

PROVIDING ACCESS TO HIGHER EDUCATION FOR REFUGEES: COMPARATIVE ANALYSIS AND POLICY RECOMMENDATIONS FOR SOUTH KOREA

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ABSTRACT

Securing higher education rights for refugees is critical not only for refugees' self-empowerment but also for the peaceful development of communities. Qualifications recognition is a major barrier when refugees attempt to apply for work or higher education, due to missing documents or unavailability of issuing institutions in their home countries. This issue led to the 2019 Global Convention as the first global treaty on higher education. However, South Korea, a rising power with a normative policy focus, has little addressed qualifications recognition for refugees. Therefore, this research examines the extent to which South Korea, has internalised international norms regarding the provision of education for non-North Korean refugees. Then, by benchmarking the policies of Western normative middle powers, Canada, Norway, and Australia, the research analyses the strengths and limitations of existing qualifications recognition policies for refugees. The paper also refers to the existing policy for access to higher education for North Korean refugees in South Korea. It argues that South Korea should not only welcome more refugees but also

develop an effective measure for the recognition of qualifications for refugees to integrate them as productive members of the society in fulfilment of its international humanitarian obligations, but also in accordance with its national interest. Lastly, this research concludes with policy recommendations for establishing a fair and effective recognition system for qualifications of refugees in South Korea, modelled on existing policies for North Korean refugees.

Keywords: Higher education, refugees, qualifications, South Korea, middle power

INTRODUCTION

South Korea is aspirational middle power with an increasingly normative policy focus in its niche diplomacy (Howe 2017). The contemporary emphasis on measurements of behaviour rather than capacity, points to the need for responsible policymaking and good global citizenship, showing respect for international norms, and engaging in transnational issues such as human rights, development, and the environment (Lee and Park 2017: 35). This aspiration has featured prominently in the policy agendas of the new Yoon Suk-yeol administration with the President noting even before assuming office “When we are asked by the international community to participate more, we need to firmly demonstrate our attitude of respect for the international rules-based order” (Lee 2022).

Meanwhile, the global humanitarian crisis of refugee and forced migrant flows is among the most pressing challenges to domestic and international governance. Furthermore, securing access to higher education is among the most intractable challenges faced by refugees. Hence, adopting sound policies in this field represents a “noble opportunity” for the Republic of Korea (ROK)¹ not only to aid the most vulnerable individuals and groups, but also raise its own prestige and influence on the international stage, by complying with the norms of the liberal international order (Lee 2014). This article, therefore, addresses the implications of the provision of refugee education for normative policymaking and reputation management in South Korea. It asks the fundamental question, “what should South Korea do?” and answers in terms of both rational and normative policy prescription.

The methodology of research will be comparative policy document analysis of three traditional Western middle powers which have firmly established their credentials in development and humanitarian spheres, to draw policy lessons for the normative aspirations of South Korea. By following the examples of these paradigmatic cases, the ROK can demonstrate its respect

for the international rules-based order. Currently, South Korea's standards of norm-compliance regarding the treatment of refugees fall well short of these international benchmarks. The fact that the ROK fails to live up to these international rules, both legal and normative, is a point that needs to be addressed for the country to fulfil its aspirations and join the liberal middle power club.

Importantly, however, South Korea has already developed a policy platform towards North Korean refugees, specifically in the field of education, which are at least on a par with, and in some cases exceed the commitments of the traditional middle powers towards refugee education. Hence, this platform may also be seen as worthy of emulating. Thus, in total, four refugee education policy platforms will be benchmarked and drawn upon to provide policy prescription for South Korea's middle power aspirations in this field. The policies of the three most prominent established middle power proponents of refugee education, Norway, Canada, and Australia, combined with the existing treatment of North Korean refugees in South Korea.

The article first reviews the existing literature on international normative and legal requirements for the treatment of refugees, to determine the obligations for aspirational South Korea, especially in relation to education provision. In other words, the international rules which apply to the treatment of refugees, which normative middle powers should embrace and promote. It then turns to consider the extent to which South Korea has internalised international norms regarding providing education for non-North Korean refugees, and the shortcomings of existing policies. The third section benchmarks the policies of the three established Western normative middle powers, to draw lessons for the ROK. Reference is then made to the existing South Korean policies for North Korean refugees, as the treatment of this category of vulnerable individuals is far more favourable than that meted out to other groups of refugees. Hence, additional lessons can be learned from policymaking within the Korean context. Finally, the article engages in policy prescription for Seoul regarding education policy for non-North Korean refugees.

This research project is distinguished, therefore, by its focus on compliance with the norms of the international rules-based order, and reputation promotion for aspirational middle powers. It situates a state's national interest in terms of global governance while also providing policy prescriptions. Furthermore, this overview can provide a basis for follow-up studies on recognising academic degrees and qualifications for persons with special status, given the limitations of existing literature. The findings are that first, an academic recognition system for non-North Korean refugees

can be modelled on current policies for recognising the existing education qualifications of those fleeing North Korea; second, considerable benefit can accrue from reflecting upon the strengths of the refugee education policies of other normative middle powers; third, the government of the ROK needs to establish an organisational entity and mainstream cooperation between the executive and judiciary on refugee education to comply with international norms; and finally, the concrete internalisation of international norms can contribute to ROK international reputational resources.

LITERATURE REVIEW

The global humanitarian crisis poses severe challenges to national governments and international organisations alike. Along with the climate crisis, COVID-19 pandemic, and Russian invasion of Ukraine, it poses one of the most serious challenges to the liberal rules-based order. Unlike the other challenges, however, the humanitarian crisis is distinguished by a much greater freedom of action and capacity for impact by middle powers. According to the United Nations (UN) High Commissioner for Refugees (UNHCR 2021a), around 84 million people were displaced forcibly as of mid-2020, 26.6 million of them refugees. The numbers have overwhelmed existing systems and resources of international organisations and hosting countries. Protracted crises have left multiple generations in refugee camps and less than 1% of refugees resettled to a third country [World University Service of Canada (WUSC) et al. 2020: 5].

The international rules-based order has paid significant attention to these vulnerable individuals and groups. Yet, while much attention has been paid to crisis relief and the immediate humanitarian protection of the forcibly displaced, this is only a short-term fix, with increasing concern focused on the long-term needs of refugees, especially in terms of education. Furthermore, even in the field of education, the focus has mostly been on securing international recognition of the right to primary and to a lesser extent, secondary education, while for long-term development and integration of refugee communities, the most pressing need, and the area where middle powers could have the greatest impact, is tertiary education. Thus, this literature review addresses the evolution of international responsibilities towards refugees, from immediate protection, through the international rules-based obligations to provide primary and secondary education, to a happy coincidence whereby promoting tertiary education is in the interests not only of vulnerable individuals and groups, but also of their hosting communities.

Refugees are guaranteed special protection as vulnerable groups under international humanitarian law. The Convention Relating to the Status of Refugees (the Refugee Convention) was established in 1951 through the UN (UN General Assembly 1951). The document provided a legal framework for the protection of displaced people in Europe after World War II (UNHCR 2011: 1). In 1967, the Protocol Relating to the Status of Refugees added “without any geographic limitation” thereby removing the time and location conditions of the initial Convention (UNHCR 1968). According to the Convention, a refugee is defined as a person who, “...owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country.” (Article 1, the Refugee Convention).

