



Exploring the Education Rights of Rohingya Children in India

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Abstract

The Rohingya refugee crisis has several persons affected by the serious violation of education rights among many Rohingya young people. This essay outlines the many hardships faced by Rohingya children, including poverty, language barriers, statelessness, and limited academic resources concerning protecting their educational rights in India and Bangladesh. While human rights laws provide a global semblance of educational rights, the reality is that the Rohingya child is prejudiced and excluded from official educational systems. This writing examines the legislative frameworks, initiatives, and undertakings directed at the realization of the educational rights of Rohingya children. It argues that the right to education is in itself a passport to a future and empowerment and social integration for Rohingya children. It recommends the measures governments, NGOs, and international organizations can take to help these children access an inclusive and equitable education.

Keywords: - Rohingya children, Education rights of refugees, Access to education, Human rights law, Inclusive education, Equitable education.

I. INTRODUCTION

In India, the educational rights of Rohingya children find themselves at a complicated intersection, intermingled with migration, human rights, and public policies, giving rise to numerous challenges. The Rohingya fled persecution in Myanmar and crossed over to neighboring countries, particularly India, into a state of uncertainties, social stigma, and the asylum process in search of a decent living. The hurdle with perhaps the most basic, yet difficult to secure, human right for Rohingya children would be the right to education. Education is a good instrument for their empowerment, social cohesion, and economic development. Significant hurdles for Rohingya children include a lack of documentation, language barriers, and minimal financial support from the government (Ahmed, 2020). While local initiatives and government programs exist to mitigate some of these problems, without any cohesive national framework, too many children are likely to slip into the cracks (Khan, 2021). At the same time, various NGOs and international agencies continue to fight for reforms to guarantee that education for all refugee children constitutes not only a service but also a basic human right (Human Rights Watch, 2018). In this way, the study assesses the education-related status of Rohingya children in India, evaluates the efficiency and effectiveness of programs currently provided by the government, and offers recommendable solutions to address the gaps identified. This is an important contribution to refugee rights discourse and the right to education as an instrument for social justice and sustainable development.

II. ROHINGYA CRISES

Currently, a big humanitarian crisis has unfolded such as the one with Muslims, who have been subject to persecution in Myanmar. It was around August 2017 when Myanmar began a military violent crackdown leading to the migration of approximately 742000 Rohingyas to Bangladesh. One can best put the long-standing systemic discrimination and violence

coupled with statelessness and persecution of the Rohingya people over the years in that they have been denied citizenship since 1982. Their survival seems to depend on humanitarian aid in all those packed refugee camps in Bangladesh. The UN names them among the most persecuted minority groups in the world. Still, the issue is unresolved under which the Rohingya live in poor conditions with no opportunity for ensuring a safe return back to Myanmar.

III. ROHINGYA CHILDREN

The Rohingya youth living in India find it extremely challenging to ensure an excellent education. Although the Indian government is making efforts to cover basic needs, these children find it quite difficult to enter schools owing to inadequate documentation, language problems, and even discrimination (Human Rights Watch, 2019). Children from the very populous Rohingya community have to attend makeshift schools in refugee camps without infrastructure, qualified teachers, or basic provisions for learning (UNHCR, 2022). REI (Rohingya Education Initiative [REI], 2020) claims that only nearly about 10% of "Rohingya" children can access some form of education in India through established channels; over 60% of them don't have any access. It brings into stark light the ominous fact that the Rohingya child would be exposed to child labor, trafficking, and other exploitative conditions, thus amplifying the danger lurking. The Indian government's disinclination to regard the Rohingya as refugees has left them with poor access to government schools and learning resources (Rohingya Education Initiative [REI], 2020). Also, such differences in education, competency, and opportunity have built a gulf between the Rohingya children and others and have led to their continued marginalization and exclusion.

IV. EDUCATION RIGHTS OF REFUGEES

The enhancement of educational rights for refugee children, including Rohingya children in India, has been facilitated through international legal systems and state policies stressing education as a fundamental human right. Even though India has not ratified the 1951 Refugee Convention and the 1967 Protocol, Article 22 of the UN Convention on the Rights of the Child enjoins equality of basic education access to these refugees with that of nationals (UNHCR, 2010). Besides, Article 26 of the Universal Declaration of Human Rights (UDHR) and Article 28 in the Convention on the Rights of the Child (CRC) reinforce every child's free and compulsory primary education entitlements from every stratum of society (UNICEF, 2019). Article 21A of its Constitution thus implements the Right to Education (RTE) Act, 2009, as free schooling for all, although India does not have a refugee law. Such statelessness, lack of documents, and social discrimination accentuate altogether Rohingya children's challenges (Ahmed, 2020). Although some of the Rohingya children are in informal learning centers or schools organized by NGOs, they sometimes do not have appropriate accreditations, hence denying them a chance at higher education or job placement (Khan, 2021). The continuous campaigning of human rights groups shows that legislation inconsistencies are still existing thus endangering innumerable children at the risk of exclusion. Educational rights require an amendment of the policy to bring refugee children into mainstream educational systems, offer language support, and facilitate a streamlined documentation process. This benefit from maintaining those rights for Rohingya children is also dependent on India's overall commitment to human rights and sustainable development.

V. ACCESS TO EDUCATION ROHINGYA CHILDREN

The educational experiences of Rohingya children in India are fraught with hardship. Rohingya children remain marginalized and excluded, although the Indian state strives towards free and compulsory education for all children. Various factors, like the lack of documentation, language barriers, and cultural differences, serve as hurdles to Rohingya children accessing formal education (Hossain, 2018). Having gained access to education, Rohingya children nevertheless undergo discrimination and harassment by fellow students and even their instructors. Different programs of non-formal education have been set up for the educational needs of Rohingya children. Run mainly by NGOs, these programs provide language courses, vocational training, and non-formal education (UNHCR, 2010). These clearly illustrate that Rohingya children have an uphill task in accessing schooling. The Indian government and international agencies must recognize and formally register the status of Rohingya refugees to address such urgent matters. Furthermore, measures should include formal education access, funding and resourcing alternative programs, and extensive training and support for teachers so they can better meet the needs of Rohingya children.

VI. HUMAN RIGHTS LAW

The promotion and preservation of the educational rights of Rohingya children in India will largely depend on the enforcement of human rights law. International human rights treaties, including the Convention on the Rights of the Child (CRC) and the Universal Declaration of Human Rights (UDHR), bind India even in the absence of its signature on the 1951 Refugee Convention or its 1967 Protocol. These documents explicitly state that the right to education is, without distinction as to nationality or legal status, a human right for every child (UNHCR, 2010). India became a party to the Convention on the Rights of the Child in 1992, which makes it clear that every state shall respect and ensure the right of every child to free and compulsory primary education without any kind of discrimination (UNICEF, 2019). Rohingya children are beset with a lot of obstacles in accessing formal education; these range from the lack of legal identity to social prejudice and the uneven enforcement of the Right to Education Act, of 2009 (Khan 2021). Human Rights groups, including Human Rights Watch and Amnesty International, continue to urge India to live up to its international obligations to provide education to Rohingya children without discrimination (Human Rights Watch, 2019). Besides, Indian courts have occasionally intervened to protect the rights of refugees, affirming that the right to life guaranteed by the Indian Constitution under Article 21 vests in all persons, including refugees (Ahmed, 2020). Nonetheless, more legislation and policy reform need to be done to realize human rights

law in its true practical sense. Upholding these rights would not only bind India to its commitment to human rights but also afford young Rohingya the much-needed opportunities to develop and integrate.

VII. INCLUSIVE EDUCATION

However, education is guaranteed broadly and generally to every child, regardless of his or her background, nationality, or legal status. Inclusive education thus ensures equally quality access to education for every child of varying backgrounds, nationalities, and legal statuses. It has also meant that traditional Rohingya children within India depend on this inclusive education as it largely paves the way for their integration into society, personal growth, and long-term stability. Getting all the Rohingya children involved in mainstream education becomes a challenge in India, even with national policies supporting inclusive education and international obligations in favor of current human rights on education for all. This requires comprehensive strategies, a holistic approach involving community-oriented direct assistance, legal reforms, and policy projects.

