

**RURAL CHILDREN'S LIMITED ACCESS TO EDUCATION IN KYRGYZSTAN
DURING COVID-19 LOCKDOWN**

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ABSTRACT

Last year, the introduction of distant learning in Kyrgyzstan schools had resulted in a considerable increase in psychological distress and a poor atmosphere in many families, particularly those vulnerable in socioeconomic terms. The reason for this was many factors, ranging from technical problems associated with online education, professional unpreparedness of teachers, and ending with the psychological perception of this learning mode by parents and children. Remote learning has provided opportunities for some children that were not available prior to the lockdown restrictions, while others have been effectively excluded from full participation due to a lack of IT equipment or a reliable internet connection required for distance learning.

The local government did not take serious and significant measures and actions to improve this situation in rural areas. In this regard, in my capstone project, I will touch upon the component of violating children's rights in unequal access to education and abusive treatment of children in the time of COVID-19. Consequently, my research question in this work is: has the Kyrgyz government delivered its commitments to providing equal access to education for rural children during the lockdown?

The practical component of my paper includes conducting the interviews with the stakeholders (parents, children, teachers, representatives of NGOs in the education sector and the Ministry of Education and Science of the Kyrgyz Republic). My research work is based on the qualitative analysis of the available relevant literature, reports of international organizations, conducted interviews with stakeholders and official statistical data of the national committee.

CHAPTER 1 INTRODUCTION

The global impact of the COVID-19 epidemic has been extraordinary. Schools around the world have closed to help control the spread of the disease, affecting 1.6 billion kids — almost 91% of the world's enrolled students. Governments and education stakeholders have acted quickly to ensure that children continue to learn, utilizing a variety of delivery methods such as digital tools, TV/radio-based teaching, and take-home packages for parent or caregiver-guided education. The large number of school closures induced by COVID-19, on the other hand, has shown the uneven distribution of the equipment required for remote learning. It has also revealed a lack of preparedness and system resilience in supporting teachers, facilitators, and parents/caregivers in the successful and safe use of technology for learning.¹

For all stakeholders, including the government, the Ministry of Education, caregivers/parents, and students, remote learning has proven to be a severe and tough problem. It wasn't just about pedagogical readiness; it was also about technological capability and the country's level of digitalization, as well as the presence of specialized knowledge and skills and access to equipment – such as laptops, tablets, TV sets, and cellphones. Access to education for pre-school and primary-aged children has been a priority for the government for the past two decades. This stemmed from the country's duties to meet the Millennium Development Goals (MDGs) and, later, the Sustainable Development Goals (SDGs), particularly SDG4 (education).

Background situation in Kyrgyzstan

In Kyrgyzstan, there was a national digitization policy called "Digital Kyrgyzstan 2019-2023" that included several sectors of education. Despite the fact that the foregoing national plans had lofty ambitions, their implementation did not prepare Kyrgyzstan for the distance learning conditions imposed by the COVID-19 epidemic. School closures and the transition to totally

¹ Thomas Dreesen and others, 'Promising Practices for Equitable Remote Learning: Emerging Lessons from COVID-19 Education Responses in 127 Countries'.

digital education had a significant influence on the country's educational systems, necessitating not only quick and inventive answers but also a reassessment of existing initiatives' timelines and objectives.²

Teachers, students, and parents were forced to learn how to use digital technology overnight in order to adjust to remote learning. Although many children and families have adjusted to the abrupt change, the reliance on software and online learning platforms has exposed the flaws in pre-COVID-19 policies, highlighting existing social inequalities and weaknesses in the educational system, and leaving many children and teachers behind.³

The right to education and the process of digitalization

The right to education has been acknowledged as a human right by the international community in several treaties. The right to education is a multi-faceted concept that encompasses several core characteristics, including access to education, which is realized through a variety of measures, including the removal of legal barriers, the elimination of discriminatory policies, and the development of an adequate educational infrastructure that allows for equal and free access to educational opportunities.⁴

Barriers to digital education accessibility exist in both developed and developing countries, for example, bad distance learning infrastructure, a lack of proper digital education administration, economic concerns, and others. One of the challenges that the current pandemic crisis has increased is unequal access to distance learning environments. Many people have witnessed a digital divide that is influencing the conditions of exercising the global right to education due to

² 'Assessment of the Accessibility and Inclusiveness of Distance Learning in Kyrgyzstan_ACTED UNICEF Final Report 2021.Pdf'.

³ *ibid*

⁴ 'Digital Transformation in the Kyrgyz Republic' (*John Smith Trust*, 3 March 2021) <<https://johnsmithtrust.org/digital-transformation-in-the-kyrgyz-republic/>> accessed 17 June 2022.

unequal chances supplied and inconsistent deployment of digital technologies in the pre-COVID period.⁵

Statistical data

According to the National Statistical Committee for 2020, more than 25% of the population in Kyrgyzstan lives below the poverty line.⁶ Most of the poor live in rural areas, which limits access not only to health care and other social protection services, but also to education. During the quarantine, Kyrgyz educational system worked hard to keep the educational process running smoothly, adapting to new circumstances, learning on the move, and incorporating both international and domestic knowledge. Even the most inexperienced layperson recognizes that the nearly forced vacations of children from isolated rural places where there was no Internet or tablets would come back to haunt them later, and not just in terms of the level of knowledge obtained by schoolchildren.