The Refugee Convention seeks to protect specific types of migrants from the country from which they fear persecution by placing obligations on state parties to provide them with refuge (Wolman 2012: 795). James Hathaway claims that the Convention led to the protection of refugees’ human rights becoming a priority and “a remedial or palliative branch of human rights law” (Hathaway 2005: 5). Hence, for him, refugees can “invoke rights of substitute protection in any state party to the Refugee Convention in the event their basic human rights are not being protected in their country of origin” (Hathaway 2005: 5). According to H el ene Lambert, this concept has become a core principle in refugee law (Lambert 2009). Thus, logically, refugees are entitled to protection under the Convention if their basic human rights are not being protected in their country of origin. It is a safety net established by the international system of governance for vulnerable individuals forced to flee their countries when national governments fail to provide adequate protection. Questions remain, however, about which rights should be protected. This paper takes a broad interpretation of refugee entitlement rights, precisely because of the concurrent obligations on aspirational normative middle powers.

While the Refugee Convention and its additional Protocol legally secured the rights of refugees, critics of the existing normative regime pointed to the relative lack of documentation of international responsibility-sharing (Betts 2018; Gilbert 2019; Ineli-Ciger 2019). To address this gap, the UN General Assembly unanimously adopted the New York Declaration for Refugees and Migration in 2016. This consensus reaffirmed the member states’ commitment to sharing responsibilities concerning the global refugee crisis. Two years after its adoption, the UN General Assembly adopted the Global Compact on Refugees (GCR) as a framework for enhancing equitable responsibility-sharing of members of the international community, including

non-state actors such as international organisations, civil society, the private sector, epistemic communities, and refugees themselves. The key objectives were to: 1) alleviate pressure on host countries; 2) reinforce refugee self-reliance; 3) expand access to third-country solutions; and 4) support conditions in countries of origin for return in safety and dignity. The second goal is highly related to refugees' education rights.

Hence, an international normative consensus has developed on the obligations imposed on good global citizens by the international rules-based order vis-à-vis the provision of education for refugees. Related conceptualisations of global obligations can be found in the literature on the 2015 UN Sustainable Development Goals (SDGs), wherein the fourth goal aspires to “ensure inclusive and equitable quality education and promote lifelong learning opportunities for all” [UN Educational, Scientific and Cultural Organization (UNESCO) 2016: 22]. Around 41% of refugees are under the age of 18 (UNHCR 2021b: 16). These young refugees face unique human security challenges, and place additional governance obligations on those in authority. They are deprived of basic human rights, including access to education, particularly tertiary education, essential for knowledge and capacity building. In response to SDG 4, and the needs of young refugees and internally displaced persons (IDPs), the 2015 Incheon Declaration and Framework for Action asked the stakeholders to engage in implementing inclusive, responsive, and resilient education systems embracing the needs of children, youths, and adults, whose education was disrupted by issues such as conflict, violence, natural disasters, and pandemics.

Since 2012, the UNHCR has initiated strategies for refugee children and youths to promote their education enrolment at all levels. The Education Strategy 2012–2016 aimed to support the UNHCR's emphasis on access to quality education for refugees (UNHCR 2012: 8). The main approach is the integration of refugee students within national systems, so that refugee children and youths can enjoy quality education within a protective environment. One of the accomplishments of this strategy was an increase in education enrolment rates of refugee children and youths at all levels; primary schooling from 61% to 63%, secondary schooling from 23% to 24%, and tertiary schooling from 1% to 3% (UNHCR 2019a: 37). The tertiary or higher education rate of refugees still falls far short of the global average of 37%, however (UNHCR 2019a).

While primary and secondary education is accepted as a universal right for all boys and girls, higher education has been considered as a privilege or luxury. This is despite educational research demonstrating that higher

education not only reinforces individual competence, but also helps the sustainable development of a society (Skjerven and Chao 2018: 90). Higher education is critical for refugees to overcome the challenges of post-conflict reconstruction, poverty-reduction, and transformation from financial and social dependents to self-reliant contributors to society (UNHCR 2019a: 41). Educated refugees empower their communities and promote social, economic and gender equality (Dryden-Peterson and Giles 2012; UNHCR 2015). Again, therefore, there is a happy coincidence of policies aimed at benefiting vulnerable individuals and groups also serving national interests, with access to higher education critical not only for self-empowerment of refugees and asylum-seekers but also the peaceful development of communities and society. Hence, in 2019, the UNHCR announced *Refugee Education 2030: A Strategy for Refugee Inclusion* to ensure access to inclusive and equitable quality education for refugees in national systems (UNHCR 2019b).

Unfortunately, refugees face financial constraints, scarcity of institutions, and linguistic barriers when accessing to national education systems (UNESCO 2019; UNHCR 2019b). The recognition of qualifications is one of the most challenging barriers for refugees to access quality higher education. Documents may be lost or stolen during flight, or they cannot be issued from countries of origin due to destruction or closure by conflict (Ferede 2018: 18). These challenges were exacerbated by the impact of the COVID-19 pandemic, with more barriers erected to the movement of peoples, an increased focus on the wellbeing of existing citizens, and the administrative burden of pandemic governance magnifying the vulnerability of refugees. Universities were forced to go wholly online, and even when re-opening, often did so in only a partial or hybrid manner. In some cases, this led to a precipitous drop in income, the exclusion of international students, and discontent among student bodies.

To mitigate the discrepancy between goals and realities, UNESCO endorsed the *Global Convention on the Recognition of Qualifications Concerning Higher Education (The Global Convention)* in 2019. Commentators have interpreted the key elements as including: 1) the right to have foreign qualifications assessed in a fair, non-discriminatory, and transparent manner by national competent authorities; 2) recognition which must be given unless the recognising authority can demonstrate a substantial difference between the foreign qualifications and qualifications for the country where the recognition is sought; and 3) procedures that must be put in place for the recognition of qualifications for individuals with insufficient or unverifiable documentation, including refugees and displaced persons (O'Malley 2019).

The Global Convention aims to establish an international normative instrument of recognition with a global scope, reinforcing inter-regional academic mobility, promoting international cooperation in higher education, democratising higher education and lifelong learning opportunities for all, providing a framework of quality assurance for the fast-growing diversity of higher education providers, and developing global principles for the recognition of higher education qualifications. As such it aspires to build universal procedures for the fair, transparent, and non-discriminatory recognition for foreign higher education qualifications, which can improve refugees' access to higher education (UNESCO 2019, 2020).

At a regional level, the 2011 Asia-Pacific Regional Convention on the Recognition of Qualifications in Higher Education (the Tokyo Convention) emphasises that higher education achievements of refugees, displaced persons, and persons in a refugee-like situation should be recognised as widely as possible unless there are substantial national differences. Furthermore, when documented evidence of qualifications is lacking, refugees, displaced persons, and persons in a refugee-like situation, such as asylum-seekers, the stateless, or internally displaced, should have access to higher education programmes and qualify for employment opportunities.

Most studies related to refugees' access to higher education have been conducted in the education field, focusing on the social integration or inclusion of refugees in Europe or Canada (Anderson 2020; Yildiz et al. 2019; Shakya et al. 2010). Challenges have been reported by academics, international organisations and civil societies in countries which host refugees in large numbers [Arar et al. 2019; Deloitte 2018; World Education Services (WES) 2018; Eckhardt et al. 2017; Ethnic Communities' Council of Victoria Inc. (ECCV) 2014]. While championing the social and economic benefits of integrating refugees is prevalent in the literature, the normative reputational benefits related to middle-power aspirations has not been addressed. Hence, this research fills a vital gap in the literature.

