



ASEAN Mutual Recognition Agreement (MRA) Arrangement and Implementation of MRA for the Dancer Profession in Supporting Labor Mobility in the ASEAN Region

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KEYWORDS

ABSTRACT

ASEAN economic integration; ASEAN Framework Agreement on Services; creative professions; labor mobility; mutual recognition agreements; qualification recognition

This research explores the implementation and impact of ASEAN Mutual Recognition Agreements (MRAs) in the context of the ASEAN Framework Agreement on Services (AFAS), focusing on the mobility of professional workers in the ASEAN region. This study proposes the implementation of MRA in the creative professions sector, especially the profession of dancers, which has not received adequate attention within the MRA framework. This study aims to analyze the effectiveness of the implementation of MRA in the engineering sector and identify the potential for adopting a similar model in the performing arts sector. Using a juridical normative approach, this study conducts a qualitative analysis with a comparative approach, comparing the application of MRAs in the engineering sector and creative professions. The results show that although MRAs have succeeded in increasing the mobility of professional workers in the engineering sector, their application to creative professions faces major challenges, such as the disharmony of qualification standards and non-uniform accreditation systems. This study suggests the need to develop a more inclusive legal framework and harmonize qualification standards to support the implementation of MRAs in the creative sector. The implication of this study is the strengthening of ASEAN economic and cultural integration through broader recognition of creative professions, which can enrich the region's cultural identity and enhance the competitiveness of the ASEAN creative economy globally.

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Introduction

In the era of globalization, labor mobility has become one of the key aspects that support economic growth and human resource development, especially in the Southeast Asian region. ASEAN, as one of the fastest-growing economic regions, has a vision to create deeper economic integration through various strategic initiatives. One of the important initiatives is the ASEAN Framework Agreement on Services (AFAS) (Kim & Lee, 2013; Lakatos, 2018). AFAS aims to increase cooperation among ASEAN Member States in the services sector to improve efficiency, competitiveness, diversification of production capacity, and distribution of services both within and outside the ASEAN region. Another objective of AFAS is to

substantially remove restrictions on trade in services among ASEAN Member States and expand the liberalization of trade in services beyond the commitments already made under the General Agreement on Trade in Services (GATS), with the ultimate goal of achieving free trade in services in the ASEAN region (ASEAN Secretariat, 2022).

As part of the implementation of these objectives, AFAS provides a legal framework that allows ASEAN Member States to mutually recognize education, experience, requirements, and licenses or certifications obtained in other countries in order to facilitate labor mobility in the region (Becker & Mosby, 2018). This is regulated in Article V of the AFAS which underlines that recognition may be granted against professional qualifications obtained in other countries as a basis for licensing or certification. This framework is designed to facilitate the professional workforce in accessing cross-border job opportunities in the ASEAN region (Cheung & Walmsley, 2012; Pangestu, 2011).

As a concrete step, ASEAN introduced a Mutual Recognition Arrangements (MRAs) mechanism to overcome barriers to professional workforce mobility. At the Bali Concord II adopted at the Ninth ASEAN Summit in 2003, ASEAN leaders agreed to finalize the MRAs for the main professional qualifications in 2008. These MRAs are designed to facilitate the free movement of professionals, skilled workers, and talents in the ASEAN region. One of the first sectors to adopt MRA is the engineering sector, through the ASEAN Mutual Recognition Arrangement on Engineering Services (Suhartanto, 2016).

The MRA in engineering aims to facilitate the mobility of engineering professionals between countries, promote the adoption of best practices in standards and qualifications, and strengthen professional capabilities through the exchange of information, experience, and best practices. This MRA document covers various important elements such as accreditation, qualification evaluation, certification, and registration process, which aims to ensure that every professional working in another country meets the applicable standards locally as well as internationally. In addition, MRA engineering also encourages the harmonization of professional standards and increased transparency in the certification process.

However, until now, the implementation of MRAs has remained largely limited to the engineering profession and several other professional sectors, such as doctors and accountants. Creative professions, including performing arts such as dancers, have not received enough attention in this framework. In fact, the creative profession has a great contribution to the creative economy in the ASEAN region, which is increasingly becoming a strategic sector in supporting the economic diversification of member countries.

ASEAN is known for its unique cultural diversity and traditions, including dance which is an integral part of the cultural identity of many of its member countries. The dancer profession, both those involved in traditional and modern arts, has a significant role in promoting ASEAN culture on the international stage. However, unlike the engineering profession that already has a structured MRA framework, the dancer profession often faces various obstacles in cross-country mobility.

These obstacles include differences in qualification standards, lack of formal recognition of professional certifications, and other administrative obstacles. In many cases, dancers who want to work in other countries in the ASEAN region have to go through a complicated and often non-transparent licensing process. In addition, the absence of harmonized qualification

standards for the dancer profession in ASEAN makes recognition of experience and expertise difficult.

In comparison, the application of MRA in engineering has provided a successful example of how professional standards and qualifications can be harmonized to support workforce mobility. Engineering MRAs allow engineers registered in their home country to work in other countries on the condition that they meet mutually agreed criteria. A similar model can be applied to creative professions, including dancers, to address the gap in professional recognition in the ASEAN region.

The application of MRA to the dancer profession can provide various benefits for individuals and the ASEAN region as a whole. First, it will increase the professional mobility of dancers, allowing them to work in various ASEAN countries without having to face burdensome administrative obstacles. Second, MRA can encourage the improvement of the quality of the profession through the adoption of more harmonious qualification standards throughout the region. Third, formal recognition of the dancer profession can also provide a boost to the development of the creative industry in ASEAN, which in turn can contribute to the economic growth of the region.

In addition, MRA for the dancer profession can strengthen ASEAN cultural identity by promoting dance as part of a shared cultural heritage. This is in line with ASEAN's vision to create a community that is not only economically integrated, but also based on strong cultural and social values.

This study is important because there is no in-depth research that specifically discusses the potential application of MRA for creative professions such as dancers. Most of the existing literature focuses more on traditional professions such as engineers, doctors, and accountants. Thus, this study aims to fill the gap by examining the experience of applying MRA in the field of engineering and proposing a relevant model for the dancer profession.

This research is also expected to provide policy recommendations for ASEAN in supporting the mobility of the creative workforce. Drawing on the principles that have been adopted in the MRA technique, this study will explore how professional recognition can be extended to include the dancer profession, as well as the policy implications that may arise from this implementation.

The Importance of the Creative Sector

The creative sector in the ASEAN region has recorded tremendous growth, becoming one of the main pillars in the region's economic transformation towards a knowledge- and innovation-based economy. Fields such as graphic design, architecture, performing arts, and media production, have proven their strategic role in encouraging the development of the creative economy. Professions in this sector not only create job opportunities and open up space for new talents, but are also able to attract significant foreign investment and strengthen the cultural and economic identities of ASEAN countries on the international stage (Hoang & Nguyen, 2017).

Nevertheless, major challenges still haunt the development of the sector, especially related to the lack of a coherent framework for the recognition of cross-border professional qualifications. These barriers often hinder the mobility of creative professionals, resulting in limited cross-border collaboration and a supposedly wider flow of innovation. To overcome

these obstacles, strategic steps are needed from ASEAN countries in harmonizing qualification and certification standards, so that the creative sector can continue to grow and become the main driver of inclusive and sustainable regional economic growth.

Mobility in ASEAN: Opportunities and Challenges

The effective implementation of Mutual Recognition Arrangements (MRAs) has great potential to encourage the mobility of the creative workforce in the ASEAN region, opening up access to a wider range of regional markets while creating new opportunities for professionals to share skills, knowledge and inspiration across borders. The move could also encourage richer cultural exchanges, which in turn strengthens ASEAN's regional identity and enhances coherence and solidarity among its member states (Schneider, 2003).

Cross-border recognition of professional qualifications not only accelerates the flow of creative and innovative talents, but also plays an important role in supporting the development of a competitive creative industry at the global level. By facilitating cross-border collaboration, MRA can help strengthen the creative ecosystem in ASEAN, making it a dynamic and influential innovation hub.

Nevertheless, a number of challenges must still be overcome to ensure the full success of this scheme. Variations in educational standards among member states often create gaps in the recognition of qualifications. In addition, differences in professional accreditation systems and protectionist tendencies in the local labor market can be major obstacles to the implementation of MRAs. To overcome these obstacles, it is necessary to harmonize education and training policies, strengthen integrated accreditation mechanisms, and a joint commitment to open the labor market fairly. Only then can the full potential of MRA be realized, making ASEAN a region that excels in supporting the mobility and innovation of the creative workforce.

This study aims to explore the effectiveness and implementation of MRA in the engineering sector and assess how this framework can be expanded to include creative professions in ASEAN. As such, the study seeks to provide recommendations that will help refine current MRAs or develop new initiatives that will be more inclusive and adaptive to the needs of the creative sector.

This research is important because by identifying the barriers and opportunities in the implementation of MRA for the creative professions, it can provide important insights for policymakers and stakeholders in ASEAN in supporting and expanding regional economic and cultural integration. In addition, the results of this study are expected to facilitate more effective dialogue between member countries on how to maximize the contribution of the creative sector to the regional economy.

Materials and Method

This study uses a normative-juridical approach, which focuses on the analysis of the implementation of ASEAN Mutual Recognition Agreements (MRA) in the engineering sector and its application to creative professions, especially the profession of dancer. The data used in this study includes official documents, government reports, ASEAN agreements, and relevant literature sufficient to understand the existing legal and regulatory framework. The

data was collected through literature review and analysis of regulations relevant to the research topic.

In terms of analysis techniques, this study uses a qualitative analysis method with a comparative approach (Menon, 2007). This approach aims to compare the application of MRA in the engineering sector with the creative professions sector, to assess the potential for adopting the same model in the dance profession. This analysis will consider various existing obstacles, including the disharmony of qualification standards and the different accreditation systems between ASEAN member countries.

To analyze the data, this study uses a document analysis technique, in which regulatory texts and policy documents will be compared to understand how MRAs are implemented in different sectors. This approach allows for the development of an understanding of the barriers as well as opportunities in the implementation of more inclusive MRAs for the creative profession sector.

Results and Analysis

Effectiveness of MRA in the Engineering Sector

The findings of the study show that the implementation of Mutual Recognition Agreements (MRAs) in the engineering sector in ASEAN has had a significant impact in facilitating the mobility of professional workers. MRAs allow engineers accredited in one ASEAN country to work in another country with minimal barriers, thanks to mutual recognition of their professional qualifications. The scheme not only improves efficiency in labor mobility, but also strengthens cross-border cooperation in the field of engineering, creating an ecosystem conducive to knowledge transfer, technical collaboration, and technological innovation in the region (Manning & Bhatnagar, 2008).

This positive impact can be seen in various major infrastructure projects involving experts from several ASEAN countries. For example, the involvement of engineers from Singapore in major infrastructure projects in Indonesia illustrates how MRAs have become a catalyst for a much-needed stream of technical talent. The presence of these professionals not only helps to accelerate the completion of projects, but also contributes to the improvement of local engineering and technological standards.

In addition, the implementation of MRA in the engineering sector also encourages the development of local economies, as it allows ASEAN member countries to access high-quality human resources without having to invest time and money in additional training. By strengthening professional networks between countries, MRA has created a more solid foundation for sustainable regional development, making the engineering sector a successful model for workforce integration in ASEAN. However, to maximize these benefits, it is necessary to strengthen the MRA monitoring and evaluation system to ensure sustainability and expand the scheme to other sectors.

Limited Application to Creative Professions

Although Mutual Recognition Agreements (MRAs) have yielded positive results in facilitating workforce mobility in the engineering sector, their application in creative professions such as art, design, and media still faces various challenges. Research shows that significant differences in education and training standards among ASEAN countries are a

major obstacle. Creative professions, which are naturally very diverse and subjective, often do not have universal parameters that can be used to determine "standard" qualifications (Parsons, 2014).

The absence of clear agreement on the definition and parameters of qualifications in the creative professions complicates cross-border recognition. In addition, the unique and specific cultural context in each ASEAN member state further widens the gap, as professional qualifications in art, design, and media are often influenced by the needs of local industries and local cultural flavors.

As a result, the mobility of creative professionals is limited, thus hindering cross-border collaboration that can enrich innovation and cultural exchange in the region. This also has an impact on the ability of ASEAN's creative sector to compete in the global market, given the limitations in harnessing the full potential of existing creative talents.

To address these constraints, a strategic approach is needed that includes harmonization of education and training standards, the development of a common framework for qualification recognition, and initiatives to raise awareness of the importance of creative workforce mobility. These measures can pave the way for the development of a more inclusive and competitive creative sector, while strengthening ASEAN's cultural identity as a region rich in creativity and innovation.

Analysis of Obstacles and Challenges

The study also identifies several key challenges in the implementation of MRA for the creative sector: (Ahmed et al., 2021)

- Variability of Education Standards: Non-uniform education and training standards between ASEAN countries make harmonization and recognition difficult. For example, what is considered a professional qualification for graphic design in Malaysia may differ significantly from the standards in Thailand.
- Labor Market Protectionism: Some ASEAN countries implement protectionist policies aimed at protecting their local workforce, which often limits opportunities for foreign professionals.
- Lack of Initiative: There is a lack of initiative at both the country and ASEAN levels to promote MRAs among the creative community, who may not be fully aware of the benefits they can derive from cross-border recognition.

Implications for the Development of the Creative Economy

Increasing the mobility of professional workers in the creative sector has the potential to provide a significant boost to the development of the creative economy in the ASEAN region. By expanding access to a cross-border creative workforce, the region can facilitate deeper cultural exchanges, which not only enrich artistic diversity but also strengthen regional cultural identity. In addition, greater mobility opens up opportunities to create a broader and dynamic market for creative products and services, driving sustainable economic growth (Boğa & Topcu, 2020).

The existence of professionals from various cultural backgrounds and expertise can also help ASEAN member countries overcome the lack of local skills which is often an obstacle in the development of the creative industry. By leveraging cross-border expertise, the sector can spur innovation through more intense and synergistic collaboration. The meeting of new ideas

from different cultures and perspectives creates opportunities to produce more competitive creative products and services in the global market.

Furthermore, the mobility of the creative workforce can increase the competitiveness of ASEAN's creative industry as a whole, strengthening the region's position as a hub of creativity and innovation at the international level. However, to achieve this full potential, concerted efforts are needed to address structural barriers, such as differences in qualification standards and the lack of a cross-country recognition framework. By creating an environment that supports professional mobility, ASEAN can strengthen the role of the creative sector as a driving force for an inclusive and sustainable regional economy.

Recommendations for Policies

Based on these results and analysis, this study recommends several policy measures to improve the implementation of MRA in the creative sector: (Ngoc & Thuy, 2023)

- Development of Harmonized Education Standards: ASEAN needs to develop a harmonized framework for education and training in the creative sector that accommodates cultural diversity but ensures consistent quality and standards.
- Information and Training Campaigns: Raise awareness about the benefits of MRA with information campaigns aimed at the creative community, as well as train them on how to utilize these frameworks.
- Skills Development Initiatives: Support exchange and training programs that facilitate the development of cross-cultural and technical skills among ASEAN creative professionals.

ASEAN Integration and Cultural Identity

One of the strategic implications of implementing more effective Mutual Recognition Agreements (MRAs) in the creative professions sector is its potential to strengthen ASEAN regional integration while enriching the region's collective cultural identity. Creative professions, such as art, design, music, film, and media, play a key role in reflecting local cultural identities as well as being the primary means of expressing the values, traditions, and cultural heritage of each ASEAN member state (Rattanasevee, 2023).

By increasing the mobility of creative professionals across borders, MRAs can open up opportunities for more intense, diverse, and productive cultural exchanges among member countries. This cross-border collaboration allows for the emergence of innovative works that not only broaden creative horizons but also blend various cultural elements into unique and interesting artistic expressions. This process can enrich the social and cultural life of each country, as well as strengthen solidarity and mutual understanding among ASEAN people.

More than that, strengthening the mobility of the creative profession also has a significant impact on the formation of a more cohesive and integrated ASEAN identity. By integrating cultural elements from various member countries, ASEAN can create a shared cultural narrative that reflects diversity as well as unity. This collective identity not only increases the region's competitiveness at the global level, but also strengthens ASEAN's position as the world's center of cultural creativity and innovation.

To realize this potential, concerted efforts are needed to overcome obstacles, such as differences in qualification standards and the lack of cross-border certification recognition

mechanisms. By building a framework that supports the mobility of creative professionals, ASEAN can harness the strength of this sector as a driver of economic growth and strengthen regional integration.

Impact on Innovation and Economic Growth

One of the strategic implications of implementing more effective Mutual Recognition Agreements (MRAs) in the creative professions sector is its potential to strengthen ASEAN regional integration while enriching the region's collective cultural identity. Creative professions, such as art, design, and media, are closely linked to local cultural identities and are the primary medium for expressing the unique heritage, values, and flavors of each ASEAN member state (Var & Cham, 2018).

By encouraging greater mobility of creative professionals, MRAs can pave the way for deeper and more diverse cultural exchanges among member countries. This cross-border collaboration will not only broaden creative horizons but also create synergies that produce innovative works that reflect ASEAN's cultural diversity. As a result, the social and cultural life in each country can be enriched with new perspectives, encouraging a sense of mutual understanding and respect among ASEAN people.

Moreover, higher mobility in the creative sector has a strategic impact in building a more cohesive and integrated ASEAN identity. By integrating the cultural expressions of various member countries into the regional creative ecosystem, ASEAN can strengthen its position as a region that is not only economically rich but also a globally influential center of creativity and culture. This effort can ultimately strengthen the sense of solidarity among member countries and make a significant contribution to realizing ASEAN's vision as a community united in diversity.

Policy Recommendations: Addressing Cultural and Regulatory Barriers

To overcome the cultural and regulatory barriers found in the study:

- Intercultural Dialogue: ASEAN needs to facilitate intercultural dialogue to enhance understanding and appreciation of cultural diversity, which is key to the harmonization of standards in the creative sector. Cultural exchange programs, festivals, and workshops can play an important role in this regard.
- Flexible Regulatory Framework: ASEAN should develop a more flexible regulatory framework that can adapt to the uniqueness of the creative sector in different countries. The framework must be robust enough to maintain quality standards but also flexible enough to accommodate cultural diversity and innovation.

Improving Infrastructure and Financial Access

Improving infrastructure and access to finance for creative professionals is vital to take full advantage of the benefits of MRA:

• Funding and Incentives: ASEAN can work with financial institutions to provide targeted funding incentives for creative projects involving cross-border collaboration. This will help overcome one of the main obstacles to the development of the creative sector, namely the lack of access to finance.

• Digital Infrastructure: Investing in a robust digital infrastructure will allow creative professionals to work more effectively in an increasingly digital environment. This includes the development of online collaboration platforms and communication tools that facilitate cross-border collaboration.

MRA Implementation Strategies for Creative Professions

For the effective implementation of MRA in the creative professions in ASEAN, a comprehensive and inclusive strategy needs to be defined:

- Development of Common Standards: Develop common standards for creative qualifications that are acceptable in all ASEAN countries. It involves collaboration between educational institutions, professional associations, and regulators to create a transparent and fair qualification framework.
- Workshops and Seminars: Hold workshops and seminars on a regular basis to increase understanding of the importance of MRAs and how creative professions can leverage this framework to advance their careers and expand their range of work.

Capacity Building

Developing local capacity in each member state is key to taking full advantage of the benefits of MRA:

- Training Programs: Implement ASEAN-recognized training and certification programs to improve skills and standards of professionalism in the creative sector. This will ensure that the creative workforce is not only technically competent but can also operate in a wider market with a better understanding of international standards.
- Funding for R&D: Encourage investment in research and development that can support innovation in the creative sector. This can include the development of new technologies, innovative design methodologies, or creative concepts that can be patented and marketed across countries.

The Influence of Technology and Digitalization

Technological developments and digitalization are having a significant impact on the creative professions, providing new opportunities for collaboration and markets:

- Digital Collaboration Platform: Develop and support a digital platform that enables seamless collaboration between ASEAN creative professionals. This can include tools for project collaboration, idea exchange, and virtual exhibitions that can improve visibility and market access.
- Regulation for the Digital Economy: Create policies that support the digital economy, including intellectual property rights, data security, and secure cross-border transactions. This will ensure that creative professionals can work online with adequate protection and without unnecessary legal barriers.

Increasing Regional Cooperation

To support the implementation of MRAs and the development of the creative sector in ASEAN, regional cooperation needