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In consultative status with the United Nations Economic and Social Council

To UN Human Rights Office

SUBMISSION

Of the Public Organization "Public Advocacy," the non-governmental organization with special consultative UN ECOSOC status.

Following to request of the Human Rights Council the UN Human Rights Office for inputs for submitting a report on children's rights to the 2021 global review of the High Level Political Forum on Sustainable Development – our organization asks to take into account the information on the situation of children in the context of the COVID-19 pandemic,

1. The negative impact of distance education methods on children's health and the realization of the right to education and sustainable development

According to our observations, the situation of children in connection with the COVID-19 pandemic is complicated by the lack of experience and practice of distance learning for children, based on modern scientific research in the field of psychology and education. The widespread introduction of online learning rather leads to the psychological trauma of children and a decrease in the overall productivity of education, and for children in vulnerable situations, with mental or other health disorders, such education is often impossible in principle.

So, according to information from various sources of the Ukrainian media and according to data from various services:

"Children, in the case of constant isolation on gadgets and lack of communication, are left without the possibility of the correct formation of "I," they lose their goals and the ability to build a correct picture of the world. Online communication significantly reduces the sense of security and privacy. ¹"

"As a result of a survey on distance education conducted by the State Service for the Quality of Education of Ukraine, 47.4% of principals speak of a lack of prior experience in the implementation of distance education, and 25.5% confirm that some teachers do not have such experience and work skills.²"

At the moment, there are practically no studies that comprehensively reveal the psychological conditions for organizing distance education. It is not clear which specialties / subjects

¹<https://ukraine.segodnya.ua/ukraine/otstavanie-v-uchebe-i-kompleksy-kak-distancionnoe-obuchenie-vliyaet-na-detey-1475449.html>

²<https://ua.112.ua/statji/pershyi-raz-u-dystantsiinyi-klas-chy-ie-maibutnie-u-dystantsiinoi-formy-navchannia-v-ukraini-543851.html>

can be taught in the telecommunications space, and which are not possible, or perhaps partially possible. The issues of distance education, until now, do not have sufficient psychological justification. The effectiveness of the educational process with the use of computer technology is possible only if the necessary conditions are created. One of these conditions is psychological support for students, the purpose of which is to create a favorable psychological climate when conducting distance learning, to assist students in developing their own style, focused on the effective assimilation of knowledge in virtual learning. For teachers, one of the main difficulties is the lack of the ability to directly observe the reaction of students to the proposed educational material, ambiguity (incomplete or incorrect understanding), with written feedback between students and teachers. Full-fledged eye contact is disrupted (during online lectures) or disappears (during correspondence and posting of materials on the network), which ensures coordination of attention resources and control of information perception and skills formation. In the learning process, the functioning of a person in a virtual environment has not only ample opportunities, but also associated with already recorded risks. Internet and computer addiction, low availability of non-verbal communication methods, stress due to loss of information due to hardware or software and network failures, psychopathy, anonymity, fraud, unauthorized access to data, including identity theft, cyber bullying.

Thus, in our opinion, distance learning practices should not be used everywhere and for a long time, they cannot replace offline education in principle.

When using distance learning, it is necessary to introduce such educational systems for children that include elements of socialization, psychological relief and adaptation of children to new learning conditions. Online learning without elements of relief and adaptation should reasonably be recognized as stress, which can lead to cognitive, social and psychological disorders.

Governments should consider reducing the intensity of learning and adapting teaching methods to ensure the child's right to development and normal mental health.

Until such methods are introduced and adapted, governments should be encouraged to introduce distance learning for children as an optional form of education that can be implemented by parents at their own risk and discretion, based on their knowledge of the child's health and other living conditions of a particular family.

At the same time, governments should take steps to scientifically develop educational standards in a pandemic, based on modern child developmental psychology and research evidence.

