

# SOME ASPECTS OF ACCESSIBILITY OF THE CHILD TO EDUCATION DURING THE COVID-19 PANDEMIC IN GEORGIA

*MAGDA JAPHARIDZE*  
*THE UNIVERSITY OF GEORGIA*

## ABSTRACT

The article discusses the main restrictions imposed on Georgia due to the Covid-19 pandemic, especially with regard to the rights of the child. Restrictions imposed due to the pandemic have put the education system at odds, leading to significant restrictions on children's access to primary education. The article discusses the reasons for the restriction of this right, such as the restriction of access to the Internet, lack of computers and mobile phones, and lack of proper skills of teachers, students, and parents, which affected the access to education for children. The focus is also on the steps taken by the state to ensure access to education, such as the creation of teleschool and distance learning programs, and some conclusions are presented to improve children's participation in the educational process.

*Keywords: child rights, covid-19 pandemic, accessibility to education, government*

## *Introduction*

The Covid-19 pandemic has changed the lifestyle of every human being around the world, many of them have been left completely vulnerable, and people have a sense of fear of what their next day will be like. The whole world was united to combat this complex challenge, and many restrictions were imposed. Children deprived of their freedom and access to education found themselves in a complicated situation.

The created crisis required finding a solution and developing new systems to help people deal with this crisis. Almost every field needed to switch to remote mode, which was challenging and responsible. It took a lot of work to manage the education system remotely. Despite their financial and technological development, it has been difficult for many countries to conduct the learning process entirely remotely.

At that time, Georgia faced particular challenges. First, it was not easy for the country to deal with this process because the experience of conducting the learning process remotely was almost non-existent. First, the families needed to have the proper equipment, Internet, and school materials were not equally available to everyone so that students and teachers could be involved in the distance learning process.

It became especially difficult for the people living in the highland villages to get an education because of the lack of Internet and equipment. Students and teachers could not afford to study/learn remotely. The state has gradually started solving these problems, which we will discuss below.

### *1. Restrictions Introduced by the Government due to the Covid-19 Pandemic*

On March 11, 2020, the World Health Organization declared the Covid-19 epidemic a global pandemic (WHO Director-General's remarks, March 11, 2020). Since the virus started to spread very quickly, crossing the borders of many countries, rapid management became almost impossible. The borders between the countries were closed, various kinds of emergency were declared in many countries, and strict restrictions were imposed. Such sudden changes have entirely changed the lives of people around the world. As in various countries worldwide, the Georgian government has imposed numerous restrictions and regulations to prevent the mass spread of the coronavirus.

The risks posed by the new Covid-19 virus have put many lives at stake. The first case of covid-19 was recorded in Georgia. On February 26, 2020, the virus was

detected in a Georgian citizen who returned to Georgia from Iran via Azerbaijan (The first case of a new coronavirus, February 26, 2020). On March 21, 2020, the President of Georgia declared a state of emergency to prevent the mass spread of COVID-19. The purpose of the state of emergency was to reduce the imminent threat to the life and health of the population of the country and to manage the situation, to prevent the mass spread of the virus.

In addition, based on the Decree N1 of the President of Georgia of March 21, 2020, following paragraphs 3 and 4 of Article 71 of the Constitution of Georgia and paragraphs 3 and 4 of Article 2 of the Law of Georgia on State of Emergency, the rights specified in Articles 13, 14, 15, 18, 19, 21 and 26 of the Constitution of Georgia have been restricted for the duration of the state of emergency throughout the territory (Order of the President of Georgia №1, March 21, 2020). All these rights were restricted due to the protection of public health and safety, although they directly impacted children's access to education.

