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Summary

The aim of the study is to explore how the COVID-19 pandemic has affected the education system in rural communities of Armenia, as in history it has created the biggest disturbance in the education systems, and to give general recommendations to professional staff capacity for supporting teachers and online systems. Consequently, the objective of this study is to investigate the state's obligations to provide essential education services and protection mechanisms for Armenian students in times of COVID-19. Another objective is to develop a better concept of the methods in which modern technologies could be used to support distance education. While the RA Government tried its best to organize the education process in times of COVID-19 pandemic, the State is also obliged to afford complete fulfillment of the rights of children to education by amending the national law on education and providing all the schools in Armenia with necessary technological equipment. No previous study has investigated the issues of distance education at school level in rural communities of Armenia. Moreover, there is not any national strategy to guide and organize the process of distance education with concrete roles and responsibilities of duty bearers including Ministry of Education, Science, Culture and Sport (MESCS), local authorities and school administrations.

Methodology: The main strategy for this Fact-Finding research was interviewing. Consequently, five high school students (ages 15-18), one teacher, and three experts in the field were interviewed during the research. Generally, the duration of the interviews was between thirty to fifty minutes. Taking into account the social context and high rates of the COVID-19 infection, all research, including data collection and interviews, were conducted online. During the interviews two female students and a female teacher preferred to remain anonymous, but allow mention of their location, while the others authorized reporting their names.

Conclusion: Despite all the efforts made by the MESCS, its subordinate bodies, and NGOs working in the field of education, the Article 13 of the International Covenant on Economic, Social and Cultural rights and the *General Comment 13 (2) (E/C.12/1999/10; 1999)* have been violated in terms of availability and accessibility of education. Students still find their distance education experience ineffective and incomplete and all of the interviewees would prefer to attend school wearing masks, keeping social distance either by divided groups or by attending on different days of the week.

The problem invokes both availability and accessibility characteristics. In terms of availability, the problem lies in the lack of regulatory norms of the distance education developed with participation of the experts in the field, teachers, parents, and students, as well as shortage

of technological resources and WiFi availability to join online classes, online teaching materials and trained teachers for quality distance classes (GC 13 (2) 6a on *ICESCR*).

For the accessibility characteristics, the fact is that the lack of required modern technologies leads to socio-economic discrimination and the problem of physical accessibility to education. Also, the fact that families are not in the socio-economic state to be able to ensure necessary conditions for children to get proper education is another accessibility characteristic (GC 13 (2) 6b on *ICESCR*), as the State imposes its own responsibilities to the student's family by not providing equal access to technology for everyone.

Despite all the shortcomings, the initiatives taken by the MESCS have been a huge step forward in development of the modern education system corresponding to today's technological age.

Recommendations: Following the findings and conclusion of the study, several recommendations are suggested. First of all, it is of crucial importance to ensure that the changes are made on the institutional level through inclusive and participatory processes highlighting the role of the actors: MESCS, local authorities, and school administrations. These processes should be comprehensive considering all the aspects of the problem. It is also of utmost importance to upgrade the teachers' distance teaching skills by organizing periodical capacity-building trainings corresponding to the needs of modern technology. The "training of trainers" (ToT) method should be applied to disseminate the information and skills among students as well. To make it sustainable and institutional registered, it is highly recommended to develop a course on distance teaching methods and include it in the curricula of the Pedagogical Institutes. The another step would be the development of "E-school" as a general educational platform, where all the materials would be collected and categorized per grade. To assess the accessibility of technological equipment and access to the internet, a needs-assessment among students and teachers is required, after which the roadmap should be developed to overcome issues. To ensure that distance classes do not affect students and teachers' health conditions, it is suggested to organize trainings on how to conduct distance classes including physical activities and eye exercises.

Recommendations

Based on research as well as taking into considerations the opinions and comments of students, teachers and educational experts, the following specific recommendations are suggested:

1. Recommendations to the MESCS on needs assessment: Taking into account the difficult socio-economic conditions of the majority of Armenian families living in rural areas, as well as financially-challenged families, in general, it is of utmost importance to conduct a thorough needs assessment among both students and teachers to reveal existing distance education problems and limitations, especially in terms of technological availability and internet accessibility. The appropriate methodology must be participatory whereby rural students and teachers are given a role and a voice in identifying the needs.
2. Recommendations to the MESCS and school administrations on trainings for online teaching: As mentioned by a number of students interviewed, distance classes have not

been as productive as they could have been, since teachers have not used all the advantages provided by online platforms. Classes were mentioned to be boring and uninteresting, because the majority of teachers did not use any didactic materials or powerpoint presentations. Moreover, some teachers even had difficulties with operating online platforms, such as Zoom, for example. Therefore, to conduct productive classes in crisis situations it is necessary to organize capacity building for teachers without age distinction, since there is an obvious difference in quality of online classes conducted by younger and older teachers. At the beginning of distance learning majority of teachers, especially older ones, perceived online teaching as a temporary solution to the existing situation. Because of this perception, teachers did not feel motivated to develop their skills and master all the required techniques for quality online teaching. However, considering the shortage of teachers in rural communities, as well as the fact that there are class groups consisting of few students, distance learning is becoming long-term vision for reconstruction of the educational system. Also, to prevent the health problems, it is suggested to organize trainings on how to conduct online classes including physical activities and eye exercises.

3. Recommendation to school administrations on technical support: One of the major difficulties of conducting online classes was lack of technical support. According to students, sometimes both teachers and students had difficulties with connecting to the lesson and starting the class, which took up a lot of time. As a possible solution to such unexpected technical problems is to ensure the presence of a school computer specialist at the beginning of each class to support with technical issues.
4. Recommendation to MESCS on school budgeting and educational week: Since classes became partially offline at the beginning of the academic year, the duration of the classes has been shortened, and the length of the academic week has been prolonged from five to six days. However, this decision is not reasonable, as there is still a risk of contagion during in person classes. Taking the risks into account, it is suggested to redesign the budget and work plan for high school education and face the new reality of online teaching instead of school buildings' expanses.
As a result of partially in person classes, students were deprived of one day of their weekend, which also infringe the balance of their education and rest. Since the weekend is too short, they do not have enough time to clear their minds and understand the acquired material. So it is suggested to have an additional day off in the middle of the week to comprehend new materials.
5. Recommendation to the MESCS and school administrations on an appropriate online platform: As it was noted by the majority of students, the main means of conducting online classes was Zoom. Surprisingly, some students mentioned Viber and Messenger as their main platform for online classes, as their teachers either did not have Zoom accounts or did not master the necessary skills to use it. However, none of the above mentioned platforms is absolutely efficient for conducting quality classes. So it will be a good idea to create and develop one general platform for all students, where all the materials will be prepared and uploaded per grade, where students can find answers to their questions through active discussions with teachers or other students, where there will be video materials on different subjects and all the required textbooks, and it will be easy for all the students to keep track of their studies. E-school could serve as a prototype.