Even if the GCR and the Global Convention are non-binding, the commitment of normative powers to international governance frameworks is essential. Among the member states of international society, middle powers have high agenda-setting potential. Middle power activism is all about visibility on the international stage, but also concerns playing by the rules of the global normative consensus and demonstrating a willingness to be a good global citizen (Howe 2017: 246). As a result, therefore, we can see the happy coincidence between such actors demonstrating normatively good behaviour while also acting in pursuit of their national interests. Hence, middle power

states have exercised international leadership by playing norm-entrepreneurial roles, such as catalysts, facilitators, or managers in global issue areas related to human rights, human security, and migration (Cooper et al. 1993; Cooper 1997).

The following section addresses the extent to which South Korea, as an emerging middle power, has significant incentives to provide normative leadership, as well as assessing its performance in the field of refugee security and education provision.

SOUTH KOREA, MIDDLE POWER ASPIRATIONS, AND REFUGEE PROTECTION

The ROK has, under successive administrations, cultivated an image of good global citizenship and responsible policymaking. Indeed, this has formed part of its niche diplomacy. South Korea has successfully established itself on the international stage by transforming its image from that of a recipient of official development assistance (ODA) to donor, and a subject of international governance discourse, to hosting major instruments such as the G20 summit, the Fourth High-Level Forum on Aid Effectiveness (HLF4), as well as the World Cup and both summer and winter Olympics. Consecutive administrations have gradually improved national branding by making contributions to global governance through ODA, participating in peacekeeping operations (PKOs), humanitarian assistance operations, and advancing action on climate change such as the Green Growth Institute (Ayhan 2019; Howe and Park 2019).

A “paying back syndrome” has been identified as one of the driving factors behind South Korea’s humanitarian policymaking (Hong 2009: 24). As recipients of substantial international assistance during the Korean War, and its aftermath, South Koreans tend to be well-disposed towards assisting others in conflicted-affected areas, as well as supporting the instruments of global governance which came to the aid of the country during the conflict. This narrative also contributes to public awareness and fundraising regarding refugee issues in South Korea. For instance, the UNHCR in Korea publicly strives to connect contemporary forced displacement issues and the historical experiences of internal displacement during the Korean War (UNHCR 2021c). The UNHCR’s representative in Seoul has emphasised Seoul’s contributions to global refugee issues, the functioning legal system for asylum seekers and private funding (Song 2020; Lee 2020). Indeed, private refugee funding sees South Korea ranking within the top 10 globally (UNHCR 2021c: 3).

Thus, endorsing international instruments has been seen as being in South Korea's national interests. As an aspirational power in East Asia, the ROK has pursued policies under successive administrations that reflect an awareness of the normative requirements of good governance. This normative policy agenda has also enjoyed bi-partisan political and public support, amounting to something of a normative consensus in the country (Howe 2017).

South Korea signed the Refugee Convention in 1993 and ratified the Tokyo Convention in 2017 (entering into force in 2018). In accordance with the Refugee Convention, the government started to accept refugee applications and recognise refugees as legal personas in 2001. A domestic Refugee Act was enacted in December 2012 coming into effect in July 2013, the first piece of domestic refugee legislation enacted by a state in Asia. The Act established a legal framework to protect the human rights of refugees in South Korea (Oh 2015: 78–79). The Act further stipulates that not only “*recognised refugees*, but also *humanitarian sojourners* and *refugee applicants* who have not reached the level of refugee status should not be deported against their will” (Article 3, Refugee Act). The principle of non-refoulement, the “prohibition of compulsory repatriation”, protects all groups in the refugee application process (Oh 2012: 96). The Refugee Act also includes the non-refoulement principle and can thus be regarded as a progressive process for the protection refugees' human rights (Park 2016: 99–100).

The number of applicants for refugee status increased from approximately 5,000 in 2015 to more than 16,000 in 2018. Between 2017 and 2018, the number of applicants increased 62.7% due to the sudden arrival of Yemenis. The number of refugee applicants decreased by more than half from 15,452 in 2019 to 6,684 in 2020 due to the impact of COVID-19 pandemic related travel restrictions (Ko 2021). With the gradual reopening of borders as the pandemic is brought under control, combined with additional conflict hotspots such as Afghanistan, Myanmar, and the Ukraine, numbers are likely to increase again.

Of the refugee applications in 2020, only sixty-nine were approved as recognised refugees, and only 127 were permitted as humanitarian sojourners. Relative to South Korea's economic power, the rate of refugee recognition is extremely low. Despite legal frameworks such as the Refugee Act, there is a lack of adequate infrastructure to examine the growing number of refugee applications, and thus the deficit in screening is increasing every year (Park 2016: 108–109). Yet, as detailed above, despite the current low acceptance rate, South Korea is coming under increasing pressure to accept more refugees

to fulfil its obligations to the liberal rules-based order, as well as to raise its profile as a normative middle power. As will be developed further below, due to a demographic timebomb, South Korea also has an urgent need for educated, assimilated, and therefore productive new members of society.

The low South Korean refugee acceptance rate can be explained by two phenomena. First, the majority considers ethnic homogeneity as the most important element of national identity. Hence, South Korea has not been generous in accepting other nationalities and cultures (Shin 2006: 75). While Western middle powers have recognised the importance of absorbing refugees as part of the national integration of immigrant groups, both Japan and South Korea have been reluctant to integrate foreigners into their society. Not only refugees and asylum-seekers, but all immigrants who seek education and jobs note the lack of social rights and the difficulties of integrating into East Asian societies (Takizawa 2021; Kim 2008: 576).

Second, government officials and citizens regard refugees as burdensome recipients of hospitality rather than as bearers of basic human rights in need of protection. Thus, accepting refugees is viewed as a financial burden, harmful to the nation (Schattle and McCann 2014: 332). Even though South Korea ratified the Refugee Convention and enacted their own Refugee Act, the true motivation to engage with these legal frameworks may have been influenced by the international pressure for burden-sharing, rather than an internal desire to do so. Therefore, the implementation of policies that protect refugees is limited and ambiguous. The refugee recognition approval process still has strict standards, and is criticised as falling short of international norms for the protection refugee rights (Oh 2015: 78–79).

According to the Refugee Act, recognised refugees are entitled to a legal residence visa (F-2) and can be guaranteed rights at the same level as those of citizens. An employment survey of recognised refugees, however, found many of them remain in the simple labour sector (G-1-5), often due to a lack of information (Byeon 2018: 73). In other words, there is a disconnection between policy and practice, because of the lack of substantial information available to refugees on how to access their social services and rights (Jung 2019: 95–96).

With regard specifically to refugee education, the disconnect between normative aspirations and policy output is even more pronounced. Article 33 of the Refugee Act, notes that Recognised Refugees who are minors, or minor children of refugees, under the Civil Act, shall receive the same elementary education and secondary education as the Korean people. It supports recognised refugees in receiving necessary education in consideration of their

age, learning ability, educational conditions, etc. Article 34 includes measures such as teaching the Korean language and vocational training for recognised refugees. Article 35 relates to Recognition of School Career completed in a foreign nation, and Article 36 concerns Recognition of Qualifications. The government has yet, however, to establish a practical administrative system for implementing these policies, even though they are crucial to aiding refugees in adjusting to Korean society, as well as their ability to study or find employment.

Currently, the recognition of qualifications depends on the “Apostille” process. This is a certification and verification process whereby a signatory country to the Apostille Convention issues official documents such as diplomas, certificates, degrees, and so on. Once validated and authenticated by the process, the document can then be certified in another signatory country. For non-signatory countries, documents should be notarised by embassies of both the issuing country and the receiving one. As a recognised refugee, however, it is not easy to receive verified documents from one’s home country especially in conflicted areas where administrative processes are restricted. Moreover, even if the recognised refugees have their official documents, they might not know how to retrieve verifications of their educational background. Recognised refugees have testified concerning these challenges (Byeon 2018: 79).

