES, *supra* note 2, at Part II, pg. 28.

concepts of sexuality education are further divided into four age-appropriate categories: the first category is children aged five to eight years old; the second category is children aged nine to twelve years old; the third category is children aged twelve to fifteen years old; the fourth category is children aged fifteen to eighteen years old.<sup>64</sup>

A. *Relationships*

The Guidelines discuss that there are several types of families, which includes “non-traditional families,” a term for which no definition is provided.<sup>65</sup> Furthermore, the two documents define love generally as an expression of affection between people in relationships.<sup>66</sup> The first age category is taught that different types of families (e.g. single parent, nuclear and non-traditional) and different types of friends (e.g. boyfriend, girlfriend, or friend) involve different expressions of love that must be tolerated.<sup>67</sup> The second age category learns that gender equality is a vital part of making relationships of all kinds healthier.<sup>68</sup> The third age category is instructed that as they mature, close relationships and friendships sometimes become sexual, but successful marriages must be based on love, tolerance, and respect.<sup>69</sup> The fourth age category learns that abusive relationships are harmful and that marriage is a long-term commitment that may encounter many difficulties impacting a person’s decision to have children.<sup>70</sup>

Essentially, both the Technical Guidelines and the International Guidelines provide the same general information concerning relationships. Although the concepts of family, friendship and love seem unbiased, there are subtle differences that attempt to expose by integration certain behaviors like homosexuality and abortion. For example, the Technical Guidelines state that families may undergo crisis when a young family member becomes pregnant or discloses their sexual orientation.<sup>71</sup> Whereas, the International Guidelines are

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64. TECHNICAL GUIDELINES, *supra* note 2, at Vol. 2, pg. 4; INTERNATIONAL GUIDELINES, *supra* note 2, at Part II, pg. 26.

65. TECHNICAL GUIDELINES, *supra* note 2, at Vol. 2, pg. 8-11; INTERNATIONAL GUIDELINES, *supra* note 2, at Part II, pg. 30-33.

66. *Id.*

67. *Id.*

68. *Id.*

69. *Id.*

70. *Id.*

71. TECHNICAL GUIDELINES, *supra* note 2, at Vol. 2, pg. 8.

more specific by stating that families may undergo stress and crisis when a young family member has an abortion or comes out as being gay.<sup>72</sup> Likewise, the Technical Guidelines use the term “non-traditional families” while the International Guidelines use the term “same sex couple parents.”<sup>73</sup> While the Technical Guidelines generalize that stigma and discrimination on the grounds of differences between people is a violation of human rights, the International Guidelines clarify that such discrimination is intended to encompass homophobia and transphobia.<sup>74</sup> A final and subtle familiarization of abortion is achieved by both Guidelines integrating the notion that “[e]very person has the *right* to decide whether to become a parent . . .”<sup>75</sup> This statement implies that parenthood is a choice reduced to a right and as such, abortion must then attach as a protection of this alleged right to choose parenthood.

### B. *Values on Sexuality*

The second topic addresses the values and norms that society and culture attach to human sexuality. The UNESCO documents stress the importance of sexual values without ever providing any clear guidance as to what proper sexual values are; however, the context of this section of the Technical and International Guidelines outlines sexual values as a subjective compilation of social, familial, religious and cultural norms about human sexuality.<sup>76</sup> Children in the first age category learn that values, influenced by family and peers, will guide decisions on relationships, including the value of protecting one’s privacy and bodily integrity.<sup>77</sup> In the second age category, children are taught the influence of social norms on sexual behavior.<sup>78</sup> Children in the third age category learn tolerance for different values and beliefs about sexual behavior and that abortion is an accessible

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72. INTERNATIONAL GUIDELINES, *supra* note 2, Part II, pg. 30.

73. TECHNICAL GUIDELINES, *supra* note 2, at Vol. 2, pg. 8; INTERNATIONAL GUIDELINES, *supra* note 2, at Part II, pg. 30.

74. TECHNICAL GUIDELINES, *supra* note 2, at Vol. 2, pg. 10; INTERNATIONAL GUIDELINES, *supra* note 2, at Part II, pg. 32

75. TECHNICAL GUIDELINES, *supra* note 2, at Vol. 2, pg. 11; INTERNATIONAL GUIDELINES, *supra* note 2, at Part II, pg. 33 [emphasis added].

76. TECHNICAL GUIDELINES, *supra* note 2, at Vol. 2, pgs. 12-16; INTERNATIONAL GUIDELINES, *supra* note 2, at Part II, pg. 34-38.

77. *Id.*

78. *Id.*

part of sexual and reproductive health.<sup>79</sup> Children in the fourth age category discuss their differing values with their parents and are taught to resist negative attitudes about sexual behavior.<sup>80</sup>

Both the Technical and International Guidelines teach that the concepts of sexuality<sup>81</sup> are derived from the views of family and peers, and influenced by social norms; there is no meaningful discussion of any objective moral standards on acceptable sexual behavior.<sup>82</sup> UNESCO adheres to a more subjective interpretation of sexual values, claiming that such values evolve from changing social norms.<sup>83</sup> As portrayed in the two documents, family, peers and social norms are subjective sources of values because they depend on personal or collective acceptance rather than any sort of underlying truth.<sup>84</sup>

There are differences between the documents, particularly in the International Guidelines, that offer an endorsement of abortion, contraception, and LGBT (Lesbian, Gay, Bisexual and Transgender) lifestyles. For example, the Technical Guidelines teach, “[p]eople can resist negative peer influence in their sexual decision-making” and the International Guidelines teach young people to “stick to one’s own decisions about sexual activity.”<sup>85</sup> These general statements may not seem negative on their face; however, they direct decisions about sexual activity and sexual decision to children as young as nine years old.<sup>86</sup> In the Technical Guidelines, pregnancy is only displayed negatively as “unintended” and grouped with other unintended consequences like STIs (sexually transmitted infections) and HIV.<sup>87</sup> The International Guidelines do not mention pregnancy as a consequence of sexual activity, but focus on teaching children to defend *their* rights to make *their* own decisions.<sup>88</sup> Further, children as

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79. *Id.*

80. *Id.*

81. It is important to remember that sexuality is defined in both documents as “diverse sexual expression and orientation.” See TECHNICAL GUIDELINES, *supra* note 2, at Vol. 2, pg. 17; INTERNATIONAL GUIDELINES, *supra* note 2, at Part II, pg. 39.

82. TECHNICAL GUIDELINES, *supra* note 2, at Vol. 2, pgs. 12-16; INTERNATIONAL GUIDELINES, *supra* note 2, at Part II, pg. 34-38.

83. *Id.*

84. *Id.*

85. *Id.*

86. See TECHNICAL GUIDELINES, *supra* note 2, at Vol. 2, pg. 13; INTERNATIONAL GUIDELINES, *supra* note 2, at Part II, pg. 35.