According to UNICEF's research, due to economic and technical constraints, the number of children in a family has a substantial impact on remote learning access. Smartphones were the most widely used ICT device for studying: 78% of families did not have access to a computer at home, and only 11% of students reported using a computer for distance learning. Prior to the introduction of online education, about a third of all students had never used a computer or laptop. Children in rural towns were less likely to have access to online lessons or programming shown on national TV networks.⁷

Access to remote learning was significantly influenced by household income and the number of children in the family. A significant factor was a lack of equipment: 77.7% of families did not have a computer at home, 4.4 percent did not have a television, and 0.6 percent did not have a smartphone, despite the latter being the most affordable and popular device for remote

⁵ *ibid*

⁶ 'Level of poverty - Open data - Statistics of Kyrgyzstan' <<http://www.stat.kg/ru/opendata/category/120/>> accessed 17 June 2022.

⁷ 'Assessment of the Accessibility and Inclusiveness of Distance Learning in Kyrgyzstan ACTED UNICEF Final Report 2021.Pdf'.

learning, with the potential to ensure the largest share of students with access to remote education. The 0.2 percent of Kyrgyz children who do not have access to a smartphone or television amounts to 2,808 youngsters who do not have any remote learning opportunities. As one might imagine, children in villages were disproportionately affected.

Family members' willingness to assist children during remote learning was a barrier, with 62.6 percent of pupils forced to study alone since their caretakers couldn't devote enough time to them.

There were also pressures on children to assist with family duties, which diverted them from their studies: 5.6 percent of students and caregivers placed household tasks above all else, and both boys and girls were about equally occupied with household chores. Those in cities were twice as likely as children in rural villages to be distracted from their studies by family duties - 8.1 percent against 4.8 percent. Disabled children were more involved in-home tasks than youngsters without disabilities.

There is a significant difference in access between students in cities and students in remote villages: 84.7 percent of rural village families do not have access to a computer, compared to 67.7% of city families. In all regions, however, more than 90.0 percent of families have televisions. As a result, distant education remains a problem, and for many children in the country, it is out of reach.

CHAPTER 2 ROLE OF LOCAL GOVERNMENT AND ITS MEASURES TAKEN FOR THE PROCESS OF INTRODUCTION OF ONLINE EDUCATION IN KYRGYZSTAN

The Kyrgyz Republic's economic and social environment, infrastructure system, and degree of preparation of schools, students, and parents were all put to the test as a result of remote learning. The country's and, in particular, the Ministry of Education's actions since April 2020, when remote learning began, were unprecedented in terms of the speed with which different

organizations, including donors and technology companies, mobilized resources and the efforts made by each teacher to organize distance learning. In the face of limited financial resources and inadequate internet connectivity in many areas of the Kyrgyz Republic, the country had to ensure that more than 77,000 teachers could organize remote learning for 1,268,000 children at 2,283 public and private schools.⁸

The Ministry of Education of Kyrgyzstan has devised a curriculum that allows students to study without leaving their homes to make distance learning viable. In collaboration with Kyrgyz teachers, the department videotaped the training program and uploaded it to specially constructed websites and mobile applications, with the lessons televised on state television.⁹

CHAPTER 3 UNEQUAL ACCESS TO EDUCATION AND DOMESTIC VIOLENCE TOWARD CHILDREN AS A VIOLATION OF HUMAN RIGHTS

Certainly, students and their parents must accept the fact that the department's distance education program was not suitable for everyone: many Kyrgyz schoolchildren had limited access to the Internet, did not own gadgets or televisions, and did not understand how to use specially developed mobile applications. Residents in the regions, as well as children from large families, have been severely affected by this problem. Parents and pupils were protesting that the pandemic has rendered many people jobless and unable to pay for basic necessities, let alone communication services.¹⁰

According to the Ministry of Education, 90 per cent of the time, schoolchildren have troubled familial relationships. Experts say that unhappy and unpredictable family dynamics, as well as parents' insecure job, are a key source of stress for teenagers. Quarantine constraints

⁸ *ibid.*

⁹ 'Assessment of the Accessibility and Inclusiveness of Distance Learning in Kyrgyzstan ACTED UNICEF Final Report 2021.Pdf'.