The refugees’ difficulties of having legally proven documentation to access higher education continue when applying to universities in South Korea. The higher education institutions neither understand uncertain situations that refugees face, nor have distinctive procedures for refugees (Choi et al. 2021: 25). Since there is no specific legal instrument, the acceptance of refugees depends on universities’ discretion. Yet, most require refugees to apply through the same application process as other international students (Choi et al. 2021). Hence, even if recognised refugees are tertiary-level-educated or have professional backgrounds in their home countries, they struggle to find jobs and access higher education in South Korea (Byeon 2018: 80). This situation causes them to engage in simple labour jobs with unstable conditions.

Due to such difficulties, it is almost impossible to secure the data or identify a successful case of qualifications recognition for refugees in South Korea (Cho 2019; Byeon 2018). The Refugee Act guarantees basic rights, yet adequate information and feasible policies are not properly provided to those who are recognised by this law. Thus, it is necessary to present concrete measures for the recognition of qualifications in higher education for refugees, as suggested through the ratification of the Tokyo Convention in 2018. As to date, Korean policymaking towards refugees has fallen short of international

standards, it is informative to look to the policies of other normative middle powers for guidance.

Middle-powers sought to secure diplomatic autonomy and increase leverage over great powers through coalitions and network building by Canada, Australia, and Nordic countries such as Norway (Howe and Park 2019: 122). Recent asylum governance in developed countries, including Western middle powers, has been contentious due to polarised domestic politics and intensified border controls (Brekke and Staver 2018; Maley 2016; Reynolds and Hyndman 2015). Nevertheless, most developed countries have strategically revised resettlement policies to avoid breaching international humanitarian values upheld by liberal institutions (Lutz and Portmann 2022: 2520). Despite the complexities of asylum governance, from 1980 to 2019, Anglo-Saxon and Scandinavian countries, welcomed a higher proportion of refugees than other actors, via resettlement policies and integration programmes (Lutz and Portmann 2022: 2523).

Australia, Canada, and Norway accepted the most resettlement admissions. These three countries have, therefore, been selected as benchmarks for refugee education policymaking. In addition, since welcoming North Korean refugees has not proven to be as contentious, and successive administrations in Seoul have implemented policies targeting their wellbeing, integration, and education, the following section also looks to learn the lessons of internal benchmarking for the treatment of non-North Korean refugees.

POLICY BENCHMARKING

Middle powers have been to the fore in answering the global governance call for protection of the most vulnerable and promotion of their human rights. Western middle powers have a lengthy tradition not only of compliance with international norms, but also of pioneering them as norm entrepreneurs, particularly when related to the international humanitarian agenda of human rights, human security, migration, and protection. This section analyses the qualification recognition policies of three of the Western middle powers, Norway, Canada, and Australia. These states have all shown a degree of activism regarding protection of refugees' rights and improvement of access to education for refugees. The section also, however, considers the existing South Korean educational structures for recognising and promoting North Korean refugee qualifications. These governance programmes can provide useful pointers for future South Korean educational policies for refugees from beyond the Korean Peninsula.

Norway

Norway, a close European Union (EU) partner, has adapted to European asylum and immigration regulations by joining the Schengen and Dublin agreements. The objective of its immigration legislation reform was to harmonise with European standards (Brekke and Staver 2018: 2167). Although formerly limited, since 2018 formal education for refugees has been one of the focal points of immigrant integration programmes (Djuve and Kavli 2019: 39). For Norway, this crisis has been a hot topic, given the sharp increase of Syrian refugees. They constituted almost a quarter of 12,691 settled refugees in 2014–2015 while amounting to around 44% among 9,889 settled refugees in 2016 (Hernes et al. 2019: 49). Although the Syrian refugee crisis, which peaked in 2015, resulted in a “partial pullback from regional cooperation” and the renationalisation of asylum policy so that Norwegian legislation was below EU-wide standards (Brekke and Staver 2018), time series data study shows that “attitudes towards the helping of refugees and the regulation of immigration” in the country has overall been increasingly positive since 1993 thanks to “a greater number of people with a higher education, and a greater number of immigrants settling in Norwegian municipalities” (Hellevik and Hellevik 2017: 251). Higher educated refugees thus play a critical role in contributing to societal harmony in Norway.

There were two stimuli for Norway’s efforts to improve its refugee qualification recognition system. First, Norway’s situation as a relatively small country demographically, means that a large influx of refugees could end up constituting a notable minority. In 2018, refugees made up 30.6% of all immigrants, with the trend reflecting accelerated rates of refugee arrivals and applications for higher education qualification recognition (Toker 2020: 106). In 2006, 100,000 refugees were settled, constituting just over 2% of the 4.5 million population, with 15% having higher education (Egner 2006: 23). As of 2018, refugees amounted to 4.3% of Norway’s total population, 5.2 million (Toker 2020: 106).

Increasing asylum applications has been accompanied by increasing applications for the recognition of higher education credentials. For instance, in 2015, 31,150 refugees applied for asylum in Norway, with 34% coming from Syria and 22% from Afghanistan (Eckhardt et al. 2017: 43). Combining this with the 8,613 refugees who applied for recognition of their qualifications in Norway (Toker 2020: 106), we see that 27.6% of refugees have higher education qualifications they need recognised in Norway. Furthermore, government analysis revealed substantial socio-economic costs of inadequate refugee education resources including “lost resources due to non-participation

in the labour market, reduced rates of welfare and income, lower rates of productivity, poor understanding of democracy, [and] higher rates of criminality” (Eckhardt et al. 2017: 44).

The second stimulus was Norway’s compliance with its international commitments. Norway is a signatory to the 1997 Convention on the Recognition of Qualifications concerning Higher Education in the European Region (the Lisbon Recognition Convention), demonstrating a commitment to improving refugee integration and access to resources in Norwegian society (Loo 2016: iii). Article VII of the Lisbon Convention focuses on the recognition of qualifications of refugees and people in a refugee-like situation (Mørland and Skjerven 2017: 119). Article VII requires signatory countries to “put in place fair and expeditious systems for the evaluation of qualifications of refugees with insufficient documentation” (Egner 2006: 23). The European Network of National Information Centres on Academic Recognition and Mobility (ENIC), as well as National Academic Recognition Information Centres (NARIC), are responsible for implementing Article VII, and are jointly known as ENIC-NARIC (Loo 2016: 4). In Norway, these evaluations are carried out by the Norwegian Agency for Quality Assurance in Education (NOKUT). Although Norway has other organisations, institutions, and public bodies that work for access and integration of refugees in higher education, it is NOKUT that deals with prior qualification recognition.

Following the refugee crisis, ENIC-NARIC centres identified several main challenges for processing credential recognition applications of those with refugee backgrounds: lack of information about the refugee’s home country’s education systems and qualifications; questionable authenticity of provided documents; lack of documentation; incomplete qualifications; and overwhelming numbers (Eckhardt et al. 2017: 6). NOKUT’s response to these new challenges was the creation of an additional qualifications passport system.