87. See TECHNICAL GUIDELINES, *supra* note 2, at Vol. 2, pg. 14.

88. See INTERNATIONAL GUIDELINES, *supra* note 2, at Part II, pg. 36.

young as twelve are taught to use communication skills “to practice safe and consensual sex.”<sup>89</sup> Another clarification is provided in the International Guidelines that children as young as twelve must be told there are places where they can receive support for sexual and reproductive health, including contraception and abortion, and help against homophobia.<sup>90</sup> The Technical Guidelines do not discuss homophobia in its help and support section under sexual values.<sup>91</sup>

### C. *Sexuality in Culture, Society and Human Rights*

UNESCO infers that gender identity and sexual orientation are fluid because they change as social norms change.<sup>92</sup> UNESCO erroneously states that international agreements determine sexual and reproductive health rights to include access to abortion, ignoring the fact that such agreements are only binding on party signatories, not as a matter of law generally.<sup>93</sup>

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89. INTERNATIONAL GUIDELINES, *supra* note 2, at Part II, pg. 37.

90. *Id.*

91. See TECHNICAL GUIDELINES, *supra* note 2, at Vol. 2, pg. 16.

92. See *id.* at 17-20; see also INTERNATIONAL GUIDELINES, *supra* note 2, at Part II, pg. 39-42.

93. The comments of treaty-monitoring committees are, with extremely limited exceptions, non-binding “recommendations,” which have no legal effect, even on signatories to the treaty that established the committee. See ANTHONY AUST, HANDBOOK OF INTERNATIONAL LAW 71 (Cambridge University Press 2010); The international “agreements” referenced by UNESCO as authority for this statement are non-binding committee recommendations, including: UNITED NATIONS COMMITTEE ON THE RIGHTS OF THE CHILD, July 1, 2003, CRC/GC/2003/4: General Comment 4 on Adolescent Health and development in the context of the Convention on the Rights of the Child, *in* UNESCO, INTERNATIONAL TECHNICAL GUIDELINES ON SEXUALITY EDUCATION: AN EVIDENCE INFORMED APPROACH FOR SCHOOLS, TEACHERS, AND HEALTH EDUCATORS, *supra* note 2, at Vol. 2, pg. 38; UNITED NATIONS COMMITTEE ON ECONOMIC, SOCIAL, AND CULTURAL RIGHTS, Aug. 11, 2000, EC.12/2000/4, on General Comment 14: Substantive issues arising in the implementation of the International Covenant on Economic, Social, and Cultural Rights, *in* UNESCO, INTERNATIONAL TECHNICAL GUIDELINES ON SEXUALITY EDUCATION: AN EVIDENCE INFORMED APPROACH FOR SCHOOLS, TEACHERS, AND HEALTH EDUCATORS, *supra* note 2, at Vol. 2, pg. 38; UNITED NATIONS CONVENTION ON THE RIGHTS OF PERSONS WITH DISABILITIES ACT, art. 25, Dec. 6, 2006, A/61/611, *in* UNESCO, INTERNATIONAL GUIDELINES ON SEXUALITY EDUCATION: AN EVIDENCE INFORMED APPROACH FOR SCHOOLS, TEACHERS, AND HEALTH EDUCATORS, *supra* note 2, at Vol. 2, pg. 39; INTERNATIONAL CONFERENCE ON POPULATION AND DEVELOPMENT PROGRAM OF ACTION, para. 7, Sept. 1994, A/CONF.171/13, *in* UNESCO, INTERNATIONAL TECHNICAL GUIDELINES ON SEXUALITY EDUCATION: AN EVIDENCE INFORMED APPROACH FOR SCHOOLS, TEACHERS, AND HEALTH EDUCATORS, *supra* note 2, at Vol. 2, pg. 39, available at <http://www.un.org/popin/icpd/conference/offeng/poa.html>. (last visited Nov. 18, 2010); UNITED NATIONS: OVERALL REVIEW AND APPRAISAL OF THE IMPLEMENTATION OF THE PROGRAM OF ACTION OF THE INTERNATIONAL CONFERENCE ON POPULATION AND DEVELOPMENT, July 1, 1999, A/S-21/5/Add, *in* UNESCO, INTERNATIONAL TECHNICAL GUIDELINES ON SEXUALITY EDUCATION: AN EVIDENCE INFORMED APPROACH FOR SCHOOLS, TEACHERS, AND HEALTH EDUCATORS, *supra* note 2, at Vol. 2, pg. 40; UNITED NATIONS FOURTH

In the first age group, children are taught that families, friends, schools, the media and society as a whole are the sources to learn about sex and gender.<sup>94</sup> When they reach the second age group, children are taught that cultural and social norms related to gender and sexuality change over time.<sup>95</sup> The third age group is taught that cultural factors determine what is appropriate sexual behavior and international agreements<sup>96</sup> provide guidance on sexual and reproductive health.<sup>97</sup> In the fourth age group, children learn to accept differing sexual orientations and gender identity.<sup>98</sup>

As previously mentioned, there are differences between the Technical Guidelines and the International Guidelines that expose UNESCO's push for acceptance of homosexuality and promiscuity. For example, the Technical Guidelines state, "respect for human rights requires us to consider others' opinions on sexuality," while the International Guidelines clarifies that others' opinions on sexuality means, "diverse sexual expression and orientation."<sup>99</sup> Similarly, the International Guidelines discusses the topic of gender inequality in each age group, while the Technical Guidelines clarifies that gender inequality "promotes equal decision making about sexual behavior and family planning."<sup>100</sup> Moreover, the International Guidelines instructs children as young as five about "body rights" and the

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WORLD CONFERENCE ON WOMEN, PLATFORM FOR ACTION, Sept. 1995, UNESCO, INTERNATIONAL TECHNICAL GUIDELINES ON SEXUALITY EDUCATION: AN EVIDENCE INFORMED APPROACH FOR SCHOOLS, TEACHERS, AND HEALTH EDUCATORS, *supra* note 2, at Vol. 2, pg. 40, available at <http://www.un.org/womenwatch/daw/beijing/platform/plat1.htm>. (last visited Nov. 18, 2010); UNITED NATIONS GENERAL ASSEMBLY SPECIAL SESSION ON HIV/AIDS, DECLARATION OF COMMITMENT ON HIV/AIDS, Aug. 2, 2001, A/RES/S-26/2, in UNESCO, INTERNATIONAL TECHNICAL GUIDELINES ON SEXUALITY EDUCATION: AN EVIDENCE INFORMED APPROACH FOR SCHOOLS, TEACHERS, AND HEALTH EDUCATORS, *supra* note 2, at Vol. 2, pg. 41.

94. See TECHNICAL GUIDELINES, *supra* note 2, at Vol. 2, pgs. 17-20; INTERNATIONAL GUIDELINES, *supra* note 2, at Part II, pg. 39-42.