6. Recommendation to MESCS and Pedagogical Institutes on pedagogy: Based on interviews and research, another recommendation is to develop a course on online teaching methods and include it in the curricula of the Pedagogical Institutes to prepare future teachers for online teaching.
7. Recommendation to the MESCS on the institutionalization: Finally, all these changes have to be registered at the institutional level with concrete mechanisms and division of the actors' roles. It is recommended to develop a more comprehensive regulatory norm with participation of the professionals of the educational field and stakeholders (students, teachers, parents, etc.)

Methodology

While conducting Fact Finding research, one of the main risks for the victims, especially students and their parents, was that it could produce psychological stress and pressure for them to talk and tell us the truth about limitations of educational opportunities in times of COVID-19, especially considering the socio-economic situation in families. To avoid this some protective measures were taken. In particular, interviewees were interviewed in private and questions were presented in a way to make them feel comfortable and trust interviewers, and interviewees were assured anonymity should they choose it. Another obstacle during the research was the risk of being infected. Taking into account the social context and high rates of the COVID-19 infection, the actions, including data collection and interviews, were conducted remotely through Zoom and Google meet platforms. The partner organizations have supported and facilitated conducting the interviews. The Armenian UN Association provided with the contacts of interviewed students, who are the beneficiaries of their “Empowering Youth for Human Rights and Development” project, in the scope of which they have been provided with internet access since the outbreak of the COVID-19. The Institute of Public Policy helped us to collect necessary information in the field of education. Considering the narrower scope of the research, it is still representative of what occurs in the country as a whole, because, although the fact-finding research was conducted only in the schools of Tavush province, the situation of disruption of education connected with the COVID-19 is most likely the same in the other provinces because rural communities share the same conditions nation-wide. During the research five, high school students and one teacher were interviewed, as well as three experts in the field. The interviews were conducted by one of the fact finders, while the other two were taking notes during the interviews, after the interview the fact finders discussed each interview and summarized it. (See the appendix below). As for the experts in the field, the interviews with them helped the fact finders to gain more comprehensive information about the current situation from the legal and socio-economic point of view.

Background / Context

On 16 March, the Government of RA declared the State of Emergency in Armenia due to the spread of COVID-19, which was followed by a range of limitations for citizens and complete lockdown. (RA Government, Decision on the State of Emergency 2020). The office of Commandant was created to coordinate the Government's measures to prevent the rapid spread

of coronavirus. Due to the high rates of confirmed cases, Armenia was under a State of Emergency until 11 September, when Quarantine was declared in the country until January 11, 2021. (RA Government, Decision on Quarantine 2020). Following the instructions of the RA Government, as well as taking into account the situation of the COVID-19 in the country, the MESCS decided to integrate an online working approach and move to distance education. All educational institutions operated online from March until the end of the academic year. (Zargaryan 2020).

In September 2020, schools and universities of Armenia opened their doors for the students. The freshmen started their education on the 1st of September, whereas others, including high school students, began on the 15th of September. (Zargaryan 2020). Due to the high rates of the COVID-19 in October, the MESCS decided to prolong the autumn break from October 15 to November 12. For this period, only students of the 12 grade were having online classes. Since November 13, online classes have been conducted for all of the grades. Since December 7, in person classes have started and class groups with more than 20 students have been divided into two groups and each of them attends school every other day. It was also decided to make Saturdays working to dedicate equal time to everyone. This system will be actual for the beginning of the second semester in 2021.

To use the time efficiently, KTAK has developed an E-School Armenia educational platform, where video lessons from different subjects are posted for students of all grades. (Andreasyan, Educational Platform 2020). It has been designed to provide distance learning for children who are not able to physically be present at school without distinction of reason. The program cooperates with Microsoft Teams and gets free accounts for students.

The program has experts for all the courses registered by the state educational plan, except for Preliminary Military Training, Chess, Music, and Art classes. The team consists of almost 30 experts, who develop the educational materials and lead distance classes. The program is based on three types of materials: webinars, thematic materials, and video classes. Whenever students are not able to attend school, they get their Microsoft account information from the Operator (the technical support officer). The classes are organized in a hybrid way: there are fixed-time classes and open ones, that students should do on their own by watching video materials, doing home assignments, and filling in the quizzes.

The Deputy Minister of the MESCS admits that the education field was not ready for the crisis. This was not a local but rather a global issue, as around 200 countries closed the schools leaving behind nearly 1.5 billion kids. (UNESCO 2020). This was a crisis in education when 500.000 students and teachers in Armenia had to switch to the online working process. There have already been taken initial steps in the field of distance learning to supplement the shortage of teachers in remote villages. However, the system has not been testified in the villages. In the case of COVID-19, it is not about filling the gaps of teachers, rather than ensuring the continuity of the educational process. (Andreasyan 2020).

The main weakness was with the organization of the work. Of utmost importance was the availability and accessibility of education in terms of equipment and connection. The investment of technologies had previously also been a priority for the MESCS. However, it has been conducted by creating resource centers and providing internet connections within schools. In the

case of crisis education, it is about the availability of technologies and accessibility to the network at the home of each student and teacher. (Andreasyan 2020). As ex-Minister Arayik Harutyunyan said, “about 80 percent of Armenia’s school-age children are engaged in distance learning during the nationwide State of Emergency...” (Mejlumyan 2020). This makes it clear that the other 20 percent was left behind and deprived of the right to education due to the lack of technological equipment and internet accessibility, thus infringing upon the principle of social equality.

To regulate the work of 2020-2021 educational year, the RA MESCS developed a guidebook to organize activities in general education institutions under COVID-19 integrating hybrid approach. There was a period, that classes were organized offline with division of classes. However, depending on the COVID-19 situation in the country, classes could be switched from offline to online at any time. The guidebook by the MESCS sets basic rules for both technical and academic organizations. According to the guidebook, for in-person classes the MESCS provides school children and teachers with medical masks, hand sanitizers, as well as disinfectants for the educational facilities. (RA Ministry of Education, Science, Culture and Sport, Guidebook 2020, 2). Also, classes are designed for 6 days instead of 5, and there cannot be more than 20 students in a classroom simultaneously, and all of them must be seated apart for 1.5 meters and must wear facemasks. Around 30,000 teachers were subjected to mandatory free testing. Those who are in a risky group (65 years or above) were suggested to stay at home and work remotely. (RA Ministry of Education, Science, Culture and Sport, Guidebook 2020, 2-3) According to the MESCS, 1,280 teachers switched to working online because they are in a risk group. More than 2,400 of the country’s 397,607 secondary and high school students as well were restricted to online learning, as they either were chronically ill or had infected family members. (Zargaryan 2020).