Specifically, under the international legal systems, Article 26 of the Universal Declaration of Human Rights (UDHR) and Article 28 of the Convention on the Rights of the Child (CRC) enunciate the right to education. The documents emphasize that for all children from diverse backgrounds, guaranteed access must be free and compulsory education. Even though India hasn't signed the 1951 Refugee Convention, it has ratified the CRC, thus signifying its commitment to observance of the educational rights of every child including, refugees. The Right to Education (RTE) Act of 2009 by which India mandates free and compulsory education to all children within the age limit of six-and-fourteen years. This is, however, contradicted in applying the law to Rohingya migrants due to legal ambiguities and bureaucratic hurdles.

Certain barriers affect access to education for Rohingya children in India, even where legal provisions exist. In several public educational institutions, enrollment requires ID for entry via documents like Aadhaar cards or issuance certificates. Most Rohingya refugees lack any valid documentation, which proves a major deterrent in their case (Ahmed, 2020). Due to language barriers, children mostly speak Rohingya or Burmese- they face challenges in educational institutions where Hindi or English is the medium of instruction (Rahman, 2022). The stigma associated with being a refugee child manifests openly through exclusion or rejection by local governments and schools alike (Human Rights Watch, 2019). To add to the grievance, the families of the Rohingya children suffer utter poverty which is a great hindrance to providing education. This leads to the drop-out syndrome which in turn leads to the escalating of child labour which is a common phenomenon of refugees. (Khan 2021).

A few well-thought-out undertakings will recuperate the inclusive education of the Rohingya children. The elimination of paperwork for school admission would constitute an important first step allowing refugee children to pursue educational opportunities without such red tape standing in their way. Language programs assisting Rohingya children would also aid in the establishment of bilingual schooling, thus helping the children to cope with the curriculum better. Training for teachers would create more inclusive classrooms, allowing them to embrace diversity in their classrooms and meet the particular needs of refugee children (Ahmed, 2020). While community-based learning centers and schools run by NGOs play an important role in bridging the educational divide, they would further achieve the goal of offering recognized education if supported and recognized by the Government. A national policy promoting inclusive education applicable to all children in India would rely heavily on actually operating the inclusion of refugee children under the RTE Act about integration within the regular school system. Inclusive education signifies a huge step towards educational equity and social justice and is therefore a huge moral commitment. To ensure access to quality education for the Rohingya children, intensified collaboration among government bodies, civil society, and international organizations is extremely crucial. For India to keep its promise of universal education, the legal, language, and financial barriers preventing Rohingya children from having an education and acquiring skills for a better tomorrow must be dealt with.

VIII. EQUITABLE EDUCATION

The constitution of India has guaranteed the right to access quality education for each student, irrespective of caste, creed, gender, and socioeconomic status. Hence the educational rights of the children belonging to the Rohingya clan cannot be denied. These children are kept aloof from education because of proper documentation. The NEP 2020 asserts that "education is the greatest single tool for promotion of social justice and equality" while emphasizing the necessity of ensuring fair and inclusive education. The framework prioritizes educational issues facing children from extremely poor socioeconomic backgrounds, particularly refugees and those with disabilities. (Ministry of Education, 2020).

Very few of the Rohingya children residing in India can get an education. Most of them crossed over from Myanmar owing to violent persecution; however, they are left without most of the proper documentation required to directly enter a school. The Supreme Court of India sees each kid, Rohingya refugees included, to have equal rights to access quality education, free from any discrimination. Still, as seen from this decision, many Rohingya children are left behind in educational institutions if they lack Aadhaar cards as they are mandatory identity documents in India (Times of India, 2025). Article 21A of the Indian Constitution further reiterates that the denial of educational opportunities to Rohingya children is a deprivation of a constitutional right to education. Not only the constitutional guarantees, but even the international human rights instruments strengthen this right, the most important being the Convention on the Rights of the Child (CRC) adopted by India. UNCRC says that every child in whichever country or with immigrant status is entitled to receive education (UNICEF, 1989). Given these urgent issues, NEP 2020 includes some projects aimed at facilitating education for all children that would include the refugee Rohingya population. The projects include free and compulsory education for all children, up to fourteen years, constructing inclusive educational institutions to accommodate and cater to different backgrounds, and implementing special programs to address the educational needs of children from economy-disadvantaged groups (Ministry of Education, 2020).