¹⁰ Aijamal Jamankulova, 'Образование не для всех: Как в Кыргызстане из-за пандемии впервые массово ввели онлайн-обучение для школьников и что пошло не так?' (*KLOOP.KG - Новости Кыргызстана*, 8 August 2020) <<https://kloop.kg/blog/2020/08/08/obrazovanie-ne-dlya-vseh-kak-v-kyrgyzstane-iz-za-pandemii-vpervye-massovo-vveli-onlajn-obuchenie-dlya-shkolnikov-i-chto-poshlo-ne-tak/>> accessed 27 May 2022.

connected to Covid-19, such as the transfer to online learning, have strained relations and worsened already existent family problems.¹¹

The lockdown has had a significant impact on the emotional health of the children. They spent time with their parents, who we're dealing with financial difficulties and unemployment. For a long time, many parents forgot how to be present with their children; they had become accustomed to delegating all duty to the school.¹²

According to UNICEF research, "more specialist help is not well developed in rural areas where strong neighborly and kinship ties help to identify suicide concerns, unlike in cities with a greater estrangement of people from one another, unlike in cities with a greater estrangement of people from one another." Specialized medical institutions, such as mental health and rehabilitation centers, and helplines, such as the ministry of labor and social development's kid helpline, provide further support.¹³

The system, on the other hand, has numerous flaws. Local budgets fund child psychologists, and while the Ministry of Education recognizes the need for regular psychological help at the school level, it lacks the funds to implement it. It is critical to have qualified psychologists on staff at schools who can prevent suicides. They can detect suicide intent by administering several tests and conversing with the child. It is essential to have a mechanism to deal with parents."¹⁴

Peer communication was also hampered by digital education. During the lockdowns, many students lived with abusive parents in one household to avoid the chaotic and toxic atmosphere at home. It worsened their worry and made them more vulnerable to mental health issues. Due to circumstances beyond their control, some children in Kyrgyzstan's rural areas had to discontinue their education. In many situations, children with unique learning difficulties did not receive the

¹¹ 'Alarm Raised Over Child Suicide in Kyrgyzstan' <<https://iwpr.net/global-voices/alarm-raised-over-child-suicide-kyrgyzstan>> accessed 1 June 2022.

¹² Ibid.

¹³ Ibid.

¹⁴ Ibid.

extra attention they needed and struggled with the online form of education. Children with special schooling needs thrive in surroundings with predictable routines, which were severely disrupted during the pandemic, according to experts.¹⁵

Ministry of Education's protocol

The Kyrgyz Republic's Ministry of Education and Science (MoES) authorized the Anti-Crisis Plan on March 27, 2020, in order to promote lifelong learning for all pupils and the effective completion of the school year (2019-2020) through the use of distant education tools. Education sector partners developed a Sector Response Plan based on the Anti-Crisis Plan, which has now become an integral part of the Coronavirus (COVID-19) Response and Early Recovery Plan. The Education Sector Response Plan's goal is to ensure that all children, from early childhood education to tertiary education, continue to learn by developing various distance learning tools during school closures in April and May 2020 and September and October 2020, as well as promoting the safe reopening of schools and preschools. The education sector's measures have mostly focused on developing a distant learning system during school closures, processes for restarting schools for the 2020-2021 school year, and other types of support for the most vulnerable students.¹⁶

Below is an extract from the protocol on the organization of the educational process during a pandemic in educational institutions prepared by the Ministry of Education and Science of the Kyrgyz Republic. It is hard to believe these statements below. Even according to the UNICEF study, which is mentioned in this paper, it indicates that the most of this protocol remained on paper.

¹⁵ 'Assessment of the Accessibility and Inclusiveness of Distance Learning in Kyrgyzstan ACTED UNICEF Final Report 2021.Pdf'.

¹⁶ (Kyrgyzstan.un.org, 2022) <<https://kyrgyzstan.un.org/en/download/61723/111474>> accessed 1 June 2022

“6.6. In educational institutions, distant learning for students in grades 2-11: - Determine the number of students from low-income households and aid in assuring their access to distant learning in collaboration with local governments (as agreed);

6.7. Hold webinars for teachers on how to put together a high-quality distance learning form (effective feedback, choosing how much homework to assign, evaluation procedures, and so on);

6.8. Create a "hotline" for psychological assistance."¹⁷

The government must make a deliberate effort to improve the situation. Even before the COVID-19 incident, Kyrgyz children were academically behind their counterparts. The 2014 National Sample-Based Assessment of Student Educational Achievements revealed that nearly 60% of Kyrgyz grade 4 students struggled to understand a material written for their age group. The Program for International Student Assessment (PISA) reported in 2009 that 82 percent of Kyrgyz Republic 15-year-old students were functionally illiterate. Following these poor results, the Kyrgyz Republic withdrew for more than a decade from international examinations, only recently announcing its intention to participate in the next cycle of PISA in 2024.¹⁸

The pandemic-induced learning loss is predicted to be large, and there is a lot on the line. Prior to the pandemic, children in the Kyrgyz Republic already had a difficult time growing into productive adults. According to the World Bank's 2020 Human Capital Index, Kyrgyzstani schoolchildren would only achieve 60% of their full potential due to severe health and education hazards. The learning gaps that have developed over the last year will only add to the difficulties that children in the Kyrgyz Republic will face. According to the World Bank, learning in the Kyrgyz Republic will drop by 10 PISA points in schools shuttered for six months, and 20 PISA points in schools closed for one year. In schools that were shuttered for the whole previous year,

