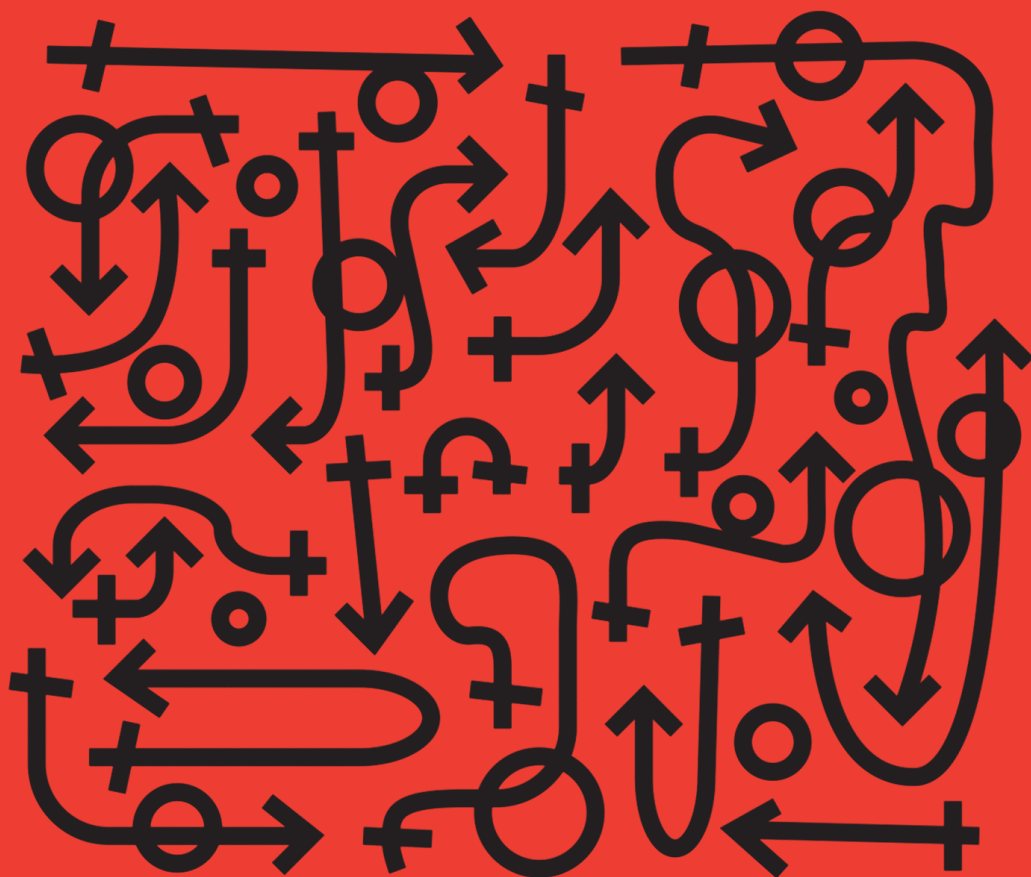


GLOBAL INFORMATION SOCIETY WATCH 2015

Sexual rights and the internet



ASSOCIATION FOR PROGRESSIVE COMMUNICATIONS (APC)
AND HUMANIST INSTITUTE FOR COOPERATION WITH DEVELOPING COUNTRIES (Hivos)

Global Information Society Watch 2015

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Nodo TAU

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Introduction

All students in Argentina have the right to receive sexual education, in line with the National Programme of Integrated Sexual Education (NPISE).¹ At the same time, the country's *Conectar Igualdad* ("Connect Equality") programme involves the distribution of laptop computers among students in high schools and for training teachers. Both programmes represent a challenge to schools regarding the development of pedagogical strategies to achieve their aims. When it comes to sex education, the law defines it as a cross-cutting issue, requiring a deep commitment from teachers. In the technological field, one of the main difficulties in the roll-out of laptops is the skills level and buy-in from teachers.

Nevertheless, information and communications technologies (ICTs) represent not only a pedagogical resource for teachers, but also a new way in which children and teenagers explore their sexuality. Because of both of these realities, ICTs are a fundamental resource in the classroom for sexual education, and to ensure that the sexual rights of children are realised.

The purpose of this report is to analyse the implementation of the NPISE in Argentina and the extent to which it addresses the use of ICTs. We do this through a series of interviews² with teachers' rights activists and people working for the implementation of the programme at a governmental level. The analysis is done from the perspective of students' rights to sexual education and access to information.

Policy and political background

In 2006, Law 26.150³ created the NPISE,⁴ which states that students at all levels of education have the right to receive sexual education. The programme affects all schools – whether they are public or private, or under national, provincial or municipal jurisdiction. The law establishes that the state should develop policies that guarantee this right to sexual education. The initiative also responded to Argentina's national and international human rights commitments.⁵ In line with its obligations, in 2008 the Federal Council of Education issued the common curriculum guidelines for initial, primary, secondary and higher education and for teacher training.⁶

In the following years, two other laws influenced the implementation of the NPISE. In July 2010, Law 26.618, or the Equal Marriage Act, was passed, allowing same-sex marriage. Law 26.843 on gender identity, passed in May 2012, recognises the individual's right to choose their gender and allows official records to be modified to reflect this choice.

In 2010, the national government implemented the country-wide *Conectar Igualdad* programme,⁷ through Presidential Decree No. 459/10. The programme involves the distribution of laptops among students in public high schools, as well as technical and special schools and teacher training institutes. Students are allowed to take the laptops home with them after school. So far 4,900,000 computers have been distributed.⁸ The programme is aligned with a previous policy that aims to incorporate technologies and digital culture in the national educational system, primarily but not exclusively through the

1 Programa Nacional de Educación Sexual Integral. portal.educacion.gov.ar/files/2009/12/ley26150.pdf

2 These include: informal conversation with Viviana Simón, first grade school teacher in School N° 22 in Pergamino, Buenos Aires; an interview with Gloria Schuster, coordinator of the office in charge of the implementation of the NPISE in the province of Santa Fe; and an interview with Celina González and Nicolás Dusanto, also from the NPISE office in Santa Fe, all conducted in May 2015.

3 Ley 26.150. <http://www1.hcdn.gov.ar/dependencias/ceducacion/ley26150.htm>

4 Ministry of Education. (2010). Lineamientos Curriculares para la Educación Sexual Integral. www.me.gov.ar/me_prog/esi/doc/lineamientos.pdf

5 International treaties included in the National Constitution: Convention on the Elimination of All Forms of Discrimination Against Women, International Covenant on Civil and Political Rights, International Covenant on Economic, Social and Cultural Rights, American Convention on Human Rights, Convention on the Rights of the Child, American Declaration of the Rights and Duties of Man, Universal Declaration of Human Rights, Convention on the Prevention, Punishment and Eradication of Violence against Women.

6 The school curriculum in Argentina is designed at national level.

7 www.conectarigualdad.gov.ar

8 www.transparencia.anses.gov.ar/gobierno-abierto/conectar-igualdad

website educ.ar⁹ which offers resources for teachers and students.

The critical factors challenging the successful implementation of Conectar Igualdad are a lack of internet access in schools, insufficient bandwidth to allow students to work online simultaneously,¹⁰ and the absence of timely and effective technical support for the laptops. Another difficulty is related to the role of teachers and their sometimes alienated relation to technology compared to the digital culture absorbed by the kids and teenagers.

Implementation of sexual education

Due to the federal system that governs the country, with provinces experiencing different levels of social vulnerability, the NPISE is being implemented at different paces in different provinces of Argentina.¹¹ Yet the urgency for the programme is being felt: problems such as undesired pregnancy in teenagers, sexually transmitted diseases and gender discrimination are common in many poorer provinces.¹² The delays in implementation in some provinces may be due to several factors: the fact that sexuality is a controversial subject, the difficulties involved in the cross-cutting approach established by the law, and the resistance of school directors and teachers in the classrooms. In order to assist with the programme's roll-out, the Ministry of Education has developed virtual capacity-building courses on "integrated sexual education" for teachers, which are supported by provincial capacity-building programmes.