However, even before the declaration of a state of emergency, the Government of Georgia established an Interagency Coordination Council on January 28, 2020, in order to effectively coordinate the fight against the new coronavirus. The Council was established as the leading platform for decision-making on coronavirus issues, consisting of members of the government, members of parliament, the administration of the President of Georgia, and representatives of the medical field (Report, 2020, p. 6). The Government of Georgia has taken various measures to prevent the spread of the virus: a) Enforced mandatory isolation rules for persons entering from risky countries; b) Airports and all border checkpoints are equipped with thermal screening equipment; c) It became possible to conduct a laboratory test on COVID-19 at the LCD Lugar Laboratory; d) The return of Georgian citizens to Georgia by special flights have started (Report, 2020, pp. 7-8).

Various types of recommendations were provided to the population in stages. This included following the rules of distance, refraining from mass gatherings, and moving to self-isolation in the event of mild symptoms. However, the rapid spread of the virus and the restrictions imposed to combat it have further aggravated the country's situation. Problems in the economy as well as in the health and education systems, proved to be complicated. In particular, due to the restrictions imposed:

1. Some part of the population hindered business development, which depended on the income attracted by foreign nationals and tourists.
2. Lonely elderly, retirees, and people with disabilities find themselves in a difficult situation.

3. Violence against women and children in the family has become more frequent.
4. Beyond education, many children did not have the appropriate conditions and technical equipment to attend online lessons.

This is a minimal list of the problems faced by different population groups during the pandemic, especially children outside the learning process.

## *2. Measures Adopted by the Government During the Covid-19 Pandemic*

As for the measures taken by the government, it should be noted that the Georgian government was guided by human rights principles and guidelines during the COVID-19 pandemic developed by international organizations. Among them were the guidelines adopted by the Council of Europe (COE) and the United Nations for member states. On April 8, 2020, the Council of Europe (CoE) published a guide for member states entitled “Democracy, Rule of Law and Human Rights in the COVID-19 Crisis” (Council of Europe (COE), April 7, 2020). The United Nations also published a report in April 2020 entitled “Human Rights and COVID-19: Fighting Together (COVID-19 and Human Rights, April 2020).

The measures taken by the Georgian government in the face of the pandemic to overcome the crisis were separate from a well-calculated and well-planned strategy. In many cases, decisions were made hastily and then changed frequently, which affected the effectiveness of the measures taken. If we look at the measures taken, on January 28, 2020, the Government of Georgia issued Decree №164 “On Measures to Prevent the Possible Spread of New Coronavirus in Georgia and to Approve an Operational Response Plan for Cases of New Coronavirus Disease” (Order №2 of the President of Georgia, April 21, 2020). On March 23, 2020, the Government adopted Resolution №181, “On Approval of Measures to Prevent the Spread of the New Coronavirus in Georgia” (Resolution №181 of the Government of Georgia, March 23, 2020). On March 25, 2020, the Minister of Refugees, Labor, Health and Social Affairs issued an order “Defining the rules of isolation and quarantine” (Order of the Minister, №01-31/N, March 25, 2020). On March 30, 2020, the Government amended Resolution №181. On May 23, 2020, it adopted Resolution № 322, “On the approval of the rules of isolation and quarantine” (Resolution of the Government of Georgia, May 23, 2020, № 322).

The right to education, including the right to education of a child, was related to the Resolution of the Government of Georgia №181 “On Approval of Measures to Prevent the Spread of the New Coronavirus in Georgia.” Articles 3 and 4 of the

Decree stipulate that educational process in educational institutions be suspended until April 21, 2020, and that general education and higher education institutions implement this through various forms of distance learning/communication (if possible). Furthermore, all types of training, conferences, seminars, all types of cultural events, and mass sports events, including competitions and training/training process/gatherings, both indoors and outdoors, except for remote form, were also prohibited (Resolution of the Government of Georgia, №181, March 23, 2020).

The second important activity that affects the child's right to education is the Resolution № 322 of May 23, 2020, on the Approval of the Rules of Isolation and Quarantine, which stipulates that the activities of an educational institution should be carried out electronically in remote mode. Furthermore, training, conference, and seminar are allowed only "following the recommendations to prevent the spread of new coronavirus (COVID-19) in the workplace (Resolution of the Government of Georgia, № 322, May 23, 2020).