2. Removal of restrictions on the right to movement of children

Restrictions on the right to free movement of a child during a pandemic in Ukraine should be recognized as violations of the rights of the child. In particular, it is necessary to abandon any form of prohibitions and restrictions, including any restrictive measures in the legislation that establish:

- a ban on the free movement of children. Any restrictions on the right of movement of children and families with children must be lifted immediately. It is impossible to accept a reasonable practice when in a number of countries, including Ukraine, during the COVID period,

walks with pets were allowed, but during the same period the movement of children and families with children was not allowed;

- a ban on access to public transport for children and their accompanying persons during the period of quarantine restrictions. Thus, in Kiev during the quarantine period, restrictions were imposed on movement in public transport, only doctors and persons with special passes were allowed to ride it, thus children and their accompanying persons could not use public transport, even if they complied with sanitary requirements. emergencies such as access to medical care³.

3. Removal of restrictions on access to emergency medical care and health care services

On November 12, 2020, in Ukraine, in the city of Cherkassy, a woman was not allowed to give birth to a medical facility due to a positive test for COVID-19, as a result of which she gave birth in front of the hospital door.

Children, as well as families with children, have no guarantees that they will not be denied access to emergency medical care. In Ukraine, an ambulance is obliged to come to a child under the age of only 2 years.

4. Lack of material and technical conditions for compulsory online learning

For a start, on average across OECD countries, there is almost one computer available at school for every 15-year old student for educational purposes (the computer-student ratio is equal to 0.8). In Austria, Iceland, Luxembourg, Macao (China), New Zealand, the United Kingdom and the United States, the computer-student ratio is 1.25 or more, while in Albania, Brazil, Greece, Kosovo, Montenegro, Morocco, Turkey and Viet Nam, there is only one computer available for every 4 students (ratio = 0.25) or less. In most countries, the distribution of computers in schools tends to be more equitable than at home. In fact, in 16 countries and economies, the computer-student ratio is greater in disadvantaged schools than in advantaged schools. In 17 countries and economies, the number of computers available per student is greater in advantaged schools than in disadvantaged schools. There has been notable progress in equipping schools with computers, with a widespread increase in the computer-student ratio between 2009 and 2018. The largest increases in the average number of computers per 15-year-old student were observed in Estonia, Iceland, Lithuania, Luxembourg, Sweden, the United Kingdom and the United States. On average across OECD countries, there was one additional computer available per every four students in 2018 than was available in 2009 (0.26 of an additional computer per student)⁴.

As for Ukraine, according to the results of a poll from the "Education Ombudsman", 23.7% of children receive tasks as a photo of a handwritten sheet through social media and instant messengers, and 5.6% have no distance education at all. 25.8% of students are partially not graded, 10.3% of students do not receive grades at all for completing assignments. Only 66.5% of the parents surveyed said that there is enough equipment in the house. It was necessary to buy more equipment, share it between the children, or give personal equipment sacrificing the work. To this

³<https://www.ukrinform.ua/rubric-kyiv/2902303-kiiv-zupiniv-gromadskij-transport-vozat-lise-za-perepustkami.html>

⁴ https://www.hm.ee/sites/default/files/framework_guide_v1_002_harward.pdf

fact, it is worth adding data on the impossibility of more than 17,000 (out of a total of 28,000) settlements to provide uninterrupted access to the Internet. The lack of digital literacy is also due to the fact that the average age of teachers in Ukraine is 45 years. They have little interest in teaching digital literacy. 81.5% of the respondents shared that the child does lessons with the phone. Obviously, this is a threat to the health of children.

5. Impact of school closures on families with children

School closures have also affected the ability of many parents to work. A large proportion of employed parents rely on kindergartens and schools. In countries such as the UK, Germany, Italy, the USA and France, 60 percent of parents could not find an alternative to schools and kindergartens. A recent study suggests that women are more likely to spend extra time on childcare and household chores⁵. Combined with the current economic turmoil, this is likely to contribute to widening the income gap and, consequently, exacerbating gender inequality. In addition, according to studies, lost work time will correspond to up to 400 million full-time jobs⁶.