As regards ICTs in schools, the rationale of the NPISE itself is quite progressive as it proposes sexual education from a human rights perspective in its guidelines, addressing the "reflection and critical analysis around the implications of the use of new information and communication technologies on personal behaviour and interpersonal relationships."¹³ The NPISE's strategic definitions explicitly address issues related to mass communications, including

the mass media, although it does not mention the internet in particular.¹⁴

Fear and resistance

One of the major difficulties in the implementation of the sexual education programme in schools relates to the fears teachers have in talking about something they may feel the students know more about. This involves the perception that the students have more access to information on sex, and the prejudice that students lead a promiscuous life. This anxiety is heightened by the fact that many teachers lack previous experience in sexual education.¹⁵

"Working with sexual education implies reviewing one's own prejudices and deconstructing several myths around it – stepping aside from any moral approach," says Gloria Schuster, coordinator of the office in charge of the implementation of the NPISE in the province of Santa Fe. Celina González, also from this office, added that there is "a resistance in the way in which these problems are addressed. As sexual education is generally thought of in terms of 'genitalia', teachers declare, 'I don't dare, I can't.' When it comes to ICTs they say, 'I don't know; what if I touch something and break it?' But when they start working, they find another perspective. The tensions cease and they see they can work; they start getting involved and begin to lose their fear."

In the context of this society, the value of accumulated experience characteristic of adulthood decreases, while the capacity to experiment increases. In this way, knowledge and "the last word" are less tied to adulthood, and this is a situation that applies to teachers as well.¹⁶

In a study carried out by Ana Lía Kornblit and Sebastián Sustas,¹⁷ teenagers were asked who they would turn to in case they had any issues related to sexuality. Only 7% answered they would consult a teacher or any person at school. This points to the fact that school does not provide a strong and reliable reference point for teenagers.

A survey done in Rosario by an NGO working on sexual rights and monitoring the implementation of

9 www.educ.ar

10 Rabin, D. (2015, 5 January). (Des)Conectar Igualdad: un programa que inspiró elogios, pero hoy recibe críticas. La Nación. www.lanacion.com.ar/1757467-desconectar-igualdad-un-programa-que-inspiro-elogios-pero-hoy-recibe-criticas

11 Iñon, C. (2012). Seis años después: dificultades para la implementación de la Ley de Educación Sexual Integral en Argentina. www.academia.edu/8754662/Seis_a%C3%B1os_despu%C3%A9s_dificultades_para_la_implementaci%C3%B3n_de_la_Ley_de_Educaci%C3%B3n_Sexual_Integral_en_Argentina_-_Defensa_de_tesisna

12 Baima, E., Menchón, M. M., Menchón, M. A., & Sosa, C. (n/d). Educación sexual en las instituciones educativas. www.educacionsexual.com.ar/biblioteca-online/educacion-sexual-aspectos-ideologicos-y-conceptuales/educacion-sexual-en-las-instituciones-educativas#sthash.XQi7Pley.dpuf

13 Ministry of Education. (2010). Op. cit

14 Ministry of Education. Integral Sexual Education. http://portal.educacion.gov.ar/?page_id=57

15 Dillon, A. (2013, 29 August). La educación sexual aún no llega a todos. *Clarín*. www.clarin.com/sociedad/educacion-sexual-llega_o_983301809.htm

16 Chicos.net. (2015). *Impacto de la tecnología en niñas y niños de América Latina*. www.tecnologias.org.ar/chicosytecnologia.pdf

17 Kornblit, A., & Sustas, S. (2012). *Cambios en las prácticas y las actitudes en relación con la sexualidad en jóvenes argentinos escolarizados*. Buenos Aires: Instituto de Investigaciones Gino Germani, Facultad de Ciencias Sociales, University of Buenos Aires, mimeo. Quoted in Dillon, A. (2013, 29 August). Op. cit.

the NPISE confirms this trend: out of 152 students, 51% said that they received little to no information on sexuality at school, and affirmed that what they do know on the matter is a result of conversations with parents, friends or searching for information on the internet.¹⁸ But, interestingly, 95% said they would be willing to receive sexual education from their schools.