95. See TECHNICAL GUIDELINES, *supra* note 2, at Vol. 2, pgs. 17-20; INTERNATIONAL GUIDELINES, *supra* note 2, at Part II, pg. 39-42 (mentioning such acts of gender based violence as honor killings, bride killings, and crimes of passion, but does not give any definition of gender).

96. See Non-binding Documents, *supra* note 93 (listing international conventions that are only binding to party signatories, and "comments" that are completely non-binding, even on party signatories).

97. See TECHNICAL GUIDELINES, *supra* note 2, at Vol. 2, pgs. 17-20; INTERNATIONAL GUIDELINES, *supra* note 2, at Part II, pg. 39-42.

98. *Id.*

99. See TECHNICAL GUIDELINES, *supra* note 2, at Vol. 2, pg. 17; INTERNATIONAL GUIDELINES, *supra* note 2, at Part II, pg. 39.

100. See TECHNICAL GUIDELINES, *supra* note 2, at Vol. 2, pg. 19; INTERNATIONAL GUIDELINES, *supra* note 2, at Part II, pg. 41.

difference between consensual and forced sexual activity, while encouraging fifteen year olds to promote the right to and access to safe abortion.<sup>101</sup> Further, the Technical Guidelines teaches children as young as five that "inappropriate touching, unwanted and forced sex are forms of sexual abuse."<sup>102</sup>

#### D. *Sexuality and Human Development*

UNESCO's guidance on human development is focused on sexual development and is applied to primary and secondary schools,<sup>103</sup> without assessment of appropriateness for the individual child. The first age group learns that men and women have different bodies that develop over time during puberty and they must respect the privacy and integrity of their body and the bodies of others.<sup>104</sup> The second age group is taught about sexual and reproductive anatomy, wet dreams, menstruation and that abstinence and contraception will prevent unwanted pregnancy.<sup>105</sup> The third age group reviews the development of a fetus during pregnancy and that the size and shape of the penis, breast, or the vulva do not affect a person's ability to be a good sexual partner.<sup>106</sup> The fourth age group is taught that mutual consent is key for sexual activity to commence with a sexual partner.<sup>107</sup>

UNESCO teaches children to protect the integrity of their bodies,<sup>108</sup> however UNESCO's notion of bodily integrity is based purely on a concern for privacy and consent.<sup>109</sup> The Technical Guidelines introduces the concept of puberty to children as young as five years of age and instructs children as young as nine on sexual and reproductive anatomy, including erections and ejaculation.<sup>110</sup> The International Guidelines is more explicit in stating, "[g]irls and boys have private body parts that can feel pleasurable when touched

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101. INTERNATIONAL GUIDELINES, *supra* note 2, at Part II, pg. 42.

102. TECHNICAL GUIDELINES, *supra* note 2, at Vol. 2, pg. 20.

103. See TECHNICAL GUIDELINES, *supra* note 2, at 2-3; INTERNATIONAL GUIDELINES, *supra* note 2, at 2-3.

104. TECHNICAL GUIDELINES, *supra* note 2, at Vol. 2, pgs. 21-25; INTERNATIONAL GUIDELINES, *supra* note 2, at Part II, pgs. 43-47.

105. *Id.*

106. *Id.*

107. *Id.*

108. *Id.*

109. *Id.*

110. INTERNATIONAL GUIDELINES, *supra* note 2, at Part II, at 43-45.

by oneself.”<sup>111</sup> Further, both Guidelines present pregnancy in the same undesirable category as HIV and STIs. The Technical Guidelines instructs that the “correct and consistent use of condoms and contraception can prevent pregnancy, HIV and other STIs,”<sup>112</sup> while the International Guidelines instructs that the “prevention [of pregnancy and sexually transmitted infections] needs to be considered before the act of intercourse.”<sup>113</sup> Likewise, both Guidelines instruct children as young as five that they have the “right to decide who can touch their body, where, and in what way.”<sup>114</sup> A curious topic discussed in the International Guidelines is “the risk associated with transactional and transgenerational sexual encounters,”<sup>115</sup> whereas the Technical Guidelines does not mention these topics.

#### E. *Sexual Behavior*

As could be readily predicted from the “anything goes” attitude of the curriculum on sexual values, UNESCO’s instruction on sexual behavior is similarly lax and relativistic. The youngest age group learns that it is natural to explore private areas of the body.<sup>116</sup> The second age group is taught that there is a wide range of ways in which couples can demonstrate love, care and feelings of sexual attraction.<sup>117</sup> The third age group is instructed that everyone needs to be tolerant and respectful of different expressions of sexuality and abstinence is the best way to prevent pregnancy and unintended consequences of sexual behavior.<sup>118</sup> The fourth age group learns that both sex partners are responsible for preventing unintended consequences like pregnancy, HIV, or other sexual infections.<sup>119</sup>

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111. INTERNATIONAL GUIDELINES, *supra* note 2, at Part II, pg. 43.

112. TECHNICAL GUIDELINES, *supra* note 2, at 22.

113. INTERNATIONAL GUIDELINES, *supra* note 2, at Part II, pg. 44.

114. TECHNICAL GUIDELINES, *supra* note 2, at 25; INTERNATIONAL GUIDELINES, *supra* note 2, at Part II, pg. 47.

115. INTERNATIONAL GUIDELINES, *supra* note 2, at Part II, pg. 47.

116. See TECHNICAL GUIDELINES, *supra* note 2, at Vol. 2, pgs. 26-28, available at [http://data.unaids.org/pub/ExternalDocument/2009/20091210\\_international\\_guidance\\_sexuality\\_education\\_vol\\_2\\_en.pdf](http://data.unaids.org/pub/ExternalDocument/2009/20091210_international_guidance_sexuality_education_vol_2_en.pdf); INTERNATIONAL GUIDELINES, *supra* note 2, at Part II, pgs. 48-50.

117. TECHNICAL GUIDELINES, *supra* note 2, at Vol. 2, pg. 27; INTERNATIONAL GUIDELINES, *supra* note 2, at Part II, pg. 49.

118. See TECHNICAL GUIDELINES, *supra* note 2, at Vol. 2, pgs. 26, 28; INTERNATIONAL GUIDELINES, *supra* note 2, at Part II, pgs. 48, 50

119. See TECHNICAL GUIDELINES, *supra* note 2, at Vol. 2, pg. 28, INTERNATIONAL GUIDELINES, *supra* note 2, at Part II, pg. 50.

