

《Summary》

A Study on Educational Law and Gender

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The purpose of my paper is to study the legal basis and legal nature of the children's right to sexual self-determination (sexual human right) from the perspective of gender equality.

This paper consists of the following :

- (a) To examine the establishment of views of children as "innocent existence" in modern educational thought and practice,
- (b) To examine debates relating the right to sexual self-determination in the process of creating the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Rights of the Child, and particularly the Beijing Platform for Action,
- (c) To examine the legal nature of the right to sexual self-determination in relation to interpretations of Article 13 of the Constitution of Japan.

As a future research theme, it seems necessary to re-examine the nature of educational guidance as well as legal protection principles (paternalism) in order to guarantee the human rights of children's sexuality in accordance with development and maturation of children.