Gaps and bridges

The concepts of digital natives and immigrants¹⁹ are used to analyse generation gaps in the use of and familiarity with technology.²⁰ However, the concepts also promote the idea that adults have little to offer because they are not “digital natives”, resulting in a passive attitude when there is a need for them to set criteria for protection.²¹ Research conducted by the United Nations Children’s Fund (UNICEF) Argentina²² shows that “there are competencies that are not tied to a generation, or dependent on the technological context in which people were born.” At the same time, the curiosity of children and youth is expressed through ICTs, with the possibility of generating wonderful things, but also exposing them to new or old risks (e.g. grooming, bullying, discrimination and trafficking). Walking them through these risks is a task that adults should not disregard by considering themselves “immigrants” in the digital landscape.

Gaps between students and teachers can even be bridged through the use of ICTs, especially while addressing delicate subjects such as sexuality. A teacher of biology in a high school in Buenos Aires developed a website for sexual education and created a group on Facebook that includes the participation of students, teachers and parents. In his words: “The participation of students in the group allows us to work with them on the risks of using the internet and how to take care of themselves while they are online.”²³ For digital natives, it is not a matter of two realities, online and offline; it is a matter of life itself. Therefore what protects them in one “reality” protects them in the other.²⁴

Nicolas Dusanto, from Santa Fe’s sexual education programme, mentioned that “counting on ICTs

when planning classes allows us to get closer to the reality of our students. Technology provides us with a variety of content to work with, and guarantees the democratisation of access to information, much more than books do.”

Access to information as a right

On the website for the Conectar Igualdad programme, visitors read: “By turning on their devices, every kid is just a click away from the classics of universal, national and Latin American literature, educational videos, or pedagogical games.” And we would add, “They are also a click away from all kinds of content, positive and negative.”

According to the research carried out by UNICEF Argentina in 2013, and based on a survey of 500 adolescents,²⁵ 61% of teenagers in Argentina use the internet to find information, and 53% to share information on social media. This study also revealed that 43% of adolescents created their first social media account before the age of 13. Another striking finding is that three girls for every boy received requests to send semi-naked pictures.

In the words of María José Ravalli from UNICEF Argentina, “There is a decision by the national government to provide access to equipment and connectivity, to bridge the digital divide and to promote the bond between children and technology.”²⁶ But how far has the educational system gone in terms of implementing this in the classroom? How do teachers orientate students in their exploration and navigation of online spaces in terms of their sexual rights?

One possible approach to this is a restrictive or “protectionist” attitude in order to shield kids from particular content, such as pornography. However, this could lead to the exclusion in the educational process of valuable debates around online sexual content. This in turn could lead to censoring supported educational sexual exploration, and may undermine not only children’s right to access to information, but also their freedom of expression.²⁷

According to Claudia Mauri, also from the Santa Fe programme, “The level that cannot be affected in the treatment of controversial issues is the right

18 rosarioporlaeducacionsexualintegral.blogspot.com.ar/

19 <https://www.techopedia.com/definition/28139/digital-immigrant>

20 Prensky, M. (2001). Digital Natives, Digital Immigrants. On the Horizon, 9(5). www.marcprensky.com/writing/Prensky%20-%20Digital%20Natives,%20Digital%20Immigrants%20-%20Part1.pdf

21 Chicos.net. (2015). Op. cit.

22 Delgado, L. (2013, 8 November). Chicos y chicas en las redes, según una encuesta de Unicef. *Educ.ar*. www.educ.ar/sitios/educar/recursos/ver?id=120888