In early September 2020, a wave of protests by parents of schoolchildren swept across Ukraine. They went on strike against distance education and demanded that children be given the right to education. Chernivtsi: <https://youtu.be/r9ULk-0KypE>, <https://youtu.be/aY5ChU1jLA>; Mukachevo: <https://www.youtube.com/watch?v=SAOgHfiuTiY>; Kyiv: <https://youtu.be/Wj5VjXWABlg> , <https://youtu.be/CAsTNRXumg>; Zhytomyr: <https://youtu.be/PWFva-Lnapl> , <https://youtu.be/8g6YTmoySt0>; Dubno: <https://youtu.be/uDPW-xj7Y8U> , <https://youtu.be/4dkhy69Eolk>; Dnipro: <https://youtu.be/FNgepYtCHNQ>; Mykolaiv: <https://youtu.be/rTUTN2f4laQ>, <https://youtu.be/oZ72dMb8JKc> ; Kropyvnytskyi: <https://youtu.be/TB6orVI89oY>; Chernihiv: <https://youtu.be/9nEe78H-Jyo> , <https://youtu.be/vqbkAOCmmo8> ; Sumy: <https://youtu.be/MUrGp5IJZbl>; Lutsk: <https://youtu.be/J-bl31pBRno> ; Ternopil: <https://youtu.be/t5424UZwXw4> ; Volyn: <https://youtu.be/zmnJfXW--8> ; Khmelnytsky: <https://youtu.be/OpH9SQ6NwwA> ; Oleshki: <https://youtu.be/-ynx5xYD0>

Shostka: <https://youtu.be/oY4NBpXxRCY> , <https://youtu.be/zA9ENJRSe8Q>; Kherson: <https://youtu.be/cfXl2uF5tsY>; Belgorod-Dnistrovsky: <https://youtu.be/gHHlPuDw8>

5. Uncontrolled collection and processing of personal data concerning a child in connection with the use of digital technologies during a pandemic

A serious problem is the uncontrolled collection of personal data about children by various third parties who control digital technologies. The health and education system, as well as online platforms that use distance learning or medical care, receive an uncontrollable amount of personal data, the collection, processing and transfer of which is not approved by parents or legal guardians. And if such consent is obtained online, then there is no alternative not to use technology, training platform or other service that accumulates such data.

⁵ 33 Matt Krents and others, "Easing the COVID-19 burden on working parents", BCG, 21 May 2020, available at <https://www.bcg.com/publications/2020/helping-working-parents-ease-the-burden-of-covid-19>

⁶ International Labour Organization (ILO), "ILO Monitor: COVID-19 and the world of work. Fifth edition", 30 June 2020, available at https://www.ilo.org/wcmsp5/groups/public/@dgreports/@dcomm/documents/briefingnote/wcms_749399.pdf.

Conclusion:

We believe that the closure of schools and the mass transition to distance learning for children is a violation of the child's rights to development, as well as a range of other rights, such as the right to education, adequate health care, personal data security and privacy.

For example, current data from the American Academy of Pediatrics and the Children's Hospital Association show that 18 states have not registered a single death under the age of 20 as of Sept. 10. In the analytical note "Educational Analytics"⁷, prepared by the Analytical Center of Kiev University B. Grinchenko with the support of the International Foundation "Vidrodzhennya" (Ukraine) and the Embassy of Sweden, substantiates the conclusion that in quarantine it is absolutely possible and realistic **not to close schools**. UNICEF came to a similar conclusion in its Concept Note: "EDUCATION IN THE ERA OF COVID-19 AND IN THE FOLLOWING PERIOD"⁸. According to this note, the closure of educational institutions exacerbates inequalities in access to knowledge. "The shock that the education system has experienced because of COVID19 is unprecedented. It has reversed the achievement of international goals in the field of education and has disproportionately affected less affluent and vulnerable groups."

Any restrictions on the movement of children and their companions, regardless of the purpose of such movement, should also be lifted unconditionally, and children's access to emergency medical care should be ensured by lifting the age restrictions for ambulances.

It is extremely important to use distance learning for children mainly as an additional form of learning and only with the voluntary consent of parents.

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⁷<https://www.irf.ua/wp-content/uploads/2020/09/organizacziya-osvitnogo-procesu-v-shkolah-ukrayiny-v-umovah-karantynu-2020.pdf>

⁸https://www.un.org/sites/un2.un.org/files/policy_brief_-_education_during_covid-19_and_beyond_russian.pdf