According to UNESCO, the appropriate context for sexual behavior is when both sex partners have emotional and physical maturity according to (undefined) social norms.<sup>120</sup> Masturbation is acceptable at any age as long as it is done in private.<sup>121</sup> The only reference UNESCO makes to pregnancy is unwanted pregnancy—pregnancy is mentioned alongside HIV/AIDS and sexual infections as an example of the negative consequences of sexual behavior.<sup>122</sup> UNESCO aims to prevent these negative consequences of sexual behavior (namely, unintended pregnancy, HIV and sexually transmitted infections) through contraception, abortion and the occasional mention of abstinence.<sup>123</sup> In this section on sexual behavior, the International Guidelines teaches that both men and women can partake in sexual pleasure with a partner of the same or opposite sex.<sup>124</sup> The Technical Guidelines is more general about homosexual behavior by pushing respect and tolerance for the different ways sexuality is expressed.<sup>125</sup> Overall, the International Guidelines contains more explicit information about sexual behavior than generalized concepts of sexual behavior in the Technical Guidelines.

#### F. *Sexuality and Health*

UNESCO's concept of sexual health is focused just as much on the prevention of pregnancy, as if it was a disease, as it is with prevention of transmission of actual infections. UNESCO begins its concept of sexuality and health by informing children as young as age five that all children should be wanted and if unwanted pregnancy occurs, abortion is an available remedy.<sup>126</sup> Further, both Guidelines instruct that family planning should occur when sex partners mutually decide that it is appropriate to start a family.<sup>127</sup> The second age category

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120. TECHNICAL GUIDELINES, *supra* note 2, at Vol. 2, pgs. 26-28; INTERNATIONAL GUIDELINES, *supra* note 2, at Part II, pgs. 48-50.

121. INTERNATIONAL GUIDELINES, *supra* note 2, at Part II, pgs. 48.

122. *Id.* at 50; *see also* TECHNICAL GUIDELINES, *supra* note 2, at Vol. 2, pg. 28.

123. *See* TECHNICAL GUIDELINES, *supra* note 2, at Vol. 2, pgs. 26-28; INTERNATIONAL GUIDELINES, *supra* note 2, at Part II, pgs. 48-50.

124. *See* INTERNATIONAL GUIDELINES, *supra* note 2, at Part II, pg. 50.

125. *See* TECHNICAL GUIDELINES, *supra* note 2, at Vol. 2, pg. 26.

126. *See* TECHNICAL GUIDELINES, *supra* note 2, at Vol. 2, pg. 29; INTERNATIONAL GUIDELINES, *supra* note 2, at Part II, pgs. 51-52.

127. *See* TECHNICAL GUIDELINES, *supra* note 2, at Vol. 2, pg. 30; INTERNATIONAL GUIDELINES, *supra* note 2, at Part II, pgs. 51-52.

learns that abstinence is the best method of contraception and preventing negative health consequences like sexual infections.<sup>128</sup> The third age category is taught that abstinence is the most effective way to prevent pregnancy and HIV, but sexuality education programs will help people living with HIV to practice safer sex, without explaining how.<sup>129</sup> The fourth age category learns to practice safe sex by correct use of contraceptives and family planning, which are undefined throughout both Guidelines.<sup>130</sup>

Although both Guidelines generally present the same information regarding sexual health as preventing pregnancy and sexually transmitted infections, there are still slight differences between the two Guidelines on the appropriateness of the information. For example, the International Guidelines discusses specific types of contraception, but caveats that “natural contraceptive [not defined in the document] methods are only safe for adults” and that “children should not have penetrative sexual intercourse.”<sup>131</sup> Similarly, the Technical Guidelines portrays access to contraception as a rights issue because “no sexually active young person should be refused access to contraceptives or condoms on the basis of their marital status, their sex, or their gender [not defined in the document].”<sup>132</sup> Surprisingly, as UNESCO justified the existence of these two sexuality education guidelines for the prevention of HIV/AIDS, the ways of reducing the risk of acquiring HIV/AIDS are generalized in the Technical Guidelines as prevention before exposure to the virus (i.e. contraception) or after exposure to the virus (i.e. Post-Exposure Prophylaxis).<sup>133</sup> The International Guidelines simply teaches “risk reduction for STIs and HIV.”<sup>134</sup> The Technical Guidelines discusses that disclosure of a person’s HIV status to their sexual partners should be voluntary<sup>135</sup> and the International Guidelines asserts that people living with HIV have a right to express sexual love.<sup>136</sup> It

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128. See TECHNICAL GUIDELINES, *supra* note 2, at Vol. 2, pgs. 29-31; INTERNATIONAL GUIDELINES, *supra* note 2, at Part II, pgs. 51-54.

129. See TECHNICAL GUIDELINES, *supra* note 2, at Vol. 2, pg. 29-33; INTERNATIONAL GUIDELINES, *supra* note 2, at Part II, pg. 51-55.

130. See TECHNICAL GUIDELINES, *supra* note 2, at Vol. 2, pg. 29-33; INTERNATIONAL GUIDELINES, *supra* note 2, at Part II, pg. 51-55.

131. INTERNATIONAL GUIDELINES, *supra* note 2, at Part II, pg. 51.

132. TECHNICAL GUIDELINES, *supra* note 2, at Vol. 2, pg. 30.

133. TECHNICAL GUIDELINES, *supra* note 2, at Vol. 2, pg. 31.

134. INTERNATIONAL GUIDELINES, *supra* note 2, at Part II, pg. 53.

135. TECHNICAL GUIDELINES, *supra* note 2, at Vol. 2, pg. 32.

136. See INTERNATIONAL GUIDELINES, *supra* note 2, at Part II, pg. 55.

would seem contrary to preventing the spread of HIV/AIDS by encouraging people to continue sexual activity, but these two UNESCO documents encourage such behavior as long as the partners correctly use contraception.

#### IV. UNESCO'S SEXUALITY EDUCATION IN LIGHT OF INTERNATIONAL LAW

UNESCO's approach to sexuality education is largely at odds with the foundational documents of international human rights law. The Guidelines ignore the rights of parents, misinterpret the roles of children and their families and sexualize children by exposing them to detailed information regarding human sexuality.

##### A. *The Rights of Parents and Families*

UNESCO's Guidelines completely ignore the rights and responsibilities of parents in determining the content and method of their children's education. Parents are given lip service in a few lines, which paints them as fearful and incompetent to teach their children. For example, parents are not substantially mentioned in the Guidelines at all until the eleventh page, in a section dedicated entirely to addressing parents' "strong fears and concerns (sometimes misplaced) about the effects of sexuality education," putting their "fears to rest" by encouraging them to communicate "more openly and honestly" with their children, and essentially getting them out of the way by placating or threatening.<sup>137</sup> This implication that parents are not relevant except as potential obstacles becomes clear when parents are not even included in the long, exhaustive list of "stakeholders" in sexuality education, but only in "parent-teacher associations."<sup>138</sup>

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137. UNESCO cautions, "[m]any parents may have strong views and concerns (sometimes misplaced) about the effects of sexuality education. The cooperation and support of parents should be sought from the outset and regularly reinforced... Parental concerns can be addressed through the provision of parallel programmes that orient them to the content of their children's learning and that equip them with skills to communicate more openly and honestly about sexuality with their children, putting their fears to rest... If parents themselves are anxious about the appropriateness of curriculum content or unwilling to engage in what their children learn through sexuality education programmes, the chances of personal growth for children and young people are likely to be limited." *Id.* at 11.