A study by the MESCS has suggested that only 35.2% of the surveyed 1932 teachers mentioned that they had passed the relevant trainings on distance learning. 63.5% of them mentioned that the trainings were organized by the RA MESCS National Center for Educational Technologies (KTAK), and according to 15.7%, the trainings were organized by the school administration. (RA Ministry of Education, Science, Culture, and Sport 2020) This means that the vast majority of teachers were left behind and did not get any guidelines and instructions on distance education techniques. In its turn, this could impact on the quality education of children.

Legal Context

The international human rights framework that obligates the State to fulfill the rights to education, includes: 1) the *Universal Declaration of Human Rights (UDHR) Article 26*, which states that everyone has a right to education, 2) *International Covenant on Economic, Social and Cultural Rights (ICESCR) Article 2(1)*, which encourages State parties to take appropriate steps for the full realization of the right to education, and also, *ICESCR Article 13 (1)*, which states:

1. The States Parties to the present Covenant recognize the right of everyone to education. They agree that education shall be directed to the full development of the human personality and the sense of its dignity, and shall strengthen the respect for human rights and fundamental freedoms.

They further agree that education shall enable all persons to participate effectively in a free society, promote understanding, tolerance and friendship among all nations and all racial, ethnic or religious groups, and further the activities of the United Nations for the maintenance of peace.

2. The States Parties to the present Covenant recognize that, with a view to achieving the full realization of this right:

- (a) Primary education shall be compulsory and available free to all;
- (b) Secondary education in its different forms, including technical and vocational secondary education, shall be made generally available and accessible to all by every appropriate means, and in particular by the progressive introduction of free education;
- (c) Higher education shall be made equally accessible to all, on the basis of capacity, by every appropriate means, and in particular by the progressive introduction of free education;
- (d) Fundamental education shall be encouraged or intensified as far as possible for those persons who have not received or completed the whole period of their primary education;
- (e) The development of a system of schools at all levels shall be actively pursued, an adequate fellowship system shall be established, and the material conditions of teaching staff shall be continuously improved. (ICESCR 1976)

Most importantly, the *General Comment 13 (2) (E/C.12/1999/10; 1999)* details the importance of availability and accessibility of education:

6. The right to receive an education - some general remarks. While the precise and appropriate application of the terms will depend upon the conditions prevailing in a particular State party, education in all its forms and at all levels shall exhibit the following interrelated and essential features:

- (a) Availability - functioning educational institutions and programmes have to be available in sufficient quantity within the jurisdiction of the State party. What they require to function depends upon numerous factors, including the developmental context within which they operate; for example, all institutions and programmes are likely to require buildings or other protection from the elements, sanitation facilities for both sexes, safe drinking water, trained teachers receiving domestically competitive salaries, teaching materials, and so on; while some will also require facilities such as a library, computer facilities and information technology;
- (b) Accessibility - educational institutions and programmes have to be accessible to everyone, without discrimination, within the jurisdiction of the State party. Accessibility has three overlapping dimensions:
 - (i) Non-discrimination - education must be accessible to all, especially the most vulnerable groups, in law and fact, without discrimination on any of the prohibited grounds (see paras. 31-37 on non-discrimination);
 - (ii) Physical accessibility education has to be within safe physical reach, either by attendance at some reasonably convenient geographic location (e.g. a neighborhood school) or via modern technology (e.g. access to a “distance learning” programme);
 - (i) Economic accessibility - education has to be affordable to all. This dimension of accessibility is subject to the differential wording of article 13 (2) in relation to primary, secondary and higher education: whereas primary education shall

be available “free to all”, States parties are required to progressively introduce free secondary and higher education. (General Comment 13 (2) 1999)

As for the domestic human rights framework that obligates the State to implement the right to education, it includes the *Constitution of Republic of Armenia, Article 38. The right to education*, (Constitution 2015), *RA Law on Education* (Law on Education 1999), and *RA Law on General Education* (Law on General Education 2009). The national rules and obligations derive from the international standards with the aim to fulfill everyone’s right to education.

The RA Law on Education and RA Law on General Education do not address the issue of online education and its organization, which means that the rules and regulative norms should be adjusted following the force-majeure situation of COVID-19.

On 20 May 2020, the Minister of MESCS approved an order on the organization of distance education in the secondary school of Armenia to coordinate the distance education process. (RA Ministry of Education, Science, Sport and Culture, Order 2020) The discussions on the development of the distance education system had started even before to supplement the shortage of teachers in rural communities of Armenia, which means that the document was not designed suddenly. However, the final discussions on the document were not inclusive nor participatory. Moreover, as regards its efficiency, one of the interviewed experts mentioned that the document is incomplete in terms of the realization of the right to distance education among children with special needs and regarding the assessment of student progress.

Findings, analyses and conclusions

To explore the accessibility and availability of education for students from rural communities of Armenia in times of COVID-19 and the implementation of their right to education, desk research and interviews were conducted with high school students, teachers and experts in the field.

Accessibility & Availability

In the case of distance education, the main issue is whether the limited accessibility and availability of education and its quality among high school students of rural communities of Armenia amounts to the violation of the rights to education and the ICESCR considering the lack of domestic regulatory norms, technological equipment and internet connection, the willingness and capacity of teachers and students to conduct quality online classes, the administrative capacities of the educational entities, as well as the potential health issues caused by the process. Article 13 (1) of ICESCR claims that every member State recognizes everyone’s right to education. The second paragraph proclaims “Secondary education in its different forms, including technical and vocational secondary education, shall be made generally available and accessible to all by every appropriate means, and in particular by the progressive introduction of free education...” The *General Comment 13 (2) (E/C.12/1999/10; 1999)* further details the importance of availability and accessibility of education. For the availability aspect, “functioning

educational institutions and programmes have to be available in sufficient quantity within the jurisdiction of the State party.” (General Comment 13(2) (E/C.12/1999/10; 1999)). As for the accessibility aspect, the comment describes it in terms of three main dimensions: non-discrimination, physical accessibility and economic accessibility. The facts of the situation in Armenia indicate that even though the MESCS adopted the regulative norm on distance education, it has not been developed in an inclusive way and does not consider the right of children with special needs to education. (Interview Summary 8). Furthermore, many high school students in rural communities still do not have equipment and internet accessibility. (Interview Summary 4).