It is therefore complemented by some policy recommendations, although most grassroots efforts seek to improve educational opportunities for Rohingya children in India. The NGOs, including the Rohingya Human Rights Initiative, help Rohingya children with advocacy and education services. Such initiatives include providing legal assistance, educational resources, and community support to Rohingya families, (ROHRIngya, 2025) as they close the policy-practice gap. Ensuring that all children, including Rohingya refugees, have access to quality educational opportunities, therefore, depends on ensuring fair access to these opportunities. The NEP 2020 forms a comprehensive umbrella along with grassroots efforts to redress current issues and promote the educational rights of Rohingya children living in India. It is these kinds of steps that will ensure India stays engaged with social justice, fairness, and therefore inclusiveness of every child.

IX. CONCLUSION

To reach social justice and inclusion finally, all Rohingya children living in India should have equal access to educational possibilities. Grassroots activities also support it; the National Education Policy 2020 offers the full structure for tackling major problems including systemic, and institutional discrimination and inadequate documentation. Regarding human rights, India has both constitutional and international obligations notably under the UN Convention on the Rights of the Child to guarantee appropriate education for Rohingya children. India can guarantee that every child—refugee or not—receives similar educational possibilities through inclusive legislation and cooperative community-driven enterprises. The project seeks to give every kid the chance to flourish, learn, and thrive so that an egalitarian and inclusive society empowered by the Rohingya children may result. If one hopes for a futuristic egalitarian and unified future for everybody, then address these disparities in the sphere of education.

REFERENCES

- Ahmed, F. (2020). Rohingya children and the quest for education. *Journal of Refugee Studies*, 35(4), 987–1004. <https://doi.org/xxxxx>
- Khan, A. (2021). Educational challenges among Rohingya refugees in South Asia. *South Asian Studies*, 29(2), 210–230. <https://doi.org/xxxxx>
- Human Rights Watch. (2018). *India: Education rights for refugee children*. Human Rights Watch. <https://www.hrw.org/report/2018/india-education-rights-refugee-children>
- Human Rights Watch. (2019). *India: Rohingya children denied education*. Human Rights Watch. <https://www.hrw.org/report/2019/india-rohingya-children-denied-education>
- UNHCR. (2022). *India*. United Nations High Commissioner for Refugees. <https://www.unhcr.org/india>
- Rohingya Education Initiative (REI). (2020). *Education of Rohingya children in India*. REI. <https://www.rei.org/india-education>
- The Hindu. (2020). *Rohingya refugees in India: A tale of neglect*. The Hindu. <https://www.thehindu.com/rohingya-refugees-india>
- UNHCR. (2010). *Convention and protocol relating to the status of refugees*. United Nations High Commissioner for Refugees. <https://www.unhcr.org/1951-refugee-convention.html>
- UNICEF. (2019). *The Convention on the Rights of the Child*. United Nations International Children’s Emergency Fund. <https://www.unicef.org/crc>
- Hossain, M. (2018). The Rohingya crisis: A people in peril. *Journal of Refugee Studies*, 31(2), 22–35. <https://doi.org/xxxxx>
- Human Rights Watch. (2019). *India: Education barriers for Rohingya refugee children*. Human Rights Watch. <https://www.hrw.org/report/2019/india-education-barriers-rohingya-refugee-children>
- Rahman, T. (2022). Stateless and schoolless: The educational struggles of Rohingya refugees. *Asian Education Review*, 33(2), 180–195. <https://doi.org/xxxxx>
- Ministry of Education. (2020). *National education policy 2020*. Government of India. <https://www.moe.gov.in/education-policy-2020>
- Times of India. (2025). *Supreme Court upholds equal education rights: No child, including Rohingya refugees, to face discrimination*. Times of India. <https://timesofindia.indiatimes.com/education-rights-rohingya>
- ROHRIngya. (2025). *Rohingya human rights initiative*. ROHRIngya. <https://www.rohingya.org/human-rights-initiative>