In addition to the restrictions mentioned above, the measures taken by the government regarding the population's vaccination are essential, affecting the educational process in schools and the children's access to education. For example, completion of the distance learning process is highly dependent on vaccination. In this regard, Resolution #67 of the Government of Georgia of January 21, 2021, "On the Approval of the National Plan for the Introduction of the COVID-19 Vaccine in Georgia," is noteworthy, which defined the vaccination plan, but also states that pregnant women and children under 16 due to lack of solid safety evidence Not considered in COVID-19 vaccination groups (Resolution of the Government of Georgia, #67, January 21, 2021).

In addition, the Minister of Internally Displaced Persons from the Occupied Territories, Labor, Health and Social Affairs of Georgia issued an order of February 3, 2021 №01-11/n "On the Approval of the Rule for the Introduction and Immunization Management of the COVID-19 Vaccine". The order established a list of priority groups subject to vaccination against COVID-19 and risk factors, including the contingent to be vaccinated at stage 3 of essential services and other high-risk groups. (Order of the Minister, February 3, 2021). Furthermore, according to government representatives, the so-called issue of establishing safe schools is being considered, which involves the double vaccination of teachers and students. COVID-19 vaccines currently approved by the World Health Organization are not recommended for people aged 16-18 years, even if they are at high risk (What we need to know about COVID-19 vaccines, May 4, 2021). However, the Georgian government has also said that vaccination of adolescents with concomitant diseases-

es may be initiated before the WHO recommendation (On.ge, September 9, 2021). In general, the vaccination rate is relatively low, and according to the National Center for Disease Control, 25.2% of the population in Georgia is fully vaccinated, and 33.3% are vaccinated with a single dose (briefing, September 21, 2021).

### *3. Challenges to the Right of the Child to Education During the Covid 19 Pandemic*

Due to the situation created by the Covid-19 pandemic, it became necessary to conduct the learning process remotely. Such a change has become a real test for Georgia. However, there were many problems in the education system in this regard. First of all, it should be noted that a specific part of the population did not have the necessary technical equipment, not everyone had access to quality internet and school materials, and there was no proper online system that would make it possible to receive a quality education.

It is also essential to pay attention to the psychological state of the children. Because of the pandemic, they restricted not only the right to access education but also the right to freedom, free movement, and social contact with society. The children lacked communication with peers, had to lock themselves in their houses, and were constantly with computers. All this has a harmful effect on the health and well-being of every child.

In the current situation, the Georgian government has taken various measures to create distance learning conditions for students. Among them, it should be noted that due to the state of emergency in Georgia, the educational process in educational institutions was suspended from March 4, 2020, and preparations for online learning began. User profiles for the Microsoft Office 365 platform (528,327 students and 52,124 teachers) were set up for public schools, and distance learning began on March 14, and from March 30, the learning process was entirely switched to distance learning. 56,327 teachers were involved in the distance learning process (Report, 2020, p. 41).

In addition, it should be noted that the Resolution №205 of the Government of Georgia “On the implementation of the educational process in educational institutions during the state of emergency” stipulates that educational institutions should conduct the educational process using tele-school, remote/electronic form or other means of communication. General education institutions were also instructed to transfer employees to remote work mode (except in exceptional cases). Higher education institutions were also instructed to transfer employees to remote work mode, as well as to conduct the learning process remotely, using an electronic form

or other means of communication, and to select and use an e-learning application/platform for this purpose (Resolution of the Government of Georgia, №205, March 31, 2020).

According to the same rules, the administration of the public education institution, the tutor, or the subject teacher is obliged to provide the student or his/her legal representative with information about the telescope or online tuition. Suppose the student cannot participate in the online learning process due to technical reasons. In that case, the subject teacher must provide the student with assignments according to the national curriculum. An exceptional teacher, a psychologist, should have regular contact with students with special needs and their legal representatives, if any, at school and make recommendations with regard to homework (Resolution of the Government of Georgia, №205, March 31, 2020). The issue of juveniles is especially important, which are housed in penitentiary institutions. Alternative forms of the educational process using electronic resources and telescopes were developed for them in agreement with the penitentiary institution (Report, 2020, p. 42).