It is also obvious that both teachers and students still lack the willingness and capacities to conduct quality online classes even after capacity building by the MESCS, as educators do not integrate a strategic approach to the role of education. Interview Summary 3 reveals: *“The classes were being organized mainly via Viber. Despite students’ request to switch to Zoom, teachers refused this proposal as they did not master the required skills for more user-friendly applications. Especially, teachers above 40-50 did not have enough skills to conduct effective online classes.”*

Moreover, the organization of online classes led to new problems raised by the students, such as health issues regarding sight deterioration. Hayk from Ptghavan village of Ayrum consolidated community complains: *“The major negative affect [of distance education] for me was health issues: deterioration of sight.”* (Interview Summary 2).

Also, Goharik Tigranyan, the education expert of IPP, mentions: *“The breach of the right to education has resulted in the violation of other rights as well, such as the right to health, for example. Under the online system of education students had to spend long hours in front of computers, which might cause different spinal troubles and deterioration of vision.”* (Interview Summary 9)

Thus, even though the State of Armenia has taken emergency steps to overcome the problem of distance education with support of different actors of the educational field, the current situation amounts to the violation of the Article (1) of ICESCR, considering above mentioned facts as sufficient for the violation of right to education.

Regulatory Norms

Whether the proper regulatory norms and orders have been developed is at issue considering the fact that at the beginning of the problem Armenia lacked the regulative norms and it has been developed in an accelerated manner. The paragraphs (a) and (b) of the *General Comment 13 (2) to the Article 13* state that the accessibility and the availability of education should be defined within the jurisdiction of the State party. Even before the outbreak of the COVID-19, the discussions on development of distance education systems had been initiated. The COVID-19 accelerated the course of events, as a result of which on 20 May 2020 the norm on the regulation of distance education was approved by the Minister of MESCS. However, the process was not inclusive and participatory.

As the expert mentioned, there are some aspects of education that are not covered by the norm. It does not refer to the children with special needs and does not regulate the process of their participation in distance education. Also, it does not set the criteria for the assessment of students' progress. The roots of the problem lie in the fact that the teachers lack strategic planning for their courses. For example, they do not set the overall and midterm goals for their subjects. (Interview Summary 8) Thus, they do not know how to assess the progress of their students. The other reason is the lack of methodology for the assessment, as the teachers do not know whether different means, like Google forms, are valid for the assessment or they are too subjective. The third aspect of the problem is the absence of legislative regulations. Thus, the underdeveloped norm is the violation of Article 13, considering the fact that it does not cover the whole aspects of distance education.

Connectivity

The next issue discussed by those interviewed is the lack of technological equipment and internet connection among students and teachers in rural communities of Armenia. The paragraph (a) of the *General Comment 13 (2) to the Article 13* claims that computer facilities and information technologies should be available for student to enjoy their rights to education, as well as the paragraph (b) states that education should be accessible in terms of non-discrimination approach, as well as physically via modern technology and economically. The majority of interviewed students mentioned that almost half of the students participated in their classes due to the lack of technology and internet availability. Moreover, almost all of them have siblings in their families and have difficulties and inconveniences while participating in online classes.

Hayk, who is a 12th grade student at Ptghavan village in Ayrum consolidated community mentioned: *"Me and my little brother are students at school. Only I have a smartphone and my brother used my mum's one for his classes. However, it happened that my mother was not at home and he was not able to join his classes."* (Interview Summary 2).

Also, Milena, a 12-grade student in Ayrum settlement, *informed us that there are three school students in their family and to organize distance education for all, they applied to the school and temporarily got equipment to be able to join classes.* (Interview Summary 4). This tablet was provided by the MESCS. As a result of the research, it was revealed that except for the Ministry, Children of Armenia Fund and Teach for Armenia also provided schools with a small amount of required technology and internet providers. Another interviewee, a 12-grade girl for bordering village Vazashen in Tavush, mentioned that she and her sister, who is a freshman at university, used to have simultaneous classes from home and had a problem with poor internet connection. (Interview Summary 5). Thus, the facts show that the rights of children to education was not fully realized as they had availability and accessibility issues regarding modern technology and internet connection.

Willingness and Capacities of Teachers and Students

Moreover, there is also an issue regarding willingness and capacity of teachers and students to conduct quality online classes. The paragraph (a) of the *General Comment 13 (2) to the Article 13* discusses the requirement of the "trained teachers receiving domestically

competitive salaries” in terms of availability of education. At the beginning of the outbreak of the crisis, teachers were not ready for online classes at all.

As expert Manuk Khachatryan, the head of E-school program at KTAK (National Center for Educational Technologies), mentions there were three stages for development of distance education in times of pandemic. During the first stage, teachers did not take distance education seriously as they thought it was temporarily and conducted classes mostly via Viber and Zoom. Students were asked to write their homework as usual, photograph it and send it to the teacher via Viber to check. Teachers didn't use any presentations or other thematic materials to make classes more interesting and effective, as they didn't know how to do that. As it turned out, that distance education is going to take a while, teachers started to take it more seriously.

For the second stage, many teachers became interested in online teaching methods. This was mainly highlighted among teachers from rural communities, as they wanted to get privilege over teachers from urban communities. As interviewed students highlight, in this stage mainly Zoom, Microsoft team and Google Meet applications were used to make online classes more efficient. However, due to poor internet connection, sometimes classes were switched back to Viber or Messenger voice calls, which affected the students' participation in classes.

The third stage, is reflected by the capacity of teachers to use acquainted methods in real classes. Most of the teachers applied modern techniques and used online materials while conducting their classes. However, only humanitarian subjects were interestingly conducted compared to the practical ones, like Math, Physics, Biology, which were ineffective and uninteresting through the eyes of students. No group works and classroom activities were conducted. Also, there was a lack of communication and individual approach from teachers towards students. During face-to-face classes students are able to approach their teachers, ask questions and have discussions, which is impossible during online classes as everyone starts talking and asking questions simultaneously. (Interview Summary 8).

Moreover, another pattern was revealed in Vazashen. As it is a small village, students are having combined classes at school: 11 and 12 grades are having the same classes. According to the student from Vazashen, this affects the perception of the role of education among youngsters. Many students didn't join classes, or joined, muted themselves and did not participate at all. (Interview Summary 5). This means that the willingness of students to participate in classes is the main factor. It is important to highlight that due to the escalation of war, boys didn't participate in classes as were involved in organizing supportive measures to the army and the community, as Vazashen is a bordering village with Azerbaijan. All in all, the lack of willingness and capacity of teachers and students to conduct quality online classes infringed the children's right to education as they did not get it because of the absence of experience in that particular field.