138. *Id.* at 9.

The dismissive treatment of the rights of parents begins to make sense when the content of the course is revealed. In a complete contradiction of the Convention on the Rights of the Child specific command that “the education of the child shall be directed to . . . [t]he development of respect for the child’s parents,”<sup>139</sup> the family is treated as an obstacle for sexuality education as much as an asset to it. From the age of five, children are taught that “many different kinds of families exist . . . [including] same-sex couple parents, etc.,”<sup>140</sup> and that “[g]ender inequality is often reflected in the roles and responsibilities of family members.”<sup>141</sup> Children are taught that “[v]alues are strong beliefs held by individuals, families, and communities about important issues,” but such values are given no authority beyond the statement that they are “strong beliefs.”<sup>142</sup> Five year olds are likewise taught about “the right to self-determination,” which is not defined.<sup>143</sup>

According to UNESCO, parents have no individual rights to determine what their children learn about sexuality and how they learn it. This flies in the face of the “prior right” of parents to decide the education of their children, as established in the UDHR.<sup>144</sup> The family is given no chance to exercise its responsibility for education of children under the International Covenant on Civil and Political Rights or the Convention on the Rights of the Child.<sup>145</sup> The “liberty of parents . . . to ensure the religious and moral education of their children” is completely ignored.<sup>146</sup> Even teachers, who are encouraged to replace the parents as the sexuality educators of children, are forced out of the sexuality education arena if they refuse to accept UNESCO’s sexuality norms. Sexuality education, according to UNESCO, is “a matter of institutional policy rather than the personal choice of an individual teacher,” and sexuality education

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139. Convention on the Rights of the Child, G.A. Res. 44/25, U.N. Doc. A/RES/44/25, at art. 29 (Sept. 2, 1990).

140. INTERNATIONAL GUIDELINES, *supra* note 2, at 30.

141. *Id.*

142. *Id.* at 34.

143. *Id.* at 35.

144. See UDHR, *supra* note 26, at art. 26(3).

145. CRC, *supra* note 139, at art. 18(1); UDHR, *supra* note 26, at art. 10(1).

146. CRC, *supra* note 139, at art. 14; International Covenant on Civil and Political Rights, G.A. Res. 2200A (XXI), at art. 18(4) (March 23, 1976).

policies must be given the force of law.<sup>147</sup> The family, the child's parents, are ignored at best and rejected at worst.

B. *Sexualization and "Gender" in UNESCO's Guidelines*

UNESCO's Guidelines reveal themselves to be much more aligned with the postmodern "fluid" theory of gender than the one defined in the Rome Statute.<sup>148</sup> UNESCO enlists children in efforts to advocate for "gender equality," and instructs them that they must accept diverse "gender identities," without ever defining either term. What UNESCO means by these terms is unclear, perhaps deliberately, but it is certainly not the legally binding definition of "gender" under the Rome Statute.<sup>149</sup>

The term "gender" appears on 40 of the 123 pages of the Technical Guidelines, but nowhere is the term actually defined.<sup>150</sup> Despite this, both Guidelines instruct teachers that one of their very first actions in the program is to "define gender" to their students at the age of five.<sup>151</sup> A few of the first topics discussed in the program include gender bias, gender roles, gender inequality and "[e]xamples of gender stereotypes," terms which are likewise undefined.<sup>152</sup> Further confusing the meaning of "gender," UNESCO references terms like "sexual orientation" and "gender identity," but also makes references to "men and women," never bothering to clarify why it is using certain terms in certain contexts.<sup>153</sup>

However, UNESCO infers that "gender identity" cannot be the same thing as "gender" under the Rome Statute. Rather, gender identity and sexual orientation are fluid because they change as social norms change, and are "widely understood to be influenced by many

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147. "The sensitive and sometimes controversial nature of sexuality education makes it important that supportive policies are in place, demonstrating that the delivery and curricula of sexuality are a matter of institutional policy rather than the personal choice of an individual teacher. Such policies are usually developed primarily by the national ministries of education or health, but in some settings they need to be reinforced or sanctioned at the state or local level." TECHNICAL GUIDELINES, *supra* note 2, at 11.

148. UN General Assembly, Rome Statute of the International Criminal Court, G.A. A/CONF. 183/9, at art. 7(3) (July 1, 2002) [hereinafter Rome Statute].

149. *See id.*

150. The term "gender" appears in the introduction to the Technical Guidelines on pages 2, 5, 9-12, 20, 21, 25, 31-33, 41, 47, 49, and 52, in section 1 of the Technical Guidelines on pages 2, 5, 7-9, 11, 12, 14-21, 24, 25, 29, 30, 32, 35, and 39-41. On none of these pages is the term defined.

151. TECHNICAL GUIDELINES, *supra* note 2, at 19.

152. *Id.* at 41.

153. *Id.* at 12-25.

factors.”<sup>154</sup> Additionally, children are taught that “[g]ender inequality influences sexual behavior and may increase the risk of sexual coercion, abuse and violence,” but are never taught what “gender inequality” actually is.<sup>155</sup> Children are taught to accept differing sexual orientations and “gender identities.”<sup>156</sup> According to UNESCO, “people do not choose their sexual orientation or gender identity.”<sup>157</sup> Finally, UNESCO stresses that “[e]veryone has a responsibility to advocate for gender equality,” and directs teachers to instruct children in advocacy for this still-undefined value.<sup>158</sup> What, then, does UNESCO mean by, “gender,” “gender equality,” and “gender identity?” UNESCO does not say, but it is clear from its use of the terms as fluid and socially influenced that UNESCO cannot mean “the two sexes, male and female, within the context of society.”<sup>159</sup>

UNESCO ignores the legally binding definition of “gender” and instead stresses the importance and acceptance of “gender equality,” “gender identity,” and “sexual orientation,” without ever defining these terms. This dismissive treatment of binding international law indicates strongly that the underlying focus of the sexuality education program is more on teaching policy than promoting health. As will be demonstrated *infra*, UNESCO’s program in fact has much more to do with imparting liberal sexual mores and policies than it does with reducing STI and HIV transmission rates and teenage pregnancy.<sup>160</sup>

## V. UNESCO’S PRIORITIZATION OF POLICY OVER HEALTH

From the earliest ages, the primary focus of UNESCO’s sexuality education program seems to be more on social policy than on reproductive health. This initial impression is reinforced by an in-depth look at the stark contrast between the stated educational and health purposes of the program, the actual focus of the material and the studies UNESCO relies upon to determine the success or failure of sexuality education programs. A closer examination reveals that UNESCO’s sexuality education program is not actually intended to

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154. *Id.* at 17-20; *Id.* at 19.