¹⁷ 'Protocol on the Organization of the Educational Process during a Pandemic in Educational Institutions in 2020-2021 Academic Year' (Edu.gov.kg, 2022) <<https://edu.gov.kg/legislations/76/>> accessed 6 June 2022

¹⁸ 'Making up for a Year of Lost Learning in the Kyrgyz Republic' <<https://blogs.worldbank.org/europeandcentralasia/making-year-lost-learning-kyrgyz-republic>> accessed 2 June 2022.

the number of pupils functioning below functional reading might rise to 97 percent. The task now is to preserve and extend the prior achievements in human capital.¹⁹

The World Bank's most recent Public Expenditure Review in the Kyrgyz Republic makes many recommendations for enhancing efficiency, improving education quality, and increasing equity in education spending. The Kyrgyz Republic spends 7% of its GDP on education, making it one of the world's largest spenders on education in terms of both total government spending and GDP share. Because education expenditures per student are lower than in many other countries with similar income levels, this exceptional commitment to education must be maintained. In the Kyrgyz Republic, general and vocational education costs PPP \$904 per student, compared to PPP \$1,337 in other lower-middle-income nations. Three critical steps are suggested in the report. First, make teacher training and learning resources such as textbooks and laboratory equipment a priority. Then, at all levels of education, implement frequent quality assessments to ensure that policies and programs can be reviewed for equity and impact. Finally, the country requires additional school construction. Due to congestion, 72 percent of schools in the Kyrgyz Republic now function in shifts, limiting the amount of classroom time available to each child.²⁰

Vulnerability of children and of rights

Children's human rights were not always recognized or realized when the vulnerability was recognized under COVID-19 policies. According to the Independent Children's Rights Impact Assessments (CRIA), the state's activities resulted in and had disproportionately negative implications for children, particularly for specific groups of children, demonstrating adultism. While susceptibility is ubiquitous, it was especially acute for children as a whole, and even more so for particular groups of children. The conclusions of the independent CRIA revealed which children and rights were jeopardized as a result of the government's reaction to the pandemic.²¹

¹⁹ Ibid.

²⁰ Ibid.

²¹ EKM Tisdall and F Morrison, 'Children's Human Rights under COVID-19: Learning from Children's Rights Impact Assessments' (2022) 0 The International Journal of Human Rights 1 <<https://doi.org/10.1080/13642987.2022.2036135>> accessed 2 June 2022.

'Vulnerable children were the subject of considerable policy and media discourse during the pandemic. Vulnerable children were allowed to attend school and get early childhood services. In this setting, attendance was primarily a precautionary measure aimed at ensuring the safety and security of children, rather than a way of realizing children's rights to education, social ties, or other rights such as play. However, far fewer children attended early childhood and school programs than expected, indicating that families did not recognize themselves as vulnerable, did not have access to information on available support, did not want to be labeled as "vulnerable," and/or faced practical barriers such as transportation to and from hub schools. The State's planned provision for "vulnerable kids" was not used.²²

According to scholar, inequalities are far from inevitable: rather, society and its institutions produce and reproduce them. Thus, in its actions, the State has the potential to address and reverse inequalities. However, as discussed above, under COVID-19 policies the State largely retreated from children's lives and confined children to their families. Fineman argues families alone cannot mitigate or ameliorate individuals' vulnerability. As a structure, families are themselves vulnerable and, as the independent CRIA confirmed, families are not necessarily 'safe havens' for children. So, in retreating, rather than addressing inequalities, the State produced and exacerbated certain inequalities experienced by children. The State created a 'vacuum' where children's human rights were increasingly exposed to breaches by not meeting the positive obligations to children that the vulnerability thesis demands. This serves as a persuasive example of how the State, albeit perhaps inadvertently, responded in adult ways that systematically disadvantaged children as a group.²³

²² Ibid.

²³ Ibid.

CHAPTER 4 NATIONAL AND INTERNATIONAL LEGAL FRAMEWORK

National legislation

The Kyrgyz Republic has the national legal framework that ensures the protection of children's rights; It contains the Constitution, Children's Code, Labour, Criminal and Family Codes, and Law "On education".

The 2003 Law on Education is the main legal document regulating the education system.

On a legislative level, the Kyrgyz Republic's Constitution establishes the state's responsibility to offer compulsory basic education and to create the necessary conditions for all types of education in various educational institutions. According to the Constitution, human rights and freedoms are among the highest values of the Kyrgyz Republic. Article 45 of the Constitution says:

"The Kyrgyz Republic respects and provides all persons within its territory and under its jurisdiction with human rights and freedoms. No one may be subject to discrimination based on gender, race, language, disability, ethnicity, religion, age, political or other beliefs, education, origin, property or other status, or other circumstances. Special measures established by law and aimed at ensuring equal opportunities for various social groups in accordance with international obligations are not discrimination. The principle of ensuring the child's best interests is in force in the Kyrgyz Republic."²⁴

The Procedure prepared in accordance with the Law of the Kyrgyz Republic "About education" lays forth the basic provisions of remote education in Kyrgyzstan, as well as describing the main forms of distance education technology, such as:

²⁴ www.constitution.kg

• case technology, which is based on providing learners with knowledge and educational resources in the form of specialized educational and methodological sets developed for self-study (case studies) utilizing various forms of media.

