

CSE & Human Rights

This resource provides information on applying a human rights based approach to advocacy for comprehensive sexuality education (CSE).



Principles of Human Rights

Universality and inalienability: everyone is entitled to them and they cannot be taken away

Indivisibility and interdependence: all human rights have equal status and they cannot be separated from one another, the fulfillment of one right is dependent upon the fulfillment of all other rights

Equality and non-discrimination: all people are entitled to the full range of human rights without

distinction on the basis of race, ethnicity, gender, sex, age, religion, political opinion, national origin, sexual orientation, disability or any other status

Participation: all people must be able to meaningfully participate in decisions that impact their lives and well-being

Accountability: states must address past harms and correct systemic failures to prevent future harms

International Human Rights

Human rights provide a framework to advocate for change at any level of society, from the grassroots to the chambers of the United Nations. They set out globally accepted principles, standards and legal requirements necessary for all people to live a life of dignity, free from any form of discrimination.

Human rights offer a variety of tools that advocates can use to challenge the laws, policies and structures that deny the basic rights and freedoms to which we are all entitled.

Human Rights Based Approach



When advocating for our rights, we can take a human rights based approach. This means identifying **rights holders** and their entitlements

and corresponding **duty bearers** and their obligations. It works towards strengthening



the capacities of rights holders to claim their entitlements and duty bearers to meet their obligations.

Duty bearers have obligations to:

Respect: Not to interfere with the enjoyment of human rights

Protect: Ensure that third parties don't interfere with the enjoyment of human rights

Fulfill: Take positive steps to ensure the realization of human rights

Comprehensive sexuality education is a human right

“Comprehensive sexuality education is a curriculum-based process of teaching and learning about the **cognitive, emotional, physical and social aspects of sexuality.**”¹

– UNESCO

CSE enables the exercise of sexual and reproductive health and rights, equipping young people with the information and skills to make informed decisions and understand their **right to bodily autonomy**. It promotes respect for choice in all matters of sexuality, including how, when, and if one engages in sexual activity and approaches for preventing pregnancy, STIs and HIV. CSE goes beyond issues related to reproduction, risk, and disease to recognize the positive aspects of sexuality, such as pleasure, love, respectful relationships, and issues that may be sensitive or stigmatized in certain contexts.

Comprehensive Sexuality Education in the International Human Rights Framework

States are obliged to respect, protect, and fulfill all human rights, including access to CSE. In real life, this may look like...

Respect: Not passing laws or policies that restrict access to CSE

Protect: Preventing sub-national governments, school boards, and other entities from interfering with the delivery of CSE

Fulfill: Developing and disseminating supportive curricula and resources for educators and working to combat stigma and misinformation around CSE

Evidence shows that quality CSE has a positive impact on young people’s health outcomes and contributes to...²

- Improved attitudes related to sexual and reproductive health and gender equality
- Increased knowledge of safer-sex behaviours and increased use of condoms and contraceptives
- Improved ability to build stronger and healthier relationships
- Improvements to confidence, self-identity, and self-efficacy
- Reduced gender-based and intimate partner violence and discrimination.

“There is no valid excuse for not providing people with the comprehensive sexual education that they need in order to lead a dignified and healthy life.”³

States have clear obligations towards CSE within the international human rights framework. In order to uphold the right to life, states must “ensure access for women and men, and especially girls and boys, to quality and evidence-based information and education on sexual and reproductive health.”⁴ CSE also engages the rights to live free from discrimination, to the highest attainable standard of mental and physical health, to receive and impart information, and to education, among others.

¹ UNESCO. International technical guidance on sexuality education: an evidence-informed approach. (UNESCO, 2019). p. 34.

² Ibid., p. 28-30.

³ United Nations General Assembly. Report of the United Nations Special Rapporteur on the right to education. (United Nations, 2010). para 15.

⁴ Human Rights Committee. General comment No. 36 on the right to life. (United Nations, 2019). para. 8.



In 2016, the Committee on Economic, Social, and Cultural Rights (CESCR) affirmed that the right to sexual and reproductive health includes “a right to education on sexuality and reproduction that is comprehensive, non-discriminatory, evidence-based, scientifically accurate and age-appropriate.”⁵

Access to comprehensive sexuality education is impacted by **underlying and social determinants**, marginalization, and discrimination.

Underlying determinants may include adequate sanitation and access to food and water, housing, safe and healthy working environments, access to information and education, and freedom from all forms of violence and discrimination. **Social determinants** are rooted in unequal distributions of power and social inequalities, such as poverty, systemic racism, and discrimination on the grounds of gender, disability, sexual orientation and gender identity, and other social categories.

The right to comprehensive sexuality education extends to these determinants.

“States parties must address the social determinants as manifested in laws, institutional arrangements and social practices that prevent individuals from effectively enjoying in practice their sexual and reproductive health.”⁶

UN experts have affirmed that:

- CSE is especially important “for groups at risk and persons in particularly vulnerable situations”⁷
- CSE is a preventative measure towards gender-based violence⁸
- CSE “is a basic tool for ending discrimination against persons of diverse sexual orientations.”⁹

Young people face specific barriers, including the lack of access to comprehensive sexuality education, that undermine their sexual and reproductive health and rights. The Committee on the Rights of the Child has urged states to ensure that comprehensive sexuality education be part of the mandatory school curriculum and reach out-of-school youth, “emphasizing that **unequal access by adolescents to such information, commodities and services amounts to discrimination.**”¹⁰ CSE is transformative, as it is grounded in principles of **human rights** and **gender equality**, equipping young people to challenge negative social norms.

Key human rights instruments and resources

- [UNESCO International technical guidance on sexuality education](#)
- [CESCR General comment No. 22 \(2016\) on the right to sexual and reproductive health](#)
- [International Guidelines on Out of School CSE](#)
- [Report of the United Nations Special Rapporteur on the right to education \(2010\).](#)
- [UN Advocacy Tool](#)
- [Status of Ratification Interactive Dashboard](#)
- [UN Treaty Body Database](#)
- [Special Procedures of the Human Rights Council](#)
- [Neglected Areas Toolkit - CSE](#)

⁵ United Nations Committee on Economic, Social and Cultural Rights (CESCR). [General comment No. 22 on the right to sexual and reproductive health \(article 12 of the International Covenant on Economic, Social and Cultural Rights\)](#). (United Nations, 2016). para. 9.

⁶ Ibid., para 8.

⁷ United Nations General Assembly. [Report of the United Nations Special Rapporteur on the right to education](#). (United Nations, 2010). para 14.

⁸ Committee on the Elimination of Discrimination against Women (CEDAW). [General recommendation No. 35 on gender-based violence against women, updating general recommendation No. 19](#). (United Nations, 2017). para. 30(i).

⁹ United Nations General Assembly. [Report of the United Nations Special Rapporteur on the right to education](#). (United Nations, 2010). para 23.

¹⁰ Committee on the Rights of the Child. [General comment No. 20 on the implementation of the rights of the child during adolescence](#). (United Nations, 2016.) paras. 59 and 61.