23 Rabin, D. (2015, 5 January). Op. cit.

24 Chicos.net. (2015). Op. cit.

25 UNICEF. (2013). Acceso, Consumo y Comportamiento de los Adolescentes en Internet. www.unicef.org/argentina/spanish/media_26131.htm

26 Telam. (2014, 7 December). El 43 por ciento de los chicos en Argentina creó su primera cuenta en una red social antes de los 13 años. Agencia Nacional de Noticia/Telam. www.telam.com.ar/accesible/notas/201412/88011-redes-sociales-adolescentes-argentina-informe-unicef.html

27 Busaniche, B. (2012, 15 August). Protección de menores y libertad de expresión en Internet. La Nación. www.lanacion.com.ar/1498094-proteccion-de-menores-y-libertad-de-expresion-en-internet

of kids and adolescents to access to information.” However, in line with the programme, teachers select what content is allowed from content prepared for them by the state. “If they are working on sexual and reproductive health, they have to use the materials delivered by the Ministry of Health or the Ministry of Education,” she says. Instead, she feels that “teachers should teach students to choose the information.”

Official sites include a variety of resources on sexual education such as articles, research, curricula for classes, or videos, most of them developed by Canal Encuentro, a TV channel administered by the Ministry of Education.²⁸ There is also material about disability and sexuality, and adaptations of material for differently abled people (subtitled, Braille, sign language, audio descriptions, etc.). Other material deals with issues such as privacy, intimate care, cyber bullying or sexting. Some content is loaded onto the laptops provided as part of the Conectar Igualdad programme. The laptops also include a “Manual for the responsible use of ICT and social networks, without risks and discrimination” developed in partnership with UNICEF.

However, it must be highlighted that the devices provided to kids can only connect to an official intranet during class, with all sorts of resources available, but with no full access to the prolific wildness of the internet – social media platforms, for instance, are not included. This raises the main challenge to the programme: since students take the computers home, and are able to connect to any other internet connection outside of the classroom, how can teachers create a realistic learning environment confining students to preselected content only?

Teaching is to guide by questioning

As specialists in youth culture and ICT affirm, today the identities of kids and teenagers are constituted in a significant way through their experiences with computers, mobile phones and TV.²⁹ “Just as society has contributed to an increasingly early sexual awakening [amongst the youth], the youth culture of social networks has imposed a paradigm where everything can and should be shared, regardless of the risks involved. Practices like sexting – sending sexually explicit pictures or videos via mobile phones – are becoming more common and, like many other behaviours that involve danger, [calling

for] its eradication through moral or legal condemnation is probably the wrong way,”³⁰ states Rayén Campusano in the article “Lack of sexual education and of knowledge of the risks on the internet”.

Gloria Schuster from Santa Fe’s programme agrees: “Nothing significant could be done on sexual education from a dogmatic, authoritarian and discriminating position. Integrated sexual education does not involve getting into the private lives of either the teacher or the student. But it does require a teacher who enables conversation, information, questions, doubts; a teacher who invites students to go to health centres, to search the internet and to question the internet. Students seem to know everything, but then they come and tell us that they give away their passwords as a proof of love. Or they masturbate in front of a webcam as evidence that they can do this.”

“Teachers are expected to embrace their true role, which relates to questioning, to thinking about the extent to which they are objective about these issues, to ask how their students’ sexual rights are eroded, what place they give to intimacy. Teachers are specialists in stimulating these questions in the classroom,” she adds.

Maria José Ravalli, from UNICEF Argentina, points out that teachers can create opportunities in the class that encourage students to become self-aware when using technology: “From the chosen resource – a trigger, such as a video, a movie or a news story – students can be encouraged to reflect on the veracity of the information published on the internet, how they interact with others, on the need to protect their identity, on their views of the public and the private, how many people see their publications, what kind of photos are published and who they share them with, etc. Starting with dialogue, by reflecting and sharing experiences... their online safety can be worked out, promoting their rights and preventing them from being violated.”³¹

Above all, it is important for kids to be able to build subjective filters, because that is the only way they will be able to protect themselves, regardless of an adult’s intervention³² – and this is where teachers have a huge role to play.