• internet technology, which is based on the use of global and local computer networks to provide learners with access to educational information resources and to create a pool of methodological resources, organizational, technical, and software means of implementing and managing the educational process regardless of the participants' location;²⁵

With the approval of several normative acts in Kyrgyzstan, the development of distant learning began to accelerate. 1. Resolution No. 354 of June 26, 2014, entitled "On the approval of normative legal actions regulating the use of remote education technologies."²⁶

In order to preserve children's rights and limit the number of child abuse cases, Kyrgyzstan's government adopted a plan of action to prevent ill-treatment and violence against children in 2019.

As of today, international organizations are now monitoring the protection of children's rights. UNICEF, USAID, the International Labour Office, and other organizations are among them.²⁷

Family Code of the Kyrgyz Republic 2003

Article 70: Parents have no right to do harm to physical and mental health of children or their moral development. Methods of growing of children have to exclude the scornful, cruel, rough, humiliating human dignity address, insult or exploitation of children.

Article 61.

1. The child has the right for protection of the rights and legitimate interests.

²⁵ *ibid*

²⁶ *ibid*

²⁷ 'Kyrgyzstan: What Are Rights of the Child and How They Should Be Protected' (*CABAR.asia*, 1 June 2021) <<https://cabar.asia/en/kyrgyzstan-what-are-rights-of-the-child-and-how-they-should-be-protected>> accessed 17 June 2022.

2. The child has the right for protection against abuses of parents (persons, them replacing).²⁸

A violation of the rights and legitimate interests of the child, including at non-performance or at an inadequate performance by parents (persons, them replacing) obligations for education, education of the child or at abuse of the parental rights, the child has the right to address independently for their protection in authorized public authority and in court.

According to the Family Code, parents are responsible for protecting the rights of children under the age of 18. They can then exercise their rights and obligations on their own, including protection. If a child's rights are violated by his or her parents or guardians, the youngster can file a complaint with an authorized children's protection organization. If the child is 14, he or she has the right to go to court. People who become aware of a violation of a child's rights are required to report it.²⁹

However, real-life examples reveal that the most vulnerable children during the lockdown were kids under the age of ten.

International legal framework

The Kyrgyz Republic has a strong track record of ratifying international human rights treaties and working with human rights bodies, and it is dedicated to achieving the Sustainable Development Goals and Agenda 2030. A variety of international documents ensure that children's rights and legitimate interests are protected. However, they are not fully implemented due to economic, socio-political, and institutional obstacles³⁰.

²⁸ Ibid.

²⁹ 'Kyrgyzstan: What Are Rights of the Child and How They Should Be Protected' (n 23).

³⁰ 'End of Mission Statement by the Working Group on Discrimination against Women and Girls Visit to Kyrgyzstan' (OHCHR) <<https://www.ohchr.org/en/statements-and-speeches/2022/04/end-mission-statement-working-group-discrimination-against-women>> accessed 17 June 2022.

Kyrgyzstan has been a signatory to the United Nations Convention on the Rights of the Child (UNCRC) for 33 years. Children were acknowledged as human beings with inalienable rights under this international accord. It ensures that all children around the world are protected from prejudice, violence, and neglect. Children deserve to be treated with dignity and respect. They should be looked after, developed, and integrated into their communities. They have the right to education, freedom of expression, and participation in decisions that affect their interests³¹.

Regarding the violation of children's rights to equal access to education in accordance with international treaty, I would include the following articles which protect the children's rights for education:

Article 28:

1. States Parties recognize the right of the child to education, and with a view to achieving this right progressively and on the basis of equal opportunity, they shall, in particular:

(a) Make primary education compulsory and available free to all;

(b) Encourage the development of different forms of secondary education, including general and vocational education, make them available and accessible to every child, and take appropriate measures such as the introduction of free education and offering financial assistance in case of need;

(c) Make higher education accessible to all on the basis of capacity by every appropriate means;

³¹ 'OHCHR | Pledge by Kyrgyzstan' (OHCHR) <<https://www.ohchr.org/en/treaty-bodies/crc/celebrating-30-years-convention-rights-child/pledge-kyrgyzstan>> accessed 17 June 2022.

(d) Make educational and vocational information and guidance available and accessible to all children;

Article 2

1. States Parties shall respect and ensure the rights set forth in the present Convention to each child within their jurisdiction without discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.