Health Issues Caused by Distance Education

Another question caused by distance education is whether the raised health issues count as a violation of the Article 12 of ICESCR considering the points raised by the students and experts regarding eyesight and posture. The first paragraph of the Article 12 states that “the States Parties to the present Covenant recognize the right of everyone to the enjoyment of the

highest attainable standard of physical and mental health” and the point (d) of the second paragraph stated that the State parties should initiate “the creation of conditions which would assure to all medical service and medical attention in the event of sickness.”

Goharik, the expert in the field of education in the Institute in Public Policy (IPP), told us that *“the breach of the right to education has resulted in violation of other rights as well, such as the right to health. Students have to spend long hours in front of computers, which causes different spinal troubles and deterioration of vision.”* (Interview Summary 9).

Hayk, a 12-grade student from Ptgavan, said: *“The major negative effect of distance learning for me is a health issue: deterioration of sight. My eyesight has deteriorated sharply as a result of spending a long hour in front of the smartphone.”* (Interview Summary 2). Even if this student used laptop rather than a smartphone, his would still face some health issues, which states that the problem is the distance learning itself and not the type of available equipment. Thus, these facts are the indicators of violation of the Article 12 of ICESCR, as the teachers were not trained and classes were not conducted with the appliance of physical and eye exercises.

Class Scheduling and Compliance

In addition, the process of distance education was not well organized in terms of administrative measures. The majority of the interviewed students mentioned that teachers lacked time-management skills.

The student from Vazashen told us: *“They [the teachers] used to reschedule classes without informing students beforehand, which resulted in additional problems.”* (Interview Summary 5).

Another interviewed high school student from Bagratashen village shared with us her story: *“As it was decided to move to distance learning again, the practice of 30-minute classes has been maintained. This has a negative effect, as we usually spend the first 5 minutes on technical matters, then do not manage to present required materials and teachers do not have enough time to explain new topics.”* (Interview Summary 3).

Positive Sides of Distance Education

However, among all the negative effects it is of the utmost importance to notice that distance education has also some positive sides. First of all, as all the interviewed students and teachers mentioned, all of them got acquainted with nowadays technological skills.

As expert Manuk Khachatryan mentions: *“Currently it is impossible to evaluate the quality of distance education, as there is always room for development. However, the whole work done has been a huge step forward in Armenia in the field of education in this technological age. The E-school platform should be used in future even in case of face-to-face education. This is one of the nowadays requirements, which will mean a transition from post-soviet educational system to a modern one. The classes would be discussion-based, as students will have access to the materials beforehand.”* (Interview Summary 8).

Moreover, he highlights the importance of developing a large base of educational materials in Armenian, which is free and available to everyone. Many of the questioned students were familiar with the online materials, especially online laboratories developed by the Ministry of Education and Science, and juxtaposed them with their distance classes (Interview Summary 1). They consider this to be very productive for future use. For the positive sides of distance education, the students pay importance to preventing the spread of the virus by staying at home (Interview Summary 2). Also, staying at home decreased the social inequality between students from their viewpoint and reduced the level of bullying among youngsters.

Conclusion

In conclusion, despite all the efforts made by the Ministry of Education, Science, Culture and Sport, its subordinate bodies, and NGOs working in the field of education, the Article 13 of the International Covenant on Economic, Social and Cultural rights and the *General Comment 13 (2) (E/C.12/1999/10; 1999)* have been violated in terms of availability and accessibility of education. Students still find their distance learning experience ineffective and incomplete and all of the interviewees would prefer to attend school wearing masks, keeping social distance either by divided groups or by attending on different days of the week.

The problem invokes both availability and accessibility characteristics. In terms of availability, the problem lies in the lack of inclusive regulatory norms of the field, as well as shortage of technological resources and WiFi availability to join online classes, online teaching materials and trained teachers for quality online classes (GC 13 (2) 6a on *ICESCR*).

For the accessibility characteristics, the fact is that the lack of required modern technologies leads to the discrimination and the problem of physical accessibility to education. Also, the fact that families are not in the socio-economic state to be able to ensure necessary conditions for their kids to get proper education is another accessibility characteristic (GC 13 (2) 6b on *ICESCR*).

Despite all the drawbacks, the whole work done has been a huge step forward in development of the modern education system corresponding to nowadays technological age.

Annexes

Summary of Interviews

Interview Summary 1

*Aren Ghulijanyan, Ayrum city, Ayrum community, Tavush Province
180 school, 11 grade,
02 December 2020*

Aren discussed two various periods of online education: from March to May and from September to December. While talking about the first period, he mentions the ineffectiveness of

online classes, as they were organized mainly via Viber and teachers lacked online teaching skills. It was not convenient to conduct especially such classes as Math, Physics and other practical ones that require written explanations and practical observations. It was much easier to conduct humanitarian oral subjects like History. The main reason for the unproductiveness of online classes was the fact that teachers did not get any capacity buildings to be able to conduct classes via Zoom.

As for the second period, classes were conducted through Zoom and were incomparably effective as teachers started using PowerPoint presentations and other educational materials during classes. However, sometimes problems arose with creating and using the links to classes. According to Aren, everything depends on students and teachers as they have a crucial role in organizing classes. In Aren's case, the participation rate of students was quite high compared to the other interviewees: usually 20 students out of 25 participated in online classes. Those students, who did not participate in classes, had either technology or internet connection problems. Also, the participation was estimated to be active, because as time passed both teachers and students obtained the required skills for using modern techniques to conduct effective lessons.

As to the support systems created by the Ministry of education, Aren mentioned that the students followed the educational materials, especially online laboratories developed by the Ministry, juxtaposing them with their distance classes. They consider this to be very productive.

As to the support received from different organizations, only Teach for Armenia was mentioned to have supported students with electronic devices. Neither Ministry nor local authorities provided any assistance.

Aren did not have any difficulties connected with technological availability, because there are two students in their family and they managed with distance learning, as there were no problems with devices and private space.

Currently they attend schools every other day with divided groups keeping all the preventive measures. They believe this is a well-developed strategy to overcome the crisis situation.

Aren outlines the negative and positive sides of the distance learning. The negative ones are as following:

- Lack of face to face communication,
- Internet connection issues especially among teachers,
- Technical inconveniences
- Lack of interactive classes with properly developed materials

As for positive sides he notes that they have gained significant experience in online teaching/ learning and are ready for crisis like situations.

Aren notices that the distance learning had a negative impact mostly on low-achievers. He emphasizes the willingness of a student to learn regardless online or offline. Thus, he highlights the raise of students' interest towards education.

Aren suggests providing quality internet connection in regions as a supportive measure for online education. Then, the capacities of teachers on distance education should be built. He also suggests to reconsider and ease the educational program following the system of class conduct by groups every other day. He believes that it would be more productive not to have a new topic every day and have an extra free day to thoroughly study that current topic.