28 Chaheer, S. (2013, 22 May). Abundancia de materiales sobre educación sexual integral. *Comunicar Igualdad*. www.comunicarigualdad.com.ar/4351/

29 www.comunicarigualdad.com.ar/arroba-equis-redes

30 Campusano, R. (2015, 16 April). Pornovenganza: cuando la falta de educación sexual se cruza con el desconocimiento de los riesgos de Internet. *Derechos Digitales*. www.derechosdigitales.org/8547/pornovenganza-cuando-la-falta-de-educacion-sexual-se-cruza-con-el-desconocimiento-de-los-riesgos-de-internet

31 Delgado, L. (2013, 8 November). Op cit.

32 Chicos.net. (2015). Op. cit.

Conclusions

Argentina has extensive and advanced public policies, both regarding the incorporation of sexual education in schools and the inclusion of ICTs in classrooms. Even though the formal intersection between sexual rights education on the one hand, and technology on the other, is not spelled out in the programmes discussed, interviewees expressed that this intersection emerges practically in their daily work with students.

Both sexual education and ICTs in the classroom point to a generation gap in broader society. The fact that the NPISE proposes the inclusion of sexual education in a cross-cutting way that includes ICTs provides an opportunity for this generation gap to be bridged through building the capacity of teachers.

Even though access to information regarding sexuality is one core premise of the NPISE, no specific guidelines are provided to schools and teachers on how to deal with access to information using ICTs or on how to understand the internet as a new communications channel through which students express their sexuality.

Enabling access for students to a content-filtered intranet is not necessarily the best approach if one wants to empower kids with tools to confront the real online challenges they face outside the school as internet users.

Finally, we want to emphasise that the implementation of the NPISE programme is not only the responsibility of governments, ministries and schools, but also of teachers, students, parents, and women's rights, sexual diversity and gender rights organisations. In the case of high schools, students are very relevant actors in the implementation of the programme. They need to claim their sexual rights and help to promote the full exercise of these rights, in order to take care of themselves and their sexual partners.

Action steps

The following action steps can be suggested for Argentina:

- Make the links between technology and sexual education in the classroom more explicit, in order to create a common base and understanding for all schools across the country.
- Include the internet in capacity building on sexual education offered to teachers. They need to know how to use it as a tool that enables the exercise of the sexual rights of students, as opposed to something that raises concerns and anxieties regarding children's safety, and is seen as a dangerous and counterproductive space.
- Develop sets of best practices, experiences and proven strategies on matters of online safety, access to information, and the cross-cutting nature of sexual education and ICTs. This can be used as a training resource for the teachers and as content to be shared with students.

Sexual rights and the internet

The theme for this edition of Global Information Society Watch (GISWatch) is sexual rights and the online world. The eight thematic reports introduce the theme from different perspectives, including the global policy landscape for sexual rights and the internet, the privatisation of spaces for free expression and engagement, the need to create a feminist internet, how to think about children and their vulnerabilities online, and consent and pornography online.

These thematic reports frame the 57 country reports that follow. The topics of the country reports are diverse, ranging from the challenges and possibilities that the internet offers lesbian, gay, bisexual, transgender and queer (LGBTQ) communities, to the active role of religious, cultural and patriarchal establishments in suppressing sexual rights, such as same-sex marriage and the right to legal abortion, to the rights of sex workers, violence against women online, and sex education in schools. Each country report includes a list of action steps for future advocacy.

The timing of this publication is critical: many across the globe are denied their sexual rights, some facing direct persecution for their sexuality (in several countries, homosexuality is a crime). While these reports seem to indicate that the internet does help in the expression and defence of sexual rights, they also show that in some contexts this potential is under threat – whether through the active use of the internet by conservative and reactionary groups, or through threats of harassment and violence.

The reports suggest that a radical revisiting of policy, legislation and practice is needed in many contexts to protect and promote the possibilities of the internet for ensuring that sexual rights are realised all over the world.

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