2. States Parties shall take all appropriate measures to ensure that the child is protected against all forms of discrimination or punishment on the basis of the status, activities, expressed opinions, or beliefs of the child's parents, legal guardians, or family members.

In light of Kyrgyzstan's lockdown, I'd classify the form of child abuse as emotional/mental abuse. Yelling, bullying, isolating, criticizing, ignoring, intimidating, and shaming are all forms of emotional abuse directed at children by their parents or relatives. Mental violence, as defined by the Child Rights Convention of 1989, is often referred to as psychological maltreatment, mental abuse, verbal abuse, and emotional abuse or neglect, and can include:

“All forms of persistent harmful interactions with the child, for example, conveying to children that they are worthless, unloved, unwanted, endangered or only of value in meeting another's needs; scaring, terrorizing and threatening; exploiting and corrupting; spurning and rejecting; isolating, ignoring and favoritism; denying emotional responsiveness; neglecting mental health, medical and educational needs; insults, name-calling, humiliation, belittling, ridiculing and hurting a child's feelings; exposure to domestic violence; placement in solitary

confinement, isolation or humiliating or degrading conditions of detention; and psychological bullying and hazing by adults or other children.”³²

According to CRC General Comment No. 13, the term "violence" is defined as "any types of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse," as defined in Article 19, paragraph 1 of the Convention. In accordance with the vocabulary used in the 2006 UN research on violence against children, the term violence has been adopted to reflect all forms of harm to children as listed in Art. 19, paragraph 1.³³

Article 19 of the Convention of the Rights of the Child 1989 says:

Article 19: 1. States Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child.³⁴

These UN Convention’s violations entail the Kyrgyz Government to take accountability for taking significant and serious measures to protect children's rights both in the area of education and child abuse.

CHAPTER 5 CASE OF ESTONIA IN TERMS OF PREPAREDNESS TO RAPID TRANSMISSION TO ONLINE EDUCATION

Both globally and in Estonia, the Covid-19 situation grew quickly. Except for kindergartens, the government shuttered all educational facilities on March 16. It means an abrupt move to

³² General Comment No. 13 to CRC, (2011).

³³ *ibid*

³⁴ *ibid*

distance learning for Estonia's 24 000 vocational education and training (VET) students, 2100 VET teachers, and 32 VET schools.³⁵

Because VET is organized in such a flexible way, the abrupt shift to distant education caused no administrative or legal issues. The adaptation to the new reality has been made easier thanks to regulatory flexibility. VET schools interacted with their partner firms, students, and parents to reorganize work-based learning, and made decisions on a case-by-case basis; sometimes this meant deferring or temporarily ending practice in enterprises, and other times it meant maintaining it. In every occasion, health and safety have come first. On-site practical training was optional for students, and safety equipment and disinfectants were given.³⁶

The use of the distance-learning period for theoretical studies was recommended by VET schools, but the obstacles of online learning needed to be solved. In schools, where the use of digital learning and communication settings was common even before the crisis, the shift was easier.³⁷

E-learning days have been a component of the curriculum in Tartu educational institutions for the past five years. Moodle hubs based on curriculum were built to collect e-learning resources in a systematic manner. The educational technologist has been providing weekly training to employees and teachers for the past two years. During the crisis, the team of expert teachers and technicians supported their colleagues around the clock.³⁸

The schools adapted their work in response to immediate online input from students and instructors, which assisted in identifying weak points and areas that required immediate attention. During the first few weeks, information concerning equipment needs and lack of internet access was gathered, and students who needed them were given the gadgets they needed.³⁹

³⁵ 'Estonia: Responses to the Covid-19 outbreak' (CEDEFOP, 24 June 2020) <<https://www.cedefop.europa.eu/en/news/estonia-responses-covid-19-outbreak>> accessed 7 June 2022.

³⁶ Ibid.

³⁷ Ibid.

³⁸ Ibid.

³⁹ Ibid.

During the crisis, the education ministry and its subordinate agencies maintained regular communication with schools and customized state-level support to school feedback, including brief webinars, Facebook groups, and responses to frequently asked questions concerning school management and study organization. At the state level, guidelines for distance-learning environments were provided. It became clear that more e-learning resources would need to be generated centrally, as well as more virtual and augmented reality technology, to provide more practical training in simulation scenarios. Teachers have been invited to offer their digital learning materials, e-courses, and digital learning objects in an open call.⁴⁰

According to schools' comments, the following success elements contributed to a generally smooth transition to distant education:

- adequate digital skills among students and teachers to cope with the changing scenario;
- adequate digital infrastructure in VET schools and at home;
- information and clear messages for organizing distant learning;
- strong governance, cooperation, partnership, and information sharing across stakeholders⁴¹

The authors of a recent European Commission research titled "What did we learn from education practices during the COVID-19 lockdown?" interviewed roughly 150 important players from five different countries: Belgium, Estonia, Italy, Greece, and Poland. The purpose of the study was to see how the COVID-19 lockdown measures in primary and secondary schools affected inequality in schooling, teaching tools and material, competencies, students' certification and assessment, and stakeholders' mental health.⁴²

⁴⁰ Ibid.