155. *Id.*

156. *Id.*

157. *Id.* at 48.

158. *Id.* at 20.

159. Rome Statute, *supra* note 148 at art. 7(3).

160. See *infra* § 0.

promote sexual health. Rather, it is a vehicle with which UNESCO can spread its social and moral values to young minds—values that will be compulsorily taught with the force of law.

A. *UNESCO's Guidelines Admit Failure to Meet Its Own Stated Goals*

The United Nations Sexuality Education Program states that the program's purpose is to promote better sexual health and to combat HIV/AIDS.<sup>161</sup> But does the UNESCO program achieve its stated goals of increasing sexually responsible behavior and reducing HIV infection rates? In fact, it does not. The Guidelines present a series of studies on sexuality education programs around the world, more than half of which were in the United States.<sup>162</sup> According to UNESCO, "[a]ll of the programs were designed to reduce unintended pregnancy or STIs, including HIV, they were not intended to address the varied needs of young people or their right to information about many topics."<sup>163</sup> And yet, UNESCO concedes on the very next page that none of the studies it presents in fact measured any impact on either STI or pregnancy rates!<sup>164</sup>

The only metrics that the studies cited by the Guidelines measured were initiation of sex, frequency of sex, number of sexual partners, use of condoms, use of contraception and sexual risk-taking (sex without condoms).<sup>165</sup> These categories, the ones which UNESCO thought more important than the Guidelines' stated purpose of reducing unintended pregnancy and STI/HIV infections, line up neatly with the contraception and abortion-heavy content of the Guidelines' curriculum. However, the majority of the studies cited in the Guidelines showed that the sexuality education programs had "no significant impact" even in these narrow categories (between 66% and 44%, depending on the category).<sup>166</sup> In other words, not only does UNESCO's sexuality education program not even begin to achieve its stated purpose (combating unintended pregnancy, HIV/AIDS and other STIs), it does not even achieve its clandestine purpose of promoting contraception particularly well.

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161. TECHNICAL GUIDELINES, *supra* note 2, at 3.

162. *Id.* at 12.

163. *Id.*

164. *Id.* at 13.

165. *Id.* at 12.

166. *Id.*

Perhaps the most striking example of a failed UNESCO-model sexuality education program, however, is the Mema Kwa Vijana Programme in Tanzania. This study actually showed substantial increases in condom use, and is highlighted by UNESCO in the Guidelines as “a particularly strong and interesting study,” which included youth-friendly reproductive health services, community-based condom promotion and distribution by and for peers, and a community sensitization effort to create a supportive environment for the interventions.<sup>167</sup> Despite all this, the program “did not have any impact on HIV, other STI or pregnancy rates.”<sup>168</sup> UNESCO *admits* that “even a well-designed program . . . still may not have a significant impact on pregnancy, STI, or HIV rates.”<sup>169</sup> By its own admission, UNESCO’s approach to sexuality education does not provide a consistent, reliable, or effective method of reducing the frequency of HIV, STIs, and unintended pregnancy. The International Guidelines fails to accomplish its alleged educational goal.

B. *The International Lobby For Child Sexuality and Explicit Sexual Education*

To understand the true intent of UNESCO’s program, some context is required. One must look to the push for sexuality education among organizations and lobbyists surrounding the United Nations to truly understand the resulting actions of United Nations Agencies. Many international advocacy groups and interest groups have been strongly working toward entrenching a different anthropology in the United Nations policy, one at odds with the traditional “dignity of the human person” approach of the International Bill of Human Rights. There is a growing push for children’s “right” to be sexually active and for government-enforced “sexuality” education, which is often extremely graphic.<sup>170</sup> Some states have been answering this invitation to enforce sexuality education on children by law. In Germany, parents have been jailed

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167. *Id.* at 14.

168. *Id.* at 16.

169. *Id.*

170. For the sake of this paper, a “child” is defined under the same definition as used in the Convention on the Rights of the Child. “[A] child means every human being below the age of eighteen years.” CRC, *supra* note 139, at art. 1.

multiple times for attempting to opt-out of mandatory explicit sexuality education programs on behalf of their children.<sup>171</sup>

Leading the charge in this effort is the Center for Reproductive Rights (hereinafter CRR), which instructs states (without citing any authority) that “international human rights standards require that governments guarantee the rights of adolescents to health, life, education and non-discrimination by providing them comprehensive sexuality education in primary and secondary schools.”<sup>172</sup> This “right” of children to sexuality education is established, according to the CRR, by multiple international human rights treaties. The CRR cites to a number of treaties for this proposition, none of which contain any language concerning sexuality education whatsoever.<sup>173</sup> Rather, the CRR cites to the “periodic observations and recommendations” of treaty-monitoring committees to support its argument, and incorrectly instructs state parties to the treaties through which “treaty-monitoring body statements serve as legal authorities that interpret the meaning of the treaty obligations of states parties.”<sup>174</sup> The CRR’s assertion of an international right to sexuality education is premised solely upon this grossly false statement about the basics of international law.

The CRR reveals its agenda when it criticizes Croatia for its sexuality education program. Without even mentioning whether Croatia’s approach led to health benefits for children, the CRR singles out Croatia’s sexuality education program for criticism of all the countries in the world. Croatia’s education program contained

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171. *See, e.g.*, *Wiens v. Germany*, Emergency Application to the European Court of Human Rights, available at <http://www.telladf.org/UserDocs/WiensEmergencyOrder.pdf>; Roger Kisha, “ADF moves to have mother released from jail for keeping children from permissive German ‘sex education’ programs”, <http://www.adfmedia.org/News/PRDetail/4645>; Roger Kisha, “More Christian Parents Jailed Because of ‘Sexual Education,’” <http://www.turtlebayandbeyond.org/2011/turtle-bay-un/more-christian-parents-jailed-because-of-sexual-education/>.

172. CENTER FOR REPRODUCTIVE RIGHTS, AN INTERNATIONAL HUMAN RIGHT: SEXUALITY EDUCATION FOR ADOLESCENTS IN SCHOOLS 1 (2008), available at [http://reproductiverights.org/sites/crr.civicaactions.net/files/documents/WEB\\_pub\\_fac\\_sexed\\_10.10.pdf](http://reproductiverights.org/sites/crr.civicaactions.net/files/documents/WEB_pub_fac_sexed_10.10.pdf).

173. *Id.* at 1, n. 7.

