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**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.

[20 May 2024]

* Issued as received, in the language of submission only.



Right to Education in Indian-Administered Jammu and Kashmir

welcome the Special Rapporteur's report, particularly its holistic approach to education, embracing all its dimensions and recalling the need for an expanded vision of the right to education through life and a commitment to education as a public common good.

We join the Special Rapporteur in her call to reinforce the implementation of the right to education through accountability and monitoring processes, stressing that this cannot be achieved without adequate financing.

The former special rapporteur on the right to education Mr. Kishore Singh has eluded in his report to the Human Rights Council that the use of ICTs in education can widen inequality and thereby undermine the right to education. Presenting his report on the 'Right to Education in the Digital Age', he argued that 'Digital technologies should reduce inequalities in society, not widen them.' States should make sure that disparities in education will not grow, stressing the importance of bridging the digital divide in implementing the Sustainable Development Goals.

The area of conflict has many issues when it comes to the right to education. Here we discuss one such situation that Of Indian-Administered Jammu and Kashmir

This opening directly addresses the issue at hand. It emphasizes the urgency of the situation to address the ongoing violation of the right to education for children in Indian-Administered Jammu and Kashmir (J&K). Since the killing of Burhan Wani in 2016 and the subsequent escalation of violence, the Indian government has imposed a series of internet shutdowns that continue to this day. These shutdowns have had a devastating impact on the education of Kashmiri children, hindering their access to information, communication, and educational resources.

This statement will explore the detrimental effects of internet shutdowns on the right to education in Indian-Administered Jammu and Kashmir, highlighting the crucial role of the internet in contemporary education and the importance of upholding international human rights standards.

Impact of Internet Shutdowns on Education:

The internet has become an indispensable tool for education in the 21st century. It provides access to a vast repository of educational resources, online learning platforms, and opportunities for collaboration and communication with educators and peers around the world.

Limited Access to Educational Resources:

Internet shutdowns in Indian-Administered Jammu and Kashmir severely restrict students' access to online educational resources. This includes e-learning platforms, educational websites, research databases, and online libraries. These resources provide students with diverse learning materials, interactive exercises, and opportunities for self-paced learning, all of which are crucial for a well-rounded education.

Disruption of Online Learning:

The shutdowns disrupt online learning initiatives undertaken by schools and universities in Indian-Administered Jammu and Kashmir. Many institutions have adopted online learning platforms to supplement classroom learning or provide alternative learning opportunities for students in remote areas. Shutdowns render these initiatives ineffective, hindering the progress of students who rely on them.

Hindered Communication and Collaboration:

The Internet facilitates communication between students, teachers, and parents. It allows for online discussions, project collaborations, and access to teacher support outside of classroom hours. Shutdowns make these forms of communication impossible, hindering collaboration and creating a learning environment isolated from external support systems.

Frequency:

Reports indicate internet shutdowns have been a recurring issue in Indian-Administered Jammu and Kashmir since at least 2005, with increased frequency following the 2016 killing of Burhan Wani.

Longest Shutdown:

The most significant internet shutdown in Indian-Administered Jammu and Kashmir occurred after the abrogation of Article 370 in August 2019. This shutdown lasted for a staggering 552 days, with limited or no internet access for the entire region.

The Importance of Artificial Intelligence in Education

Artificial intelligence (AI) is rapidly transforming the education sector. AI-powered tools can personalize learning experiences, identify learning gaps, and provide targeted support to students. These tools can be particularly beneficial in regions like Indian-Administered Jammu and Kashmir, where teacher shortages and limited resources are common. However, internet shutdowns prevent schools from utilizing these innovative tools, further disadvantaging Kashmiri students.

Violation of International Human Rights Standards:

The right to education is enshrined in Article 26 of the Universal Declaration of Human Rights and Article 13 of the International Covenant on Economic, Social and Cultural Rights. These instruments guarantee access to education at all levels, on a basis of equality, and emphasize the importance of continuously improving educational methods.

Internet shutdowns in Indian-Administered Jammu and Kashmir,” constitute a clear violation of these rights. By restricting access to information and communication technologies, the Indian government is impeding the ability of Kashmiri children to receive a quality education.

Recommendations:

The UN Human Rights Council must urge the Indian government to:

1. Immediately end all internet shutdowns in Indian-Administered Jammu and Kashmir and ensure unfettered access to the internet for educational purposes.
2. Develop a comprehensive plan to bridge the educational gaps created by the internet shutdowns.
3. Invest in expanding access to digital learning resources and infrastructure in Indian-Administered Jammu and Kashmir.
4. Uphold its obligations under international human rights law by guaranteeing the right to education for all children in Indian-Administered Jammu and Kashmir .

Conclusion;

The internet shutdowns in Indian-Administered Jammu and Kashmir are not merely an inconvenience; they represent a systematic attack on the fundamental right to education. By denying Kashmiri children access to the tools and resources they need to succeed, the Indian government is jeopardizing their future and perpetuating a cycle of disadvantage. The UN Human Rights Council has a responsibility to hold India accountable for these violations and advocate for the restoration of the right to education for all children in Indian-Administered Jammu and Kashmir .

(Source: UNESCO, <https://www.unesco.org/en/education>)

(Source: UNICEF, <https://www.unicef.org/press-releases/1-3-digital-learning-platforms-developed-during-covid-19-no-longer-functional>)

(Source: The Wire, [mapping the rising internet shutdowns in India since 2016])

(Source: Internet Shutdowns Tracker by SFLC.in.

(Source: OECD, <https://www.oecd.org/education/trustworthy-artificial-intelligence-ai-in-education-a6c90fa9-en.htm>)

(Source: OHCHR, <https://www.un.org/en/about-us/universal-declaration-of-human-rights>)