The measures mentioned above by the government were necessary, but they still did not fully ensure children's education access. Restrictions caused by the Covid Pandemic have made it necessary to use the Internet, especially to make it accessible to schools and families as the entire education system has shifted to remote mode. The main challenge here, however, was how accessible the Internet was for children. Let's look at the data of the National Statistics Office. Access to education was somewhat limited precisely because of the restriction of access to the Internet. For example, according to the National Statistics Office, by July 2020, 83.3% of the Georgian population had access to the Internet, 90.7% of the urban population had access, and 74.5% of the rural population (National Statistical Report, 2021).

Restricting Internet access, however, was one of many problems for children. It is vital to provide computers to the public to assess access to education in public schools, especially for families with public school-age students. According to the National Statistics Office, the number of households provided with computers is above average. The majority of urban households are provided with computers, which is 76% of the population, while 42.4% of rural households are provided with computers, which is quite a low figure (National Statistical Report, 2021) and negatively affects the realization of children's right to education.

This was confirmed by the fact that in the conditions of the pandemic, due to the limited access to the Internet, computers, telephone, and other resources, many students dropped out of school. They were forced to do so due to limited access

to the Internet and equipment. Analysis of the available data shows that during the pandemic, the distance learning process in 2019-2020 was terminated by 8247 students, of whom 4865 were boys and 3382 were girls (National Statistical Report, 2021). It is also noteworthy that in the conditions of the pandemic, despite the opening of public schools, a certain number of students did not return to the educational process. Therefore, it is crucial to determine what was the most common reason for this. It was found that children aged 2-17 years did not continue their education in school, and for some reason, 28.1% of them were afraid of Covid-19, and 67.3% could not continue their education in the classroom because of distance learning (National Statistical Report, 2021).

These data confirm the following: For a student to have access to quality education, he or she should be supported by the state, and the appropriate conditions shall be created. Inadequate access to the Internet, computers, and learning equipment significantly hindered access to distance learning during the Covid-19 pandemic. In this case, the situation of rural children is particularly noteworthy, as most of the students were in deplorable conditions.

International organizations also point to this commitment. The European Network of Ombudsmen for Children (ENOC) points out that education is a fundamental right. The education sector and the government need to assess the extent to which affected families have the opportunity to provide a home-based learning environment and support the children in this family in the learning process (lack of equipment, lack of Internet, working parents from home, illiteracy, inconsistency with the level of learning, etc.) (ENOC, April 2020, 2).

At this time, we must remember that creating proper conditions for the education of children is a legislative obligation of the state. Article 35 of the Code of the Rights of the Child refers to the right of a child to receive an education, where the first paragraph states that all children have the right to quality education. The state provides the child with access to free, quality early, preschool, and general education according to his or her individual abilities and needs, as well as the introduction and access to an inclusive education system. The state also supports out-of-school children returning to school and taking measures to prevent children from dropping out of school (Code of the Rights of the Child, September 20, 2019, Article 35). According to Article 36 of the Code, the goals of the child's education, both in the formal education system and in the non-formal education system, should serve such goals as the full development of the child's personality, talent, critical thinking, and ability (Code of the Rights of the Child, September 20, 2019, Article 36).



The current situation and the analysis of the legislation confirm that the covid-19 pandemic restricted the rights of the children referred to in Articles 35 to 36, as there were no adequate conditions equally available to all children, and distance learning could not reveal a particular child's talent, personality or critical thinking. In order to make distance learning available to students or teachers during the pandemic, only in January 2021 the Ministry of Education and Science managed to sign a memorandum of understanding with three mobile operators operating in Georgia - Silknet JSC, MagtiCom LLC, and Vi Georgia LLC (Beeline brand).