NOKUT’s main strength is that all their decisions are legally binding, revealing the highly centralised nature of Norway’s qualifications recognition system (Loo 2016: 5). This state-centred, top-down process is supported with “bottom-up initiatives to ease refugee access to Norwegian high education institutions” (Toker 2020: 106). Through NOKUT, Norway now has three related avenues that refugees may pursue in getting their qualifications recognised. These are: 1) the general procedure; 2) the recognition procedure for persons without verifiable documents as known as the *Uten Verifiserbar Dokumentasjon* (UVD) procedure; and 3) the qualifications passport procedure (Mozetič 2018: 37–39). Applicants “who lack the necessary documents for

the general procedure are routed to an alternative procedure (first the UVD procedure, and then the qualifications passport procedure) through which they can present whatever documentation of academic credentials they have” (Streitwieser et al. 2019: 486).

Norway has been evolving and revising its refugee policies and procedures, particularly regarding refugee credentials since 2003, long before the Syrian refugee crisis. The UVD procedure was nationally implemented in 2013, after being introduced and tested as a pilot project from 2011 to 2012 (Loo 2016: 18). This replaced the previous, “inefficient system of higher education institutions issuing their own documentation” to refugees (Mørland and Skjerven 2017: 119–120). Although the UVD procedure was regarded as a success, the gravity of the refugee crisis required additional methods, eventually leading to the qualification passport as NOKUT’s 2016 pilot project before later being nationally implemented (Mørland and Skjerven 2017). The passport was deemed a great success and placed Norway at the front of normative entrepreneurship in terms of international recognition of refugee qualifications.

In 2015, NOKUT, jointly with the UK’s ENIC-NARIC office to the Council of Europe (COE), recommended introducing a European Passport for Qualification Recognition (EQPR), “as an effective joint European recognition model for refugees across European countries” (Eckhardt et al. 2017: 19). A pilot project was launched in 2017, and the first phase was conducted in Greece (COE 2018). After that, further sessions have been held in Italy and the Netherlands, and later in Armenia, Canada, France, Germany, and the U.K. (Spadina 2018: 236). The second, three-year phase of the project, which started in 2018, involved not only more countries, more partners, and more funding, but also developed an online assessment system with secure electronic storage (Bergan and Skjerven 2018). The methodology of the EQPR was successfully tested in Armenia, Germany, and Italy during this phase (NOKUT 2019).

As of March 2022, 84% of applicants, including 610 refugees, obtained the EQPR (Bergan 2022). The project shared measures with national recognitions centres and universities in Europe, the U.S., and South Africa for supporting Ukrainian refugees’ opportunities for education and work (COE 2022). Like the Norwegian passport, the EQPR is only valid for a certain number of years, which NOKUT suggests being three years. Mørland and Skjerven (2017: 121) note that the time frame “would be sufficient for refugees to apply for recognition in the country they reside in if needed, and it will not jeopardise the national recognition schemes of receiving countries”.

If successful, EQPR assessments “would take place at the national level and would be carried out by relevant stakeholders with experience credential evaluation”, which in most countries would be the national ENIC-NARIC offices (Mørland and Skjerven 2017).

As such, the EQPR meets the requirement of the Lisbon Convention for states to have “procedures designed to assess fairly and expeditiously whether refugees, displaced persons, and persons in a refugee-like situation fulfil the relevant requirements for access to higher education” by enabling “faster and smoother integration, particularly for those categories of internationally protected persons who cannot fully document their qualifications” (Spadina 2018: 231). The EQPR’s strength is its transferability, facilitating “the movement of refugees across Europe without the need for going through time-consuming competencies’ assessment procedures in every country...a pan-European, quality-assured framework for recognition of qualifications held by refugees” (Eckhardt et al. 2017: 19).

However, the EQPR pilot project was not undertaken in countries with the largest number of Syrian refugee students (Toker 2020). Furthermore, the EQPR is not a legally binding document but merely “an advisory document to support the refugee in seeking employment, internship, or further study...and cannot replace formal recognition or authorisation for application to higher education institutes” (Toker 2020: 111). It is intended to be a supplement to existing recognition procedures, and to aid connections with applications for employment/internship and higher education studies (Yildiz et al. 2019: 46). Thus, although the EQPR does not provide them any legal guarantees, it has the potential to be an efficient, transferable, and effective tool to aid refugees across Europe in pursuing the recognition of their prior qualifications.

Canada

Canada has had a strong record of refugee resettlement (Reynold and Hyndman 2015: 43). Despite the numbers dropping in recent years due to policy changes, Canada still received 20% of all refugees resettled globally in the last decade (Schutte et al. 2022: 6). Canada, has further been a major destination for migrants, including international students, the number of which increased fourfold from 145,205 in 1998 to 614,176 in 2017 [Immigration, Refugees, Canada Citizenship (IRCC) 2019]. Most international students require assessment of their foreign credentials for higher education admission [Canadian Information Centre for International Credentials (CICIC) 2017]. Over-qualification commonly occurs, as many highly educated or skilled immigrants are often employed in secondary work not matching their

qualifications, with lower income and limited social/economic mobility (Bauder 2003: 708). Bauder (2003: 714–715) describes this as brain “abuse” rather than brain “waste” or brain “drain”, because the skills of qualified immigrants are being abused by de-skilling, which is a loss for both the country of origin and Canada.

While the number of refugees resettled in Canada has decreased since 2014, from more than 16 million in 2013 to around 10 million a decade later (UNHCR 2022), the rate of refugee student enrolment in Canadian universities increased by 63% over the 14-year span from 2000 (Anderson 2020: 3). Given the increasing influx of refugees and international students despite the impact of COVID-19 [International Consultants for Education and Fairs (ICEF) Monitor 2022], Canada faces an immediate need for a qualifications recognition system that enables individuals to be given education and employment opportunities compatible with their qualifications.

Canada ratified the Lisbon Convention in 2018 and operates a national information centre (NIC) for implementing the convention and facilitating international mobility through foreign qualification recognition. Assessment and recognition processes are grounded in the Pan-Canadian Quality Assurance Framework for the Assessment of International Academic Credentials (the Pan-Canadian Framework) which aims to “articulate a new, joint vision for governments to take concerted action to improve the integration of [internationally educated and trained individuals]” [Forum of Labour Market Ministers (FLMM) 2009]. The CICIC was established as the Canadian ENIC-NARIC in fulfilment of Canada’s obligations under UNESCO recognition conventions and the Refugee Convention (CICIC 2017: 8).

The CICIC provides information on the Canadian education systems, quality assurance and credential recognition processes, and a referral service through three portals: the individual portal, assessor portal and education portal. Unlike other NICs, the CICIC does not conduct assessments or recognition of foreign credentials (CICIC 2017: 6). Rather, regulatory authorities, higher education institutions, professional associations, and employers are responsible for assessing and/or recognising credentials. The CICIC separates the “assessment” and “recognition” of foreign qualifications. The former involves authenticating foreign credentials as similar to those issued domestically; the latter involves recognising academic credentials required for admission, licensure, or employment. Assessments are advisory in nature rather than supervisory (Loo 2016: 6), hence, mere assessment does not guarantee a positive decision for admission or employment.

The general requirements for qualifications assessment by private agencies and universities in Canada include a copied version of the original documents and/or official documents, and a word-for-word translation by a certified or qualified professional translator. The “official document” refers to documents that are sent directly to the assessment organisations by the institutions that issued the credential. The regular process of qualification assessment is mainly composed of three steps: 1) authentication of the submitted documents; 2) evaluation of contents, quality, and outcomes of the education programmes or systems; and 3) identification of comparability with national or provincial programme or system. Strict requirements for and careful screening of documents is key in ascertaining authenticity of the qualification during the first step of the process. Assessment processes practiced by the main assessment organisations of Canada are also structured in accordance with these three steps.

