



# General Assembly

Distr.: General  
21 September 2020

English only

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## Human Rights Council

### Forty-fifth session

14 September–2 October 2020

Agenda item 3

**Promotion and protection of all human rights, civil,  
political, economic, social and cultural rights,  
including the right to development**

## **Written statement\* submitted by World Muslim Congress, a non-governmental organization in general consultative status**

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[18 August 2020]

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\* Issued as received, in the language(s) of submission only.

GE.20-12205(E)



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## **Right to Education denied to students in Indian Administered Jammu and Kashmir**

The impact of conflict on school education is often overlooked. Education in such times can be a sustainable tool for achieving post conflict peace and providing stability and normalcy to the region. It is also a means of instilling hope and positivity as well as offering opportunity to the youth who are surrounded by violence. One of the major challenges of education in a situation of conflict is the discontinuities it creates. This adversely affects students' academic performance as well as their psychosocial developments.

Since the abrogation of Article 370 on August 5, 2019, Kashmir valley has witnessed an unprecedented shutdown. There have been restrictions on movement of civilians, communication blackout, restrictions on media reporting etc. Educational institutions too have remained shut. According to reports, the government did attempt to reopen institutions, but attendance remained poor as parents feared for their children's safety. The most tangible impact of long closures is the pressure on institutions to complete the prescribed syllabus in shorter time periods. In an interview, Aijaz Ahmad Bhat, director of school education (Jammu and Kashmir), spoke about taking remedial classes during the long winter break for completing the syllabus. For authorities and institutions conducting such remedial classes are ticking the box of work done but in reality, there is no progress in learning. In this tense situation, the students have been the worst sufferers in Indian Administered Kashmir. Every other year, the education and schooling get interrupted. The long school closures in the valley are causing major disruptions in young people's educational and professional development, producing feelings of insecurity, helplessness, and demoralization," said Haley Duschinski, an anthropologist at Ohio University specializing in Kashmir.

Scenes of students pelting soldiers with stones, school bags slung over their shoulders, are frequent on Kashmir streets each time an innocent is killed by the Indian forces. Over the years, these protests have often been met with pellet guns, arbitrary arrests, and other allegations of abuses by Indian security forces. With soldiers and militants claiming the streets, and most schools simply shuttered, education has been on hold through months of crisis in Indian Administered Kashmir.

The United Nations' top rights official calls this frequent closure of a violation of students' rights to an education as mentioned in The New Humanitarian website. Besides human and economic losses, education has taken a major hit in Indian-administered Kashmir due to conflict and clampdown. Within months of the August 5 lockdown, the government announced a two-and-a-half-month-long winter vacation, from December 10 to February 22. The schools were reopened on February 23 though less attendance was observed. But after a couple of weeks on March 11, the administration ordered the closure of all educational institutions. The Valley was entering a second lockdown this time to contain the coronavirus and Education sectors once again are going to suffer the most.

Across the world, to fill the academic gap, schools have taken classes online for those students who have access to the internet whereas in Kashmir, this is complicated by the ban on 4G internet imposed on August 5 and defended by the government as being necessary for security purposes. The 4G internet ban has affected everyone in Jammu and Kashmir, especially the students. These students were unable to connect to the online applications (like Zoom, Google Meet, etc.) commonly used to host online lectures. The teachers were also facing immense issues to reach out to their students.

After a complete ban on mobile internet for close to six months, the administration restored 2G mobile internet and fixed line internet services in the Valley. But few internet users had fixed line services and 2G mobile internet had not been inadequate to the demands of online learning. Non-governmental organizations (NGOs) like Amnesty International have called on the Indian Government to restore 4G internet, arguing the ability of children to obtain an education is a fundamental right and a second year without children's schooling will limit the future development of the region. The private schools' association, along with a group of media professionals and doctors, filed a plea in the Supreme Court challenging the internet curbs. The Supreme Court, which heard the petition on May 11, refused to pass an order to restore 4G internet, leaving the decision to a special committee, led by the Union home

secretary. Students in the Valley feel let down by the judgment. One of the higher secondary students commented on the decision that it seemed nobody was concerned about the future and education of Kashmiri students.

Moreover, many worry about the adverse effect a lack of schooling is also having on the mental well-being of students. India has one of the highest rates of psychiatric disorders in the world and in conflict-ridden Jammu and Kashmir, as much as 45 per cent of the population suffers from mental distress. Children are disproportionately affected, having been exposed to conflict at an early age without subsequent access to mental health support or treatment. Additionally, due to COVID-19 all the students from Jammu and Kashmir who were studying elsewhere have arrived back at their homes. Among them are a good number of research scholars who are now trying their best to work from home. The scholars are also facing issues due to low internet speed. And unable to complete and submit their research assignments on time. The region's students and teachers are lagging behind due to internet shutdowns and slowdowns. As the security situation is not going to improve soon, the administration should restore full internet services in the interest of the people of Jammu and Kashmir.

Empty classrooms are a familiar sight in Indian Administered Kashmir, but so are local efforts to continue basic education amid the conflict. In locked-down neighbourhoods, local teachers and recent graduates open up unofficial community schools and tutoring centres staffed by volunteers. At other community schools in Shopian, a district 40 kilometres south of Srinagar, volunteer teachers say they are ready to help students in tough circumstances – but makeshift classrooms are not a proper alternative to formal education.

Groups focused on education have also tried to help. When the lockdown started in August, the Srinagar-based Kashmir Education Initiative sent volunteers to different parts of the valley to distribute video lectures and other material to poorer students. But NGOs and volunteer community schools cover only a fraction of the needs – there are at least 750,000 students in Indian Administered Kashmir.

Apart from disrupting academic schedules, the prolonged lockdown could have a psychological impact on children. The primary impact will be on the socialization skills of children, sitting in a classroom with 10 other children, teaches [a child] how to interact with 10 different people. That cannot happen in an online classroom. Children might grow reclusive. Apart from the militarization of the Valley and the suspension of day to day life, the education system in Kashmir has experienced one of the greatest declines. Although everyone suffers a great deal and violence proves destructive for all, it is the children of Kashmir who stand to suffer the most. Indian authorities should take immediate steps to protect rights to education. Students and teachers should be given top priority and all the academic sites should be restored.

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