Even though they managed to conduct more productive online classes compared to the others, Aren still notes that the acquired knowledge is not as productive as it would be if the education was offline.

Interview Summary 2

Hayk Yegiazaryan, Ptghavan settlement, Ayrum community

12 grade

02 December 2020

Hayk was not satisfied with distance learning, as classes were conducted at different times of the day which sometimes overlapped with students' private classes. Between classes there were long breaks with inefficient time-management. Also, the lack of personal communication was highlighted as one of the main hindrances to education. At school students always have an opportunity to ask questions to teachers any time, whereas during online processes it creates a mess as students ask questions simultaneously, or do not voice their questions at all.

In Hayk's case there were classes that have not been conducted at all. Sometimes it was due to technical issues, such as lack of technologies, poor accessibility to internet and electricity problems. It is also important to highlight that some teachers, especially elders, lacked the relevant technological skills and students were the organizers and leaders of the educational process. No special trainings were initiated for teachers. The online teaching methods were very poor as teachers didn't use Powerpoint Presentations or other interactive educational materials. In this regard, only oral classes were considered to be relatively productive. Only the teacher of computer science, who also teaches Algebra and Geometry, led interactive and productive classes. Moreover, some teachers had old-style phones, which do not have opportunities for conducting online meetings.

In the beginning the main means of conducting online classes were Messenger and Google Meet applications, then they turned to Zoom.

Hayk had his own smartphone, whereas his brother didn't. He used his mother's phone, which however was sometimes impossible, as a result of what he missed some classes. Also, it

was not comfortable to have classes at home, as the existence of a classroom environment contributes to quality education. In addition, it was not productive having simultaneous online classes at the same hours.

Hayk mentioned the positive and negative sides of distance learning. As for the positive one, he highlighted the importance of staying at home and preventing the spread of the COVID-19. The negative points were as following:

1. The major negative affect for him was health issues: deterioration of sight.
2. Provided information was not complete and attainable.
3. The lack of face to face communication between students and teachers.
4. The lack of technical skills among teachers.

Hayk also pointed out the online video classes and materials uploaded in different platforms (armedu.emis.am, Public TV), evaluating them as valuable but not sufficient. The materials did not correspond to the educational programs.

Hayk thinks they managed to follow the educational plan to some extent. However, to improve the process he suggested having each subject once per week if they went on with the online format of classes. However, he would prefer attending school classes keeping all the rules, which unfortunately are not being followed.

Interview Summary 3

A female students, Bagratashen settlement, Ayrum community, Tavush province

10 grade

02 December 2020

The student started the testimony mentioning that there are three school age students in their family. At the beginning of online education, they used to have technical and accessibility issues, until they requested and the school provided them with one of three available tablets provided by the Ministry. Besides the tablets, three Internet packages were provided for each class as well.

The classes were being organized mainly via Viber. Despite students' request to switch to Zoom, teachers refused this proposal as they did not master the required skills for more user-friendly applications. Especially, teachers above 40-50 did not have enough skills to conduct effective online classes. Also, the Zoom experience was not productive, as the phones of many students were not powerful enough to ensure students' full participation in classes.

As for the students' participation, she mentioned that in most cases only 10 out of 18 students participated in classes. The reason behind is that they did not pay enough importance to education. There are students who attend school just to be present physically and get passing scores. In case of online education, they do not feel obliged to attend classes.

At the beginning of the educational year, classes with more than 20 students were divided into two groups and the time for classes was shortened from 45 to 30 minutes in order to keep safety measures. As it was decided to switch to distance learning again, the practice of 30-minute classes was maintained. This has a negative effect, as they spend the first 5 minutes on technical matters, then they do not manage to present required materials and teachers do not have enough time to explain new topics. When talking about negative sides of the online classes, she mentioned that there are subjects that are impossible to be explained without using whiteboard, for example Algebra and Geometry. Another negative aspect is the lack of face to face communication, which leads to complete isolation.

The student mentioned that they did not have connection issues in their class: some of the students joined classes on their parents' phones, others had their own ones. However, sometimes in the case of parents' absence it was challenging to participate in classes.

As for the positive sides of online learning/teaching, our interviewee notes that they have got acquainted with modern educational techniques and methods and got experience with online education.

The interviewee followed the video classes and materials prepared by the Ministry. She finds them interesting, but not relevant to the educational programs and suggests adapting the materials to the plans of each grade. She also suggests creating one general platform for students, where all the materials will be prepared and uploaded per grade. Thus, it would be easy for teachers to organize and maintain the educational process.

As there have been many registered cases of COVID-19 in Bagratashen including three deaths, they strictly follow the preventive measures while attending schools. She gives privileges to the face-to-face classes and approves the idea of conducting classes in divided groups.

Interview Summary 4

Milena Khachikyan, Ayrum settlement, Ayrum community, Tavush Province

12 grade

1 December, 2020

The student informed us that they currently organize hybrid classes both by Zoom application and by attending school for thematic tests. As the State of Emergency was declared, initially they held their classes via Viber. It was relatively productive to have natural and humanitarian sciences via Viber, which cannot be said about Maths and languages, that require more practical approach. In the beginning, teachers lacked modern technology skills and experience, however they passed through some capacity building trainings. As a result, they became capable of conducting quality classes and helping students with required techniques.

In her opinion, online classes are not as productive as offline ones, because there are no possibilities to approach teachers individually and ask questions. There are some more negative sides of online education:

1. Lack of technology
2. Lack of internet connection
3. Lack of skills and abilities to use technologies
4. Lack of willingness
5. Teachers could not manage to provide individual approach to everyone
6. Students ask questions simultaneously, which hinders the teaching/learning process
7. Thematic works are difficult and inefficient to write and submit online
8. During distance education educational materials are available, as a result of what students' learning abilities are being graded equally: the students with low progress were more active as they had an opportunity to cheat.
9. On average 12 students out of 20 participated in online classes. Only 2 of them didn't participate at all due to lack of Internet accessibility.
10. There are 3 students in their family, thus in case of complete online education, they would not be able to participate in classes, as they have only one smartphone. As for her 1st grade sister, they recorded videos, where she presented her homework and sent it to the teacher via Viber, which was completely ineffective. As her sisters are in primary school, they currently attend offline classes following the order by the Ministry.

The only positive factor is about classes, when teachers had abilities to share videos or presentations making classes more productive. This is not applicable to offline classes due to the lack of technologies.

To improve the state of online education, she suggests carrying out need assessment among students to find out their problems before making any decision. Then, capacity buildings should be organized for all teachers without any distinction of age, as she differentiates the quality of classes organized by young teachers compared to elders. She also suggests to ensure the presence of a school computer specialist at the beginning of each class to support with technical issues.