Based on this memorandum, students and teachers of public and private schools, after passing the relevant procedures, will enjoy a preferential mobile internet package until the end of the 2020-2021 school year. The Georgian Communications Commission also supported the preferential tariff for mobile internet packages. To meet the challenges and technical needs of distance learning, ISPs will offer students and teachers a 20 GB mobile internet package for 10 GEL, which is 2.5 times less than the standard cost. According to industry experts, 20GB is enough to attend online lessons and search online resources for a month. Up to 2,500 public and private school students and teachers in Georgia will be able to use the service after registration (Ministry of Education and Science, January 15, 2021).

More than a year has passed since the pandemic began, and children are still learning remotely. One of the main challenges for children today is transitioning from distance learning to on-site classroom learning. It even directly depends on the vaccination process. The available data confirms that the vaccination rate in public and private schools is not high. In some schools, the rate of vaccination of teachers is higher than that of students. We must also acknowledge that the government has failed to launch a proper vaccination campaign and that teachers, students, and parents' trust in vaccination is relatively low. Even without the vaccination of the vast majority of students and teachers, the learning process will not be able to move remotely from the classroom.

It should also be noted that vaccination in Georgia is not mandatory, and most students and parents do not consider it mandatory to get vaccinated. According to Amiran Gamkrelidze, head of the National Center for Disease Control, Center for Disease Control, until the positive rate falls below 4% (today we have 9.4%), 80% of administrative staff and teachers will not be vaccinated at school, we can not consider the school safe, so vaccination is vital for the improvement of the general epidemiological situation (Nino Tarkhnishvili, August 27, 2021). The Ministry of Education and Science announced that the educational process in schools would be remotely renewed and stressed the need for vaccination to return the educational

process to the school space (akhali ganatleba, September 15, 2021). According to a survey by the WHO and UNICEF in Georgia, 56% of the population agrees with vaccination if the vaccine is available and recommended (WHO/UNICEF, December 7, 2020). According to a recent statement from the Ministry of Education, 65% of teachers and school administrations are vaccinated (Briefing, September 25, 2021).

Protecting children's rights is not a national challenge, and it has become the focus of global attention. The European Network of Ombudsmen for Children, for example, calls on governments, the European Union, and the Council of Europe to take all appropriate measures to ensure that children's rights are guaranteed by the UN Convention on the Rights of the Child and the UN Committee on the Rights of the Child (ENOC, April 4, 2020).

### *Conclusions*

Risks caused by the Covid-19 pandemic have affected people in many ways. A whole new work system and plan was put in place all over the world, which of course, was especially difficult for countries like Georgia.

The Government of Georgia has imposed strict regulations and restrictions to prevent the spread of the virus, both during the state of emergency and after its extinction. These restrictions, in particular, have affected the education system and have led to a reduction in access to education.

Various statistics show that access to education was restricted due to inadequate conditions and a lack of Internet and technical equipment.

Only in January 2021, the Ministry of Education and Science offered a preferential mobile internet package for students and teachers, which was quite late. It was possible to offer such a privilege to them earlier, which would have less restricted the right of access to education.

In this regard, the state is responsible for providing public schools with access to the Internet, computers, and other necessary educational resources.

Due to the low vaccination rates, students remain in distance learning and cannot return to schools, which significantly affects their rights and needs.

REFERENCES

*WHO Director-General's opening remarks at the media briefing on COVID-19.* (2020, March 11), Retrieved from <http://tiny.cc/eo0smz>

*The first case of a new coronavirus was reported in Georgia.* (2020, February 26). Retrieved from <https://bit.ly/3iK2QbX>

*Order of the President of Georgia on the declaration of a state of emergency on the entire territory of Georgia.* (2020, March 21). Retrieved from <https://matsne.gov.ge>.