174. This assertion by CRR that the statements of treaty-monitoring bodies are legal authorities is completely false and in contradiction with basic principles of international law, and in fact contradicts their characterization of these statements as “observations and recommendations” earlier on the same page. Even the most powerful of the treaty-monitoring bodies, the Human Rights Committee, is not empowered to make decisions that are binding on states. *See, e.g.*, ANTHONY AUST, HANDBOOK OF INTERNATIONAL LAW 71 (Cambridge University Press 2010); *Id.* at 1, 2.

“discriminatory statements with regard to sexual orientation,” stigmatized homosexuals and was not mandatory throughout the entire period of schooling (parents could opt-out on behalf of their children). Croatia failed to satisfy the CRR with its sexual education program, not because of any articulable educational defect, but because it did not portray homosexuality in a positive light.

The CRR is not alone in its push for mandatory, internationally enforced, explicit, pro-homosexual sexuality education. The National Education Association (hereinafter NEA), the largest union of teachers in the United States, has campaigned at the United Nation’s Commission on the Status of Women in favor of “inclusive” sexuality education based on liberal heterosexual and homosexual expression.<sup>175</sup> Similarly, the Yogyakarta Principles call on states, once again without citing any source of law, to “ensure that education methods, curricula and resources serve to enhance understanding of and respect for, *inter alia*, diverse sexual orientations and gender identities, including the particular needs of students, their parents and family members related to these grounds.”<sup>176</sup>

The intense push for state-enforced, LGBT (Lesbian, Gay, Bisexual, and Transgender)-friendly sexuality education ties into a similar lobbying effort on behalf of the “rights” of children to be sexually active. Leading the charge for children’s sexual “rights” is the International Planned Parenthood Federation (hereinafter IPPF).<sup>177</sup>

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175. Diane Schneider spoke on behalf of the National Education Association at the 55<sup>th</sup> Commission on the Status of Women at the United Nations. Ms. Schneider told an audience at a panel on combating homophobia and transphobia that comprehensive sex education is “the only way to combat heterosexism and gender conformity.” Ms. Schneider maintained that “[g]ender identity expression and sexual orientation are a spectrum,” and that those who do not accept homosexuality “are stuck in a binary box that religion and family create.” See Lauren Funk, “Schools need to teach about orgasms’ says NEA to UN,” Mar. 3, 2011, [http://www.c-fam.org/publications/id.1798/pub\\_detail.asp](http://www.c-fam.org/publications/id.1798/pub_detail.asp). The NEA and ISIS International later pulled the relevant material from their website in response to the Lauren Funk report cited immediately previous. See Tyler Ament, “NEA and ISIS try Hiding the UN Sex Talk Evidence,” March 11, 2011, <http://www.turtlebayandbeyond.org/2011/family/nea-and-isis-try-hiding-the-un-sex-talk-evidence/>; [http://www.isisinternational.org/index.php?option=com\\_content&view=article&id=1444:un-csw-55-speeches&catid=177:un-csw-55&Itemid=173](http://www.isisinternational.org/index.php?option=com_content&view=article&id=1444:un-csw-55-speeches&catid=177:un-csw-55&Itemid=173). However, the pulled material concerning Ms. Schneider’s talk can still be found at <http://www.c-fam.org/publications/id.245/default.asp>.

176. YOGYAKARTA PRINCIPLES, *supra* note Error! Bookmark not defined., at 21, 22.

177. International Planned Parenthood Federation, *Healthy, Happy, and Hot: a young person’s guide to their Rights, Sexuality, and living with HIV* (2010), available at <http://www.ippf.org/NR/rdonlyres/B4462DDE-487D-4194-B0E0-193A04095819/0/HappyHealthyHot.pdf>.

In the booklet "Healthy, Happy, and Hot," the IPPF tells young people, particularly those infected with HIV, that they have a "right to sexual pleasure," that there is "no right or wrong way to have sex," and that they should "[j]ust have fun, explore and be yourself!"<sup>178</sup> The IPPF encourages youth to engage in masturbation, oral and anal sex, and advises the use of "emergency [potentially abortifacient] contraception."<sup>179</sup> Abortion is advertised as a way out of a "stressful" situation that can "strain [your] relationship."<sup>180</sup> The IPPF emphasizes young people's right to be sexually active so strongly, they even believe that states have no right to require HIV-infected youths to disclose their infection to potential sex partners before intercourse.<sup>181</sup> This prioritization of children's "right" to be sexually active, even over the lives of unsuspecting potential AIDS victims, is an astoundingly irresponsible position in a world where HIV poses a major risk to the health of many young people.

The ardent efforts of non-governmental organizations like the IPPF to promote reckless child sexual activity are destructive, but far more are efforts by states themselves. The United Kingdom's National Health Service in 2009 circulated a pamphlet to schoolchildren informing them that they have a "right" to an enjoyable sex life, and recommending that they engage in sexual activity twice a week, or even daily.<sup>182</sup> The United Kingdom has also

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178. *Id.* at 7. According to IPPF, "[s]ex can feel great and can be really fun! Many people think sex is just about vaginal or anal intercourse... But, there are lots of different ways to have sex and lots of different types of sex. Sex can include kissing, touching, licking, tickling, sucking, and cuddling. Some people like to have aggressive sex, while others like to have soft and slow sex with their partners. There is no right or wrong way to have sex. Just have fun, explore and be yourself!"

179. *Id.* at 8, 14.

180. "Women may have an unplanned pregnancy, even if they and their partner(s) use contraceptives, and may wish to terminate their pregnancy by having a safe abortion. Unplanned pregnancies can be stressful for both partners and can strain the relationship, whether you decide to continue or terminate the pregnancy. Make sure you get support from a registered family planning clinic so that you can access supportive counseling, a safe abortion procedure and follow-up services." *Id.* at 14.

181. "Some countries have laws that say people living with HIV must tell their sexual partner(s) about their status before having sex, even if they use condoms or only engage in sexual activity with a low risk of giving HIV to someone else. These laws violate the rights of people living with HIV by forcing them to disclose or face the possibility of criminal charges." *Id.* at 6.