The RA Ministry of Education, Science, Culture and Sport initiated assistance to students in need. Although it provided her with necessary equipment through the school, she couldn't use it because of the lack of internet accessibility in her house. The Ministry didn't consider this factor. As for the local and regional governments, they did not show any support in the educational field.

She highlighted that she would prefer to be present at classes with a mask, rather than continue with distance education. However, she mentioned that even though they keep physical distance during classes, they do not follow the rules during breaks. Moreover, teachers wear masks only sometimes, and ask students to sit closer, requiring their attention.

Interview Summary 5

A female student, Vazashen village, Tavush province

12 grade

13 December 2020

At the beginning of distance learning, the interviewee didn't master online communication skills, which hindered her education process. Over time, she and her classmates acquired the necessary skills. There were students, who didn't have the equipment and the problem was solved with the help of COAF Smart Room in their school, which provided both technological means and internet providers. No other institution supported the students with the equipment and connection. The interviewee mentions that it was much more effective to have offline classes, as during the online students didn't turn on their cameras and there was a lack of eye contact. Students didn't participate in online classes actively. Moreover, they used to read rather than present classes.

They mainly used Zoom and Google Meet platforms, however as the connection was weak, they turned to Messenger Calls without using video cameras, which was not productive. Moreover, Zoom provides special learning tools, such as Whiteboard and Screen share opportunities, which makes classes more effective. The majority of teachers did not use educational materials like presentations. They also used to reschedule classes without informing students beforehand, which resulted in additional problems.

As there are not many students in their village, 11 and 12 graders are studying in the same class. Many students didn't join classes, or joined, muted themselves, and did not participate in classes at all. This means that the willingness of students to participate in classes is the main factor. It is important to highlight that due to the escalation of the war, boys didn't participate in classes as were involved in protective actions.

Our interviewee did not have any information about video-classes developed by the Ministry on Public and Regional TV, as well as about the thematic materials uploaded in armedu.emis.am.

This student noticed that she has a sister, who is a freshman at the university. They both joined the classes from home and sometimes had difficulties in terms of poor internet connection.

As for the positive effects of distance learning, the interviewee mentioned that it was like a private lesson and was more effective in that regard. Also, it was comfortable to learn from home. The classes lasted no less than 45 minutes as usual.

As for the negative sides, she mentioned.

- Not all the students participated,
- School administration did not pay attention to absentees
- Did not have group works and classroom activities (like using blackboards)
- The process was not organized in terms of administrative measures.

The interviewee believes that she would have learned more if she had a chance to attend offline classes.

To improve the quality of distance education, master classes should be conducted for teachers and effort should be made to raise the responsibility of students towards educational processes.

Interview Summary 6

*A Teacher of World History, Armenian History and Social Science,
Ayrum settlement, Tavush Province*

14 December 2020

While sharing her experience of distance teaching, the teachers shared that it was not difficult to conduct her classes as her subjects are mainly humanitarian rather than practical like Maths, Biology, etc. The students of the secondary school were more interested and participated in classes more actively. As for the High School students, their participation was almost as active as in times of face-to-face education.

The main problem for students to join the classes was the lack of internet and equipment. All the teachers had the required technologies. Mainly Zoom was used to conduct classes. For those who missed lessons due to accessibility problems, Viber was used as an alternative.

This teacher did not use any presentations or other materials and just organized discussions. She learned how to use Zoom on her own and did not pass any capacity building. She also did not use the materials developed by the Ministry and shared on Public and Regional TVs and in armedu.emis.am.

The students, who lacked the means to join classes, were provided with the necessary equipment and internet by the school.

All the preventive measures were kept during the offline classes.

While talking about the negative sides of distance education, the interviewee mentioned that they were not able to conduct practical activities. Also, it was difficult for students to come back to the ordinary conduct of classes. During online classes, all the students used to speak simultaneously while being asked a question, which resulted in chaos.

As for the positive sides, the teacher mentioned that they managed to conduct classes as planned. The students were more organized during the online classes. Moreover, some students became more active during online classes compared to classroom ones.

As for the tests and exams, they were organized in school.

The interviewee suggests ensuring all the necessary conditions for everyone has an opportunity to join classes.

Interview Summary 7

Gohar Mamikonyan, Advisor to the Minister of Education, Science, Culture, and Sport

12 December 2020

Since 2018 discussions around distance education have been initiated to overcome the shortage of teachers in far rural communities. In 2019 the experimental online classes have started in physics-mathematical school in Yerevan. Especially math, physics, chemistry, and biology classes have been conducted. In 2019 the Ministry of Education, Science, Culture, and Sport sent the draft law on distance education for the approval of the National Assembly. However, the NA found it ineffective and out of date. As a result of the COVID-19 crisis, on 20 May 2020, the Minister approved the modified regulatory norm on distance education. With this,

except for organizing distance education, the order was approved according to which the raised problems are to be solved by the orders of the Minister.

According to these changes, the Ministry delegated the organization of work to two institutions: the Center of Distance Education, which regulated the work of the E-school platform, and to RA MESCS National Center for Educational Technologies (KTAK), which operates armedu.emis.am educational platform.

Interview Summary 8

Manuk Khachatryan, Head of E-School at KTAK

28 December 2020

E-school is a state program run by the KTAK (National Center for Educational Technologies). It has been designed to provide distance learning for children who are not able to physically be present at school without distinction of reason. The program cooperates with Microsoft Teams and gets free accounts for students.

The program has experts for all the courses registered by the state educational plan, except for Preliminary Military Training, Chess, Music, and Art classes. The team consists of almost 30 experts, who develop the educational materials and lead distance classes. The program is based on three types of materials: webinars, thematic materials, and video classes. Whenever students are not able to attend school, they get their Microsoft account information from the Operator (the technical support officer). The classes are organized in a hybrid way: there are fixed-time classes and open ones, that students should do on their own by watching video materials, doing home assignments, and filling in the quizzes.

Since September 2020, already 5000 students have participated in the e-school distance classes. The expert group of the platform is not in a fixed term and teachers are changing, as all the materials made are publicly available and some of the teachers find it difficult to constantly work. This ensures the mobility of the work and supports the development of the platform with new ideas.

There is also an armedu.emis.am platform, which is a little bit confusing and problematic compared with e-school. The thing is that the former is a platform with materials for teachers to organize their work and it is not classified in a logical order. As for the latter, the materials for each grade are separately organized according to the subject plan.