*Report on Measures Taken by the Government of Georgia against Covid-19.* (2020). p. 6; Retrieved from <https://bit.ly/3lbLo0j>

Council of Europe (COE). *Democracy, Rule of Law and Human Rights in the COVID-19 Crisis: A Guide for Member States.* (April 7, 2020). Council of Europe Information Document SG/Inf (2020) 11.

*COVID-19 and Human Rights, We are all in this together.* (APRIL 2020). Retrieved from <https://bit.ly/3tmt8oj>

Order №2 of the President of Georgia. *On Declaring a State of Emergency on the entire territory of Georgia.* (2020 April 21). Retrieved from <https://matsne.gov.ge>.

Resolution №181 of the Government of Georgia. *On Approval of Measures to Be Taken to Prevent the Spread of the New Coronavirus in Georgia.* (March 23, 2020). Retrieved from <https://matsne.gov.ge>

Order of the Minister of Internally Displaced Persons from the Occupied Territories, Labor, Health and Social Affairs of Georgia. *On Determining the Rules of Isolation and Quarantine.* (2020, March 25). Retrieved from <https://matsne.gov.ge>

Resolution of the Government of Georgia. *On Approval of the Rules of Isolation and Quarantine.”* (2020, May 23). Retrieved from <https://matsne.gov.ge>

Resolution # 67 of the Government of Georgia. *On the Approval of the National Plan for the Introduction of the COVID-19 Vaccine in Georgia.* (2021, January 21). Retrieved from <https://matsne.gov.ge/ka/document/view/5084798?publication=1>

Order of the Minister of IDPs from the Occupied Territories, Labor, Health and Social Affairs. *On the Approval of the Rules for the Introduction and Immunization Management of the COVID-19 Vaccine.* (2021, February 3). Retrieved from <https://www.matsne.gov.ge/ka/document/view/5094063?publication=9>

*What we need to know about COVID-19 vaccines.* (2021, May 4). Retrieved

from <https://uni.cf/3ENZptU>

*Vaccination of adolescents with concomitant diseases can be started before the WHO recommendation.* (2021, September 9). Retrieved from <https://bit.ly/2XYBBD4>

*Briefing, Only 25.2% of the population in Georgia is fully vaccinated* (2021, September 21). Retrieved from <https://www.facebook.com/ncdcgeorgia/posts/4372316512856245>.

Report on Measures Taken by the Government of Georgia against Covid-19. (2020). Tbilisi. p. 41.

*Resolution of the Government of Georgia on the implementation of the educational process in educational institutions during the state of emergency.* (2020, March 31). Retrieved from <https://matsne.gov.ge/ka/document/view/4840190?publication=0>

Statistics Service, Education, Science, Culture. [National Statistic Report]. (2021). Retrieved from <https://www.geostat.ge>.

*European Network of Children ombudsmen (ENOC) Bureau Statement on the Rights of the Child during the COVID-19 Pandemic* (2020, April) p. 2.

*Law of Georgia Code of the Rights of the Child.* (2019, September 20). Retrieved from <https://matsne.gov.ge/ka/document/view/4613854?publication=2>

*Pupils and teachers of public and private schools will benefit from a preferential internet package.* (2021, January 15). Retrieved from <https://www.mes.gov.ge/content.php?id=11498&lang=geo>.

*Nino Tarkhnishvili, at desks or monitors? - New School Year Renewal Outlook.* (2021, August 27). Retrieved from <https://www.radiotavisupleba.ge/a/31431563.html>

*The school year started in distance format.* (2021, September 15). Retrieved from <https://bit.ly/3ET2E3p>

WHO/UNICEF, Preliminary data. (2020, December 7).

Ministry of Education. (2021, September 25). *65% of teachers and school administrations are vaccinated.* Retrieved from <https://www.facebook.com/MESGeorgia/posts/6456752407675783>.

European Network of Children ombudsmen (ENOC). (2020, April). Bureau Statement on the Rights of the Child during the COVID-19 Pandemic, p. 4.