⁴¹ Ibid.

⁴² 'New Report: What Did We Learn During the COVID-19 Lockdown?' (*Education Estonia*, 9 March 2021) <<https://www.educationestonia.org/report-what-we-learned-during-lockdown/>> accessed 7 June 2022.

In Estonia, the overall findings demonstrate that during the COVID-19 remote schooling period, information flow at the governmental and organizational levels was effectively supplemented by media follow-up, even though some teachers, parents, and students felt overwhelmed during the first weeks.⁴³

All stakeholders praised the significant support provided by school IT specialists and educational technologists, especially in the area of digital competency. Teachers engaged with professional networks and exchanged valuable approaches and ideas with their colleagues at school, but they would have needed more help with digital pedagogy and instructional practice if they were to teach online. Systematic collaboration with school owners was deemed to be a positive factor by school leaders.⁴⁴

In terms of inequality, the family environment, particularly parental support, has emerged as one of the most important determinants in deciding whether inequalities are reinforced or reduced. Introvert pupils, easily distracted students, and kids with learning difficulties all increased their performance. The biggest barriers to digital learning were challenges with connectivity and, at times, a lack of digital competency. Education technology firms aided in the provision of education, allowing for more access to educational opportunities.⁴⁵

Estonia came in first place in the Programme for International Student Assessment (PISA) in 2008, earning international acclaim. Many teachers had already become accustomed to such forms as online lessons by the time the lockdowns began, while digital technologies had only been in Estonian schools for 20 years.⁴⁶

⁴³ Ibid.

⁴⁴ Ibid.

⁴⁵ Ibid.

⁴⁶ ADDIN ZOTERO_ITEM CSL_CITATION {"citationID": "Qipjgi7V", "properties": {"formattedCitation": "\u0000\u00216{ }Assessment of the Accessibility and Inclusiveness of Distance Learning in Kyrgyzstan_ACTED UNICEF Final Report 2021.Pdf\u0000\u00217{ } (n 3).", "plainCitation": "Assessment of the Accessibility and Inclusiveness of Distance Learning in Kyrgyzstan_ACTED UNICEF Final Report 2021.Pdf", "noteIndex": 39, "citationItems": [{"id": 267, "uris": ["http://zotero.org/users/8823488/items/8PRGVKI4"], "itemData": {"id": 267, "type": "document", "language": "English", "publisher": "ACTED, UNICEF", "title": "Assessment of the Accessibility and Inclusiveness of Distance Learning in Kyrgyzstan_ACTED UNICEF Final Report 2021.pdf", "title-short": "Final report", "accessed": {"date-parts": ["2022", 6, 6]}, "issued": {"date-parts": ["2021"]}}}], "schema": "https://github.com/citation-style-language/schema/raw/master/csl-citation.json"} 'Assessment of the Accessibility and Inclusiveness of Distance Learning in Kyrgyzstan_ACTED UNICEF Final Report 2021.Pdf' (n 3): AN OVERVIEW: SCHOOL

According to the results of the International School Student Achievement Assessment (PISA) in 2009, Kyrgyzstan was in 65th place out of 65 countries, with 314 points. Kyrgyzstan plans to participate in PISA in 2025. Whereas Estonia, took 13th place in 2009 (501 points), and 5th place in 2018 (523 points).

No need even to compare Kyrgyzstan in terms of economical situation. Kyrgyzstan's economy rated 151st out of 181 in terms of per capita income in 2020. Kyrgyzstan's GDP per capita (\$1,173) is nearly 8 times lower than Kazakhstan's, 9 times lower than Russia's, and 20 times lower than Estonia's⁴⁷.

Education Technology (also known as “EdTech”) refers to an area of technology devoted to the development and application of tools (including software, hardware, and processes) intended for education. EdTech Estonia brings together and represents Estonian EdTech companies, to make Estonia the leading EdTech country.⁴⁸

The entire document flow of Estonian schools takes place in electronic format, magazines, diaries - everything is available online. Paper magazines have not been kept there for more than 15 years. The entire information environment of the school is concentrated in Google cloud services.⁴⁹

I would like to note, that I could not find anything related to the violation of children's rights during the lockdown in Estonia. In my opinion, Kyrgyzstan should take away the best practices in educational reforms, considering that this country has already demonstrated its willingness to help third countries. Moreover, according to mass media news, Kyrgyzstan and Estonia recently decided to expand cooperation in the field of education and discussed bilateral cooperation. Hopefully, things will change in the near future if to be optimistic.

EDUCATION IN KYRGYZSTAN: WHAT IS TO BE DONE?' (Kganalytics.org, 2022) <<https://kganalytics.org/wp-content/uploads/2021/12/kg-analytics-eng-obzor-shkolnoe-obrazovanie-v-kr-12-okt-2021.pdf>> accessed 17 June 2022

⁴⁷ Ibid.