The first step is the assessment of documents following the submission of either original or official documents. Next, the assessment organisation may request additional information or documentation, depending on the criteria or systems of different organisations. After processing, the evaluation results are issued in a report. In general, applicants are involved only in the first step, in which they prepare and submit required documents. This step, however, is where refugees and people in refugee like situations face the most difficulties. Many refugees are unable to bring credential documents with them or are unable to request official copies from their institutions due to unstable situations within the origin country (CICIC 2017: 11). Hence, it becomes especially difficult for refugees to meet requirements, especially given the increasing emphasis on official documents for practice of qualification assessment in Canada “as the best practice for combatting fraud” (CICIC 2017: 12).

The Lisbon Convention “urges competent authorities...to recognise foreign qualifications as much as possible or otherwise to consider alternative forms of recognition” unless evidence of substantial differences is found (Scholten 2007: 16). Accordingly, recognition institutions are responsible for proving substantial difference between the qualifications of the applicant and the education system of the host country, with sufficient evidence (Scholten 2007: 18). In fact, “[h]aving credentials assessed even without full documentation is recognised as a legal right” (WES 2018: 3), as established by the Supreme Court of Ontario in favour of the Iranian plaintiff to have the right to obtain Canadian teaching credentials despite incomplete

documentation (Champassak 2007). Nonetheless, the existing regular process is not applicable for refugees, thus, a different approach with more flexibility was needed (WES 2018).

The CICIC has developed alternative approaches of qualification assessment or recognition for refugees without sufficient documentation. The five alternatives are: 1) accepting background papers with detailed information provided by the applicant on studies, courses, grades corroborated with affidavits or other evidence; 2) accepting different forms of documentation other than only official documents such as partial, copied, or unverifiable documents when; corroborated with background papers, affidavits, or other evidence; 3) conducting a mixed practice of regular and alternative processes depending on available documents; 4) providing a country profile of the education system in the origin country along with a comparability statement on the assessment report; and 5) implementing non-document processes to test competencies based on interviews, testing, portfolios, etc. The first three are applicable for both assessment and recognition, while the fourth applies only for recognition, and the fifth only for assessment.

The WES initiated the Refugee Pilot Project for Syrian refugees in 2016. Applicants had to meet certain criteria: being a refugee or being in a refugee-like situation; having been educated to a minimum of grade 10; not meeting regular documentation requirements; having at least one piece of credible—evidence i.e., a diploma, degree certificate, transcript, mark sheet, statement of marks, professional license, certificate or other officially issued documents. The assessment process was easier for applicants with full transcripts, however those without them could reconstruct missing documents by bridging links between available documents. Also, additional methods such as exams were utilised. WES provided further explanation on the best practices in refugee credential recognition. Based on the pilot project (WES 2018), a regular Gateway programme was launched in 2018, with some changes. The nationality and place of education of eligible applicants was expanded to include Afghanistan, Eritrea, Iraq, Turkey, Ukraine, and Venezuela. Criteria and methodology remain the same.

The qualification assessment system in Canada is highly decentralised. Assessments are practiced by several organisations, and higher education institutions make their own determinations about recognition since there is no single “supervisory authority” (Loo 2016: 6). Hence, “the practices across Canada...are wide-ranging” (Phillips 2000: 4) which may confuse refugees and immigrants unfamiliar with the systemic decentralisation, or the language and culture. Although assessment practices are based on common guidelines

provided by the Pan-Canadian Framework, it remains advisory, and the implementation of such guidelines depends greatly on each organisation's autonomy. Nevertheless, as the organisations are already in an alliance, efforts to expand the Pan-Canadian Framework into an actual Pan-Canadian assessment process or even report may be made relatively easily.

Australia

Since 1980, Australia has provided one of the largest resettlement programmes in the world (Lutz and Portmann 2022: 2520). Recent discourse regarding “boat people”, however, reflects the influence of domestic political “securitisation” as a driver for harsher treatment and more restricted border control (Maley 2016; McKenzie and Hasmath 2013).

Australia has welcomed refugees and migrants because it recognises them as a substantial labour force and thus economic benefit [ECCV 2014; Deloitte 2018; The Tent Partnership for Refugees and the Friendly Nation Initiative (The Tent) 2019; Arar et al., 2019]. Australia also portrays itself as a good international citizen, and it has a strong track record of admitting refugees for resettlement. In 2014 it accepted 11,600 (11%) of the 105,200 global resettlement arrivals, third only to the U.S. and Canada (UNHCR 2015), and in 2015 it agreed to accept an additional 12,000 refugees from the conflict in Syria (Opeskin and Ghezelbash 2016: 77). Between 2000 and 2016, about 215,000 refugees settled in Australia, and among them, 81% were working age, 15 to 64 years of age, 15% were children, 54% were men, 66% were fluent in English, and 9% had a bachelor's degree or post-graduate qualification (Australian Bureau of Statistics 2016). Also, 178 out of 3,000 Afghan refugees who arrived in Australia between July 2015 and December 2017 had completed at least six years of higher education (Collins et al. 2018).

The National Office of Overseas Skills Recognition (NOOSR) was established in 1989 to take full advantage of immigrants' skills and qualifications to contribute as human resources to the labour market and thereby national socioeconomic wellbeing. From 2014, the Qualification Recognition Policy Unit took over these functions. Australia has ratified three UNESCO qualification recognition conventions: The Regional Convention of the Asia-Pacific in 1985; the Lisbon Convention in 2002; and the revised Asia-Pacific Convention, also known as the Tokyo Convention, in 2014. The Government strategically engages and participates in the international framework so that it can establish effective qualification recognition systems that allow broader mobility of students and workers without barriers.

Qualifications recognition is a strategic priority of the Australian Government due to its benefits of increased productivity, participation, and internationalisation in the education field and labour markets (Campbell-Dorning 2016: 1). The system is not about homogeneity, but instead about implementing a method of managing diversity with constituency and fairness (Campbell-Dorning 2016: 2–3). Hence, the qualification recognition system in Australia is categorised as a decentralised model and acknowledges the autonomy of individual institutions. The role of the Department of Education is to provide a national framework of qualifications recognition, share official information domestically and internationally, and support institutions' recognition decisions. In practice this means that individual institutions of higher education decide whether to recognise a refugee or migrant's pre-existing educational achievements.

The Qualification Recognition Policy Unit represents Australia in the UNESCO regional recognition fora, including the network of ENIC-NARIC and the Regional Committee on the Tokyo Convention. The role of this unit is to develop qualification recognition policy, and to provide information and advice about the Australian and overseas education systems, which enhances informational networks in multilateral and bilateral fora. The unit provides assessment services only when there is no other authority to recognise overseas qualifications such as a state/territory government Overseas Qualification Unit (OQU) or in cases of no registration, licensing, professional membership, or industry requirements for an individual's occupation. The assessments do not carry any legally binding force, and have only an advisory effect on employment, migration, and further education eligibility. When processing the assessment, the applicant's degree or qualifications will be compared with the Australian Qualification Framework (AQF), and a certificate of assessment will be issued. About 1,500 evaluations are conducted annually with a fee, and the number of applications is increasing every year (Campbell-Dorning 2016: 4).