182. The NHS pamphlet proudly rhymes that "an orgasm a day keeps the doctor away", and states that "Health promotion experts advocate five portions of fruit and veg a day and 30 minutes' physical activity three times a week. What about sex or masturbation twice a week?" Jack Grimston, *Pupils told: Sex every day keeps the GP away*, THE TIMES (London), July 12, 2009, at 1, available at <http://www.timesonline.co.uk/tol/news/uk/education/article6689953.ece>.

instituted sexuality education programs encouraging children less than sixteen years of age to experiment with oral sex.<sup>183</sup> The German government went even further, promoting incestuous pedophilia as a form of healthy sexual education, and publishing children's songs (aimed at children aged four years) encouraging masturbation.<sup>184</sup> According to the German Federal Health Education Center, "[f]athers do not devote enough attention to the clitoris and vagina of their [one to three year old] daughters. Their caresses too seldom pertain to these regions; while this is the only way the girls can develop a sense of pride in their sex . . . The child touches all parts of their father's body, sometimes arousing him. The father should do the same."<sup>185</sup>

### C. UNESCO's Agenda behind Sexuality Education

These efforts by modern non-governmental organizations and governments to encourage sexual activity by children, none disclosure of exposure to HIV to partners, and even pedophilia and incest, are shocking. UNESCO's sexuality education program is much less repugnant, but strongly enforces policy and social doctrine that is far from the mainstream. As demonstrated *supra*, UNESCO's sexuality policies fail, by their own admission, to reduce HIV and STI rates.<sup>186</sup> An examination of some of the content matter of the program has revealed that UNESCO spends a substantial amount of time advocating for liberal sexual mores, homosexuality, same-sex marriage, contraception and abortion instead.<sup>187</sup>

Five year olds are introduced to masturbation, told that their private parts "can feel pleasurable when touched by oneself,"<sup>188</sup> that "it is natural to explore and touch parts of one's own body" and that

183. Glen Owen, *Government urges under-16s to experiment with oral sex*, THE TIMES (London), Feb. 21, 2003, at 1, available at <http://www.timesonline.co.uk/tol/news/uk/article885612.ece>.

184. Two forty-page booklets entitled "Körper, Liebe, Doktorspiele" ("Love, Body and Playing Doctor") from the German government's Ministry for Family Affairs and the German Federal Health Education Center (Bundeszentrale für gesundheitliche Aufklärung - BZgA) instruct parents to sexually massage their children as young as 1 to 3 years of age. John-Henry Westen, *German Government Publication Promotes Incestuous Pedophilia as Healthy Sex Ed*, LifeSiteNews.com (Jul. 30, 2007, 11:15 EST), <http://www.lifesitenews.com/news/german-government-publication-promotes-incestuous-pedophilia-as-healthy-sex>; See "Nase, Bauch und Po" - Noten- und Liederheft, available at [http://www.bzga.de/botmed\\_13702000.html](http://www.bzga.de/botmed_13702000.html).

185. Weston, *supra* note 182.

186. See *supra* Part 0.

187. See *supra* Part 0.

188. *Id.* at 43.

"[m]asturbation is not harmful, but should be done in private."<sup>189</sup> Nine year olds are taught about "stigma, discrimination, homophobia, transphobia, and abuse of power,"<sup>190</sup> "use of assisted fertility technologies and surrogate parenting,"<sup>191</sup> "[s]pecific means of preventing unintended pregnancy" and the use of condoms.<sup>192</sup> Twelve-year old children are taught about "[l]inks between gender role stereotypes and relationship abuse and violence,"<sup>193</sup> about "[g]ender stereotyping in pornography."<sup>194</sup> These preadolescents are also taught "[r]espect for the different sexual orientations and gender identity," and taught that "[p]eople do not choose their sexual orientation or gender identity."<sup>195</sup> They are instructed that, "regardless of their marital status, sexually active young people have the right to access contraceptives and condoms," and are instructed to identify local sources of contraceptives.<sup>196</sup> They are taught that "contraceptives and condoms give people the opportunity to enjoy their sexuality without unintended consequences," that "there are many ways to give and receive sexual pleasure without penetration" and that "both men and women can give and receive sexual pleasure with a partner of the same or opposite sex."<sup>197</sup> By the age of fifteen, UNESCO's focus is unequivocally on policy, not health. At this stage, the teens are taught "respect for the diversity of views and beliefs about sexuality," but are also taught that "[r]igid gender roles can reinforce behavior that increases the risk of sexual coercion, abuse, and violence."<sup>198</sup> The course culminates with training on "[s]exual and reproductive rights as articulated in international instruments."<sup>199</sup>

Especially revealing is UNESCO's treatment of abortion as a part of children's sexuality education. However, at the age of nine, children are introduced to abortion, told that it is safe, are taught about its legal status locally and globally and are told that it is an option available to pregnant teenagers.<sup>200</sup> At twelve, these pre-teen

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189. *Id.* at 48.

190. *Id.* at 32.

191. *Id.* at 33.

192. *Id.* at 44.

193. *Id.* at 31.

194. *Id.* at 40.

195. *Id.* at 48.

196. *Id.* at 52.

197. *Id.* at 50.

198. *Id.* at 39, 41.

199. *Id.* at 39.

200. *Id.* at 51.

children are introduced to “places where people can access . . . abortion [where legal]” and to the health risks of “safe and legal abortion” and “illegal and unsafe” abortion, at the same time as they are introduced to the challenges of teenage parenting.<sup>201</sup> By the time these children reach the age of fifteen, UNESCO teaches them “advocacy to promote the right to and access to safe abortion.”<sup>202</sup> UNESCO is not merely content to teach children *about* abortion, it openly seeks to recruit and train them to become advocates for abortion in their communities.

UNESCO presents itself as an organization attempting to equip children with the “knowledge, skills and values to make responsible choices about their sexual and social relationships in a world affected by HIV and AIDS.”<sup>203</sup> However, their “rights-based, culturally sensitive, respectful of sexual and gender diversity . . .” approach reveals itself to be policy-focused, parent-excluding and *by its own* admission, ineffective.<sup>204</sup> This leads to one inescapable conclusion: for UNESCO, sexuality education is not about health; it is about “rights.”

## VI. CONCLUSION

As an observer of the Holy See recently stressed to the United Nations, “education must be firmly rooted in a profound respect for human dignity and with full respect for religious and cultural values. If this is absent, then education is no longer a means of authentic enlightenment but becomes a tool of control by those who administer it.”<sup>205</sup> A close examination of UNESCO’s Guidelines reveals that they are more indoctrination than education. International law contains a dignity-focused anthropology enshrined in its most fundamental binding human rights treaties. This anthropology is ignored or flatly contradicted in UNESCO’s sexuality education program, particularly with regard to a proper respect for parents and family and a proper understanding of sex and gender. UNESCO’s program fails, by its own admission, to fulfill its stated goals, and the Guidelines are overwhelmingly focused on advocacy for homosexuality, abortion

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201. *Id.* at 33, 38, 44.

202. *Id.* at 42.

203. *Id.*, at 3.

204. *Id.* at 3, 4.

205. *Workplace Should Accommodate Mothers, Vatican Observer Tells UN*, CATHOLIC NEWSAGENCY.COM, <http://www.catholicnewsagency.com/news/workplace-should-accommodate-mothers-vatican-observer-tells-un> (last visited Mar. 3, 2011).

and liberal sexual mores. These facts leave only one reasonable conclusion: UNESCO's primary objective is not to teach healthy reproduction. Rather, UNESCO seeks to educate children to accept the social and sexual mores of United Nations Agencies and their allied non-government organizations, regardless of the wishes of the state, society, or even the children's parents.