The expert pointed out three stages for the development of distance education in times of pandemic. During the first stage, teachers did not take distance learning seriously as they thought it was temporarily and conducted classes mostly via Viber and Zoom. As it turned out, that distance education is going to take a while, teachers started to take it more seriously. For the second stage, most of the teachers became interested in online teaching methods. This was mainly highlighted among teachers from rural communities, as they wanted to get privilege over teachers from urban communities. The third stage is reflected by the capacity of teachers to use acquainted methods in real classes. Most of the teachers applied modern techniques and used online materials while conducting their classes.

Currently, it is impossible to evaluate the quality of distance education, as there is always room for development. However, the whole work done has been a huge step forward in Armenia

in the field of education in this technological age. The expert also mentioned that the platform should be used in the future even in the case of face-to-face education. This is one of the nowadays requirements, which will mean a transition from a post-soviet educational system to the modern one. The classes would be discussion-based, as students will have access to the materials beforehand. Also, a huge base of educational materials in Armenian has been developed, which is available to everyone.

Before the COVID-19, there was no regulating law on distance education in Armenia. To better coordinate the organization of work, the special regulation on distance education has been adopted by the National Assembly. The norm is well developed, however, there are some gaps the regulation does not reflect. First of all, the regulation does not cover the rights of children with special education needs. Then, it does not set the criteria for the assessment of students' progress. The roots of the problem lie under the fact that the teachers lack strategic planning for their courses. They do not set the overall and midterm goals for their subjects. Thus, they do not know how to assess the progress of their students. The other reason is the lack of methodology for the assessment, as the teachers do not know whether different means, like Google forms, are valid for the assessment or they are too subjective. The third aspect of the problem is the absence of legislative regulations.

There are many countries with e-school experience (for example E-school Cambodia), that have been explored. However, nothing is being taken blindly in the case of Armenia, rather than experiences are being adjusted and adapted to the national context. The experts of the groups also share their international teaching experience based on national educational needs. To improve the quality of distance education, the expert suggests to:

1. Integrate a conceptual approach to distance education for everyone who understands its general idea and the elements.
2. Conduct capacity buildings for teachers following mentorship and snowball methods. The former means that every school will have a mentor teacher who will be in constant touch with the Ministry. Following the snowball method, he/she will pass the gained knowledge to other teachers of the school and students as well, to make the process as productive as possible.
3. Pay attention to the pedagogy. Distance education should not affect pedagogical methods, and teachers should be able to juxtapose thematic materials with modern tools.

Interview Summary 9

Goharik Tigranyan, Institute of Public Policy

30 November 2020

Usually during crisis situations and State of Emergency, the education system is being failed. The same occurred in the case of Armenia. However, it is important to make a distinction between not fulfillment and limitation of the given right.

As the State of Emergency was declared, the following major rights were subjected to limitations: freedom of speech, freedom of press, freedom of assembly. Later on, the right to education was added to the list.

As long as a State is not able to fulfill the implementation and realization of a right, it is being violated by the respective State. As the Republic of Armenia has taken proper measures to create a platform for realization of the students' right to education, it has not violated, but rather limited the right to education.

The breach of the right to education has resulted in the violation of other rights as well, such as the right to health, for example. Under the online system of education students had to spend long hours in front of computers, which might cause different spinal troubles and deterioration of vision.

Also, while organizing distance education, the socioeconomic situation was not taken into account. Students, teachers and parents were not able to both provide and use modern technologies and internet connection in the regions of Armenia. In this regard, the child poverty level was estimated 27-29%.

In the RA system of education, no crisis preventative strategies have been developed. For example, in the USA, there are schools that organize online classes once a week and use online platforms for submitting home assignments. This means that even in a non-emergency situation, students experience distance learning and it is not a shocking innovation when a crisis occurs.

The MESCS National Center for Educational Technologies was one of the institutions that provided students with necessary equipment to organize their education. It is important to mention that the financial support came from voluntary initiatives rather than the state budget.

The expert estimates the work of the responsible bodies 35-40% out 100. She suggests exploring the international experience in the field of online education and project it on the Armenian reality by making adaptations and not just applying the experience blindly.

One of the positive sides was that teachers had a chance to be trained and improve their online teaching skills.

Since the spread of COVID-19 in Armenia, no research on the students' right to education has been conducted.

Interview Summary 10

Sergey Ghazinyan, Advisor to the Human Rights Defender of Armenia

4 December, 2020

The expert Ghazinyan explained the issue from the legal perspective highlighting the fact that deriving from the legal regime some limitations of rights might take place. However, these limitations should be well-grounded and clear so that everyone understands the meaning and importance of the limitation. On the other hand, limitations should be proportional, which means they should refer to everyone equally and no arbitrariness should take place.

There are 2 types of extraordinary legal regimes: 1) State of Emergency and 2) Marshal Law. During these regimes, the State could derogate its responsibilities by initiating general limitations. However, the State should inform ECHR about the situation in the country and the reasons why the limitations are applied.

Coming to the education in times of COVID-19, the expert shares his own experience. As a lecturer, he notices that distance education is exhausting: it is very challenging for teachers/lecturers to keep the attention of the audience and provide quality lecture. The national human rights body (The Ombudsman office in the case of the RA) has a conventional mandate to monitor the situation.

The expert points out the following problems of distance education:

1. Insufficiency of technological means, which could be discussed in terms of possibilities and capabilities, as there are many organizational issues.
2. There is an obligatory condition to wear a mask during classes. This is especially problematic in the primary school, as students might play with their masks, put on others' masks thus contributing to possible spread of the virus.
3. The obligation of decision to wear masks above 7 contradicts the requirements of wearing masks at school as there are younger students aged from 5.
4. The organization of food distribution in special schools. It is also impossible to organize classes wearing masks as many students understand each other through mouth movements.

Regarding the right to rest and leisure, the expert notes that in case of complex problems if the goal is prioritized, the limitations in terms of scheduling classes for 6 instead of 5 days and shortening the breaks are justified. In this case it is of utmost importance to distinguish absolute and non-derogable rights and their high precedence over the others.

The expert discussed a possible situation when students are deprived of their right to education when they are infected in case of offline education. This requires a comprehensive approach with special mechanisms, where duty-bearers, educational institutions and parents equally share the responsibilities. As an example of preventive measure he approved the idea of criminal responsibility for deliberate spread of the virus.

The existing situation shows that the legislation of the field was incomplete and ineffective. Preventative measures are not institutional, thus are not sustainable. The changes should be made on the institutional level highlighting the role of the actors: Ministry, local authorities, school administrations, etc. They should be comprehensive considering all the aspects of the problem. For example, the Ministry of Education, Science, Culture and Sport should consider the healthcare aspects of the problem cooperating with the Ministry of Healthcare while maintaining the sanitization measures in educational institutions.

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