Except for in New South Wales, the states and territories of Australia run the OQU. Most states and territories share some common requirements for applicants: 1) eligible for those who hold permanent residency in Australia; 2) using the AQF and Country Education Profiles (CEP) as benchmarks to compare overseas qualifications; 3) free of charge; and 4) in the case of translations in English, translation service should be done by an approved and accredited translator in Australia. The OQUs can ask for supplemental documentation or add another procedure for applicants to explain their qualifications in detail when the documentation is not fully eligible. For

example, the Australian Capital Territory (ACT) suggests obtaining a statement from the institution or university in the applicant's home country, which can provide relevant key information of study or completion of courses in cases when the institution cannot provide any documentation for an applicant. The OQU of the ACT also conducts interviews to discuss the statement with an assessing officer. In Western Australia, if an applicant does not have and cannot obtain a copy of their award certificate and/or academic transcripts, a signed statutory declaration is required. The document should include the qualification awarded year, the number of years of study, whether the study was taken full-time or part-time, and the reasons why the original documents are unavailable.

Refugees in Australia who are attempting to access higher education, however, must apply directly to universities or institutions. Refugees face multiple challenges when they apply for and enrol in institutions (Hartley et al. 2019: 22–23). First, asylum-seekers applying for refugee status lack a valid visa required for higher education institutions. Second, refugees or asylum seekers who obtained education outside of Australia often meet with difficulties regarding the restrictive entry requirements of universities. Third, the types of application processes through online platforms that many universities conduct are unfamiliar to refugee and asylum-seeking students. Lastly, inconsistency in entry requirements and a lack of knowledge about visa categories in institutions make it more difficult for refugee applicants.

Breaking into the Australian job market can also be difficult for refugees. One of the barriers to refugees for employment is that trade skills and, professional/higher education qualifications, including work experience in home countries, are often not recognised in Australia (The Tent 2019: 16). According to the Department of Social Services (2017) as cited in The Tent (2019: 17), this is because the process of recognition is complicated, expensive, and many do not know how to obtain it. Also, submitting certified documents as evidence can be difficult for refugees, as awarding institutions are not able to issue documents during a conflict situation. Due to these complex challenges, among newly arrived refugees, only around 20% of applicants for qualification assessment in Australia received full recognition (Department of Social Service 2017 as cited in Tent 2019).

Australia strategically implements policies related to refugees and overseas qualification recognitions to seek for socioeconomic opportunities internally, and to be recognised as good global citizen internationally. Through refugee resettlement policies, the domestic labour market can ensure a steadier workforce and supply of skills, and in doing so, can contribute to

international efforts to protect refugees and asylum seekers. The consistency and efficacy of qualification recognition and its practice can facilitate students and skilled workers' mobility, which can be beneficial both domestically and internationally. Opportunities are not fully open to refugees and asylum seekers, however, and they are often marginalised due to structural barriers to access education and employment.

South Korea's Education Recognition Policy for North Korean Refugees

Since 1997, North Korean refugees have had a legal right to education in South Korea. Furthermore, educational attainments of North Korean refugees in the Democratic People's Republic of Korea (DPRK)² and other countries are legally recognised (Article 13 of the 1997 North Korean Refugees Protection and Settlement Act; Article 27 of the Enforcement Decree of the Act). Despite this legal protection, some structural barriers to the full and efficient implementation of related policies remained.

Before its revision in 2009, the Enforcement Decree of the Elementary and Secondary Education Act lacked provisions for North Korean refugees to study and find jobs in South Korea (Lee and Han 2010: 1). North Koreans received an official document called "Confirmation of Academic Background", which could be used to prove their academic background in North Korea. Yet it was difficult to prove the credibility of academic records from North Korea because the process was based off self-reporting, despite documents being guaranteed by National Intelligence Service (NIS) through investigative processes. Documents could only show the duration of education in North Korea but did not verify education qualifications and actual abilities. Thus, when applying to a university, company, job training programme, or qualification exam, refugees faced challenges in fulfilling requirements.

There were also limitations for North Korean refugees to continue studying in accordance with the Enforcement Decree of the Elementary and Secondary Education Act (Article 96, 97 and 98). Refugees, especially the youth, could miss out on years of education during their arduous journeys through China and third-party countries before reaching sanctuary in South Korea. Students often, therefore, had to study in grades lower than their age group when they transfer to South Korean schools (Lee and Han 2010: 4). The improper placement of North Korean refugees also led to a higher school dropout rate (Chung 2006: 9).

Differences between the educational systems of the two Koreas make it difficult to determine educational qualifications. According to the Enforcement Decree of the Elementary and Secondary Education Act, to receive a high

school diploma in South Korea, students must have completed 12 years of education. Yet North Korea requires 11 years from elementary to high school. To be qualified for a high school diploma in South Korea, refugees must have attended a higher education institution such as a specialised college, or university in North Korea. Since North Korea's higher education rate is only about 10%, most North Korean refugees did not qualify for a high school diploma in South Korea (Lee and Han 2010: 3–4).

To solve this problem, amendments were made to the Enforcement Decree of the Elementary and Secondary Education Act on 2 February 2008, with the addition of Article (98-2), "Establishment and Operation of Academic Background Deliberative Committees" (ABDCs). As of 2008, ABDCs began to hold meetings in the 16 Metropolitan and Provincial Offices of Education (Moon 2017: 24). The superintendent of education of each Metropolitan and Provincial Office of Education has the authority to decide on issues such as the composition and operation of the ABDC and the criteria, targets, methods, and timing of assessment for the committee (Article 98-2, Enforcement Decree of the Elementary and Secondary Education Act). At the request of North Korean refugees, the committee reviews their educational backgrounds in North Korea, using the document "Confirmation of the Academic Background" investigated by NIS (Lee and Han 2010: 4). The most notable change is that recognising obtained diplomas in North Korea allows a refugee to receive the equivalent within the South Korean educational system (Lee and Han 2010: 2).

For example, North Korean refugees who graduated elementary school (requiring four or five years) are recognised as graduates of elementary school in South Korea, which usually requires six years. North Korean refugee students can thus easily transfer into school in South Korea and adults can enter easier into the South Korean education system. The ABDCs provide educational opportunities for and to guarantee the right to education. In addition, North Korean degrees from specialised universities or higher are recognised in South Korea by Article 27 of the Enforcement Decree of North Korean Refugees Protection and Settlement Act, and Article 70 of Enforcement Decree of the Elementary and Secondary Education Act. To receive recognition, refugees fill out an application form and fax or directly mail it to the Ministry of Unification (MOU). After the MOU evaluates and verifies the application, the Ministry of Education issues an academic certificate, and the MOU notifies applicants of the results. The process takes about three months in total (Moon 2017: 22). Yet, although the ABDCs have made it easier for the adaptation of North Korean refugees, there remain issues and limitations.

First, academic placement based off achievements in North Korea through an ABDC does not equate perfectly with academic abilities and knowledge. Even if their educational background is approved, for instance, high school graduation, it does not mean that the person has capacity equal to high school graduates in South Korea. This has caused difficulty in adjustment among refugee students. The dropout rate of North Korean college students (9.8%) is significantly higher than that of South Korean college students (6.4%) (Ahn 2015). The biggest reason for the higher dropout rate among North Korean college students is that they cannot catch up with their classes due to poor English skills, lack of historical knowledge, and cultural issues. Refugees also face challenges in the workforce in terms of meeting the specific skills that are required. Thus, the government needs to provide practical programmes that lessen the gap between academic documents and actual abilities, and North Korean refugees should be provided with the opportunities to train and gain the necessary skills.

