



---

*Plenary sitting*

---

**B9-0167/2019**

6.11.2019

## **MOTION FOR A RESOLUTION**

to wind up the debate on the statement by the Commission

pursuant to Rule 132(2) of the Rules of Procedure

on the criminalisation of sexual education in Poland  
(2019/2891(RSP))

**Ryszard Antoni Legutko, Anna Zalewska, Jadwiga Wiśniewska**  
on behalf of the ECR Group

**European Parliament resolution on the criminalisation of sexual education in Poland (2019/2891(RSP))**

*The European Parliament,*

- having regard to Rule 132(2) of its Rules of Procedure,
- A. whereas in Poland there are currently no plans to enact legislation to prohibit or punish the provision of sexual education; whereas family education classes have been taught for the past 21 years and encompass, inter alia, human sexuality; whereas the teaching of these classes is in no way threatened;
- B. whereas the Treaty on the Functioning of the European Union affirms that the Union shall fully respect ‘the responsibility of the Member States for the content of teaching and the organisation of education systems’, while being entrusted with the task of supporting, supplementing and coordinating with regard to the development of education;
- C. whereas the Convention on the Rights of the Child imposes on States Parties the obligation to make ‘the best interests of the child’ a primary consideration, ‘taking into account the rights and duties of his or her parents, legal guardians or individuals legally responsible for him or her’ (Article 3), who in turn have the right ‘to provide, in a manner consistent with the evolving capacities of the child, appropriate direction and guidance in the exercise by the child of the rights recognised in the present Convention’ (Article 5);
  1. Notes that the upbringing of children should take place primarily in the family and that the European Convention on Human Rights considers that ‘there shall be no interference by a public authority with the exercise of this right’;
  2. Notes that sexual education is very strongly linked to religious beliefs and ideological conviction and should therefore not take place against the wishes of parents;
  3. Believes that Polish society and the Polish authorities have the full right and obligation to organise an education system, including sexual education, in accordance with the democratic will of the majority;
  4. Believes, moreover, that Polish society and the Polish authorities have the right and duty to protect children from exposure to any content they are not prepared for and to protect them from any exposure to sexual abuse in accordance with the democratic will of the majority and in compliance with the law;
  5. Regrets the fact that many EU Member States, including Germany, Austria, Sweden and Finland, have introduced compulsory sexual education, thereby interfering with the right of parents to raise their children in line with their beliefs;
  6. Welcomes the fact that in some Member States, including Poland, parents may choose,

in accordance with their beliefs and the right to family life, whether or not to send their child to sexual education lessons, and that when students become adults they can decide for themselves how to broach this subject matter;

7. Notes that in Poland a teacher is required to disclose all information about the aims and content of the curriculum, school textbooks and didactic measures related to sexual education, and that non-governmental organisations may engage in their activity in schools only after obtaining the consent and prior agreement of the school principal as to the content of this activity, and after obtaining approval from the parents' council;
8. Regrets the fact that school principals often violate applicable law and invite in organisations that arrange sexual education classes without the knowledge or consent of the parents;
9. Notes with concern that some groups in the European Parliament have attempted to interfere in matters that the Treaties reserve for the Member States;
10. Instructs its President to forward this resolution to the Commission, the Council, the President, Government and Parliament of Poland, the governments and parliaments of the Member States, the Council of Europe and the Organisation for Security and Cooperation in Europe.