⁴⁸ 'New Report: What Did We Learn During the COVID-19 Lockdown?' (Education Estonia, 9 March 2021) <<https://www.educationestonia.org/report-what-we-learned-during-lockdown/>> accessed 7 June 2022.

⁴⁹ *ibid*

CONCLUSION

The pandemic put enormous strain on the government, upsetting normal decision-making, implementation, and provision processes, especially in a country founded on democratic discussions, regulated by the rule of law, and with complex welfare measures. Efforts to protect rights to survival and growth were prioritized in this crisis circumstance. Children's rights to be protected from abuse and damage were recognized. However, the rules that resulted infringed on other children's rights, putting them at a disadvantage as a group.⁵⁰

Based on the legal, statistical, and comparative analysis conducted as part of this study, it can be concluded that the Kyrgyz government failed to provide equal access to education for children in rural areas during the lockdown, and that it was unable to protect them from child abuse in their own homes.

In Kyrgyzstan, there is an urgent need to upgrade the country's digital infrastructure. Of course, low budget resources and the Ministry of Education's and other related state and non-state agencies' capacity to give full support are issues.

One option to handle the challenge of developing an effective digital learning system is to study and apply the experience of other nations with the deepening of integration processes. Countries must build a cohesive educational policy and adapt national education systems to the fast changing global market conditions that exist in the most dynamic structure areas of the labor force⁵¹.

Data such as the availability of televisions, smartphones, and internet access in households, achievements in access to education prior to the lockdown, and steps taken by the government and

⁵⁰ EKM Tisdall and F Morrison, 'Children's Human Rights under COVID-19: Learning from Children's Rights Impact Assessments' (2022) 0 The International Journal of Human Rights 1 <<https://doi.org/10.1080/13642987.2022.2036135>> accessed 2 June 2022.

⁵¹ 'Assessment of the Accessibility and Inclusiveness of Distance Learning in Kyrgyzstan_ACTED UNICEF Final Report 2021.Pdf' (n 2).

the Ministry of Education to prepare schools for remote learning should be examined to assess the country's readiness to provide remote education.⁵²

In conclusion it should be noted that despite the legislatively established guarantees of the rights of children, they often face a system that is not ready to recognize their specific status, provide real protection, assistance and respect for their right to a fair trial.

Therefore, the following recommendations could be made to address the most acute needs in terms of providing an equal access to education:

- to improve country's digital infrastructure
- to strengthen teaching skills in digital education, and students' skills in using technology
- to develop digital literacy of parents and their participation in the education of children
- to upgrade level of methodological capacity to develop online learning materials

From the technical perspective, one of my recommendations would include that our authorities should conduct a connectivity mapping of all schools in Kyrgyzstan, identifying the level and quality of school Internet connections in order to optimize education system resources, and the government should search for ways to fund digitalization of education. Certainly, the lack of budget resources for the implementation of this issue is a great obstacle.

Given the likelihood that a pandemic will occur again, our state must be prepared for such events and design a clear protocol for distant learning for students, not just in the capital, but also considering rural areas, where educational disparities are most extreme. In Kyrgyzstan, I assume that a second shift of children to online schooling cannot be excluded, given the present escalation of border conflicts with neighboring countries.

⁵² *ibid*

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ANNEX

1. Interview Questions:

Individuals were given the opportunity to talk and express their experiences in their own words during the interviews, which were done on a qualitative basis. The interview questions were created with the goal of capturing the individual's expertise and knowledge in order to improve the work. To provide a balanced assessment, 15 interviews were performed, evenly divided on the intended stakeholder. The respondents were cooperative and willing to share their experiences and information in order to make this project more complete. They've also shown a high level of resilience and pride, which indicates the community's ability to survive in such a tough climate. The interviews were conducted from the period of February 2022 to April 2022.

Questions for parents / children in the villages:

1. How many schoolchildren do you have in your family?
2. How many family members have a job/business? Main income source of the family?
3. Do you have TV, computer, laptop, or smartphone at home?
4. Is a device available to every schoolchild in your family?
5. Have you/your child ever used a smartphone, computer / tablet before online learning started?
6. Are you/your child able to study remotely (via the internet and TV) during the online learning period starting March 2020 until October 2020?
7. Do you/your child have a disability?
8. Are the classes provided on TV clear for understanding?
9. Are the online classes clear for understanding?
10. Do your parents/you as a parent have time to help you/your child during remote study?
11. Who helps you/your child with homework?
12. What difficulties did you/your child face during remote education?

13. Has anything improved over the past few months in your preparedness for continuing to study remotely from September to October 2020?
14. Did you have any preparations for remote study in autumn 2020?
15. Did you have to buy new technical devices to provide the conditions for online mode for your children?
16. If you don't watch online classes via the internet, please specify why?
17. Do you/does your child like remote education?
18. Do you observe any changes in the behaviour of your child since the lockdown started?
19. Do you/your child need additional help and support?
20. What do you think can be improved in remote learning?