Second, the authority of the ABDCs is given by Metropolitan and Provincial Offices of Education. Because information about North Korean refugees is not shared among these offices, applicants have been able to abuse the system. For example, North Korean refugees who want to go to college must apply within five years after receiving the recognition of their qualifications. If they do not go to college within five years, they will not be able to get some key benefits, such as waived tuition fees. North Korean refugees who failed to enter college within five years have hidden their previous records and registered in a different area. In addition, Metropolitan and Provincial Offices of Education evaluate information at different standards within their ABDCs. To overcome these challenges, results from the ABDCs should be shared amongst the Metropolitan and Provincial Offices of Education in a secure process that still protects the identities of North Korean refugees.

CONCLUSIONS AND POLICY PRESCRIPTIONS

Due to their relative wealth, and liberal epistemological traditions, Western middle power states have long been a magnet for refugees. Superficially, at least when compared to other states, Western middle powers have been relatively welcoming of refugees, and facilitative in recognition of their qualifications. The primary motivating factors for this proactive engagement with the issue are: 1) recognition of universal human rights accorded due to the identification of human beings as individual human rights bearers;

2) a focus on the importance of education for collective (societal) as well as individual wellbeing; and 3) recognition of the obligations imposed by international commitments.

Norway was at the forefront of the development of the EQPR. In addition, the Norwegian government emphasised the importance of cross-border qualification recognition, passing the Lisbon Convention in 1997 which stipulates that degrees and periods of study must be recognised unless substantial differences can be proved by the institution that is charged with recognition. Moreover, Norway was the first to ratify the Global Convention reaffirming a commitment to fair, transparent, and non-discriminatory recognition. Canada, a signatory to the Lisbon Convention in 2018, has long welcomed international students including refugees. Similarly, Australia is largely an immigrant society, and historically has welcomed both refugees and immigrants as a source of human capital. Australia ratified the Lisbon Convention and the Tokyo Convention in 2002 and 2014, respectively. During the current refugee crisis, however, regulations have been tightened in Canada and Australia, it is often difficult for refugees to access the relevant information for qualifications recognition, they are sometimes unable to obtain required documents from home countries or these are not recognised by the authorities, and potential university students face additional structural barriers. The challenges faced in Australia and Canada reflect those in South Korea.

As a liberal democracy in the Asia-Pacific, South Korea also professes respect for universal human rights, and has signed up to all related international legislation. It also, and perhaps even more so than is the case in Western middle power states, has a governance focus emphasising education. Finally, although its record is somewhat patchy, and successive administrations in Seoul have been criticised for their shortcomings, South Korea at least professes an intention to abide by the obligations imposed by international commitments, and indeed, this is an area of growing Korean diplomatic activity. To fulfil its international governance and humanitarian obligations, South Korea needs to not only welcome more refugees but also to develop an efficient measure for the recognition and transference of skills, experience, and qualifications for refugees to quickly integrate and become productive members of society. This is in line with the obligations under both the Global Convention and the Tokyo Convention, but also reflect South Korean national interests as continuing middle power niche diplomacy. If existing qualifications are swiftly and efficiently recognised, this will also lead to South Korea becoming a magnet for the better skilled refugees.

To provide regional, and even global leadership, however, the ROK could take the further step of investigating how refugees can be provided with new educational experiences and qualifications. This would also be in the national interest, as it would contribute to the training of a new, youthful, and productive community who could fill some of the gaps left in an aging society. The ROK's working-age population is projected to decline an average of 330,000 per year in the 2020s as baby boomers reach retirement age (Howe 2021: 253). The country is widely expected to become a "super-aged society" in 2025, in which the proportion of those aged 65 and older will hit 20% of the total population (The Korea Times 2021). Policies aimed at stimulating the birth rate among South Korea's younger generations have had little or no effect in averting the demographic crisis. Hence, there is a great need to reinvigorate the workforce with "new blood", and this can only be done through thorough integration into the national development project, as recognised by the Korean Immigration Service (Immigration Policy Commission 2012, 2018).

The obstacles faced by refugees in obtaining new and meaningful qualifications are numerous. First, many of the refugees in the Asia-Pacific are essentially stateless, either because they have lost or discarded their documentation during their flight, or as is the case with the Rohingya refugees, because no state recognises them as citizens. On 12 November 2018, the UNHCR warned there are about 12 million stateless people in the world. A large percentage of these are to be found in the Asia-Pacific region, and by far the largest single group, amounting to 3.5 million, are the Rohingya, displaced from Myanmar and living as refugees throughout the region. Thirty years of displacement has seen two or three generations of Rohingya enduring a stateless existence. During that time, they have been offered numerous training programmes by governmental and non-governmental organisations. They have, however, been unable to access degree programmes due to the requirement of national identification certification to register at universities and polytechnics in the region. Second, it is extremely difficult, if not impossible, for such refugees to enrol in formal educational programmes, as they are unable to prove who they are to the satisfaction of education providers. Third, without formal enrolment, it is extremely difficult to attract funding to support educational and other needs among the refugee population.

Thus, South Korea could show leadership in breaking the chain of obstacles to refugees and stateless persons gaining the higher qualifications that can not only be recognised domestically, but also subject to easy transfer and recognition across the region and even globally. This research has grasped the strengths and limitations of various systems of recognising refugees' qualifications by analysing the cases and understood the necessity

of implementing a system of qualifications recognition for refugees in South Korea. Based on the analysis and the implications, this study suggests three practical measures for implementing an adequate system of qualifications recognition for refugees in South Korea: 1) the establishment of a headquarters by the central administrative authority; 2) granting legal force to alternatively issued or recognised documents; and 3) cooperation between related institutions and the private sector. These recommendations are further fleshed out below.

One of the major challenges facing young refugees in South Korea is the absence of a governmental system that can provide guidelines for recognising documents that they already hold, or for when universities need to consider the acceptance of refugees. The Western middle powers in this article allow the discretion of local bureaucracies or educational institutions. Yet this may confuse refugees whose mobility can be uncertain in terms of settlement. A centrally headquartered and administrated policy-making procedure would be better able to acknowledge the distinctive difficulties that refugees face regarding qualifications recognition and access to higher education.

Such a platform would be able to mediate between ministries and facilitate the granting of legal force to documents already held, thereby, also fulfilling the conditions of the second policy recommendation. For instance, the Ministry of Justice and/or the Ministry of Foreign Affairs could be involved in discussions regarding the proper procedure for granting legal effectiveness to screened documents that refugees hold for their qualifications. The Ministry of Education could, then, take on the role of issuing documents under the authority of the central governmental decision-making and policy-making apparatus. Specific process can refer to the existing policy framework for North Korean refugees in South Korea.

Lastly, the private sector can provide social integration services in tandem with urgent demands from refugees, such as interpreting information, introducing universities, or helping applications processes. This requires continuous cooperation between private and public sectors which can target distinctive challenges that refugees face. One of the factors that led to the successful implementation of the ABDCs for North Korean refugees was the cooperation between the central government, Metropolitan and Provincial Offices of Education, and private sectors which made North Korean refugees more integrated into the national system.

Finally, as the EQPR system in Europe was made possible by the openness and political will of political actors, so too can sharing information at the regional and international level can reinforce not only normative compliance but also self-empowerment of refugees in East Asia. South Korea

can act as a ground-breaking norm entrepreneur in the region, much to its own credit. Hence, the ROK should adopt such policies for both normative and national interest reasons, thereby, playing a major role in the liberal rules-based international order.

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NOTES

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¹ Republic of Korea (ROK) and South Korea are used interchangeably in this article.

² Democratic People’s Republic of Korea (DPRK) and North Korea are used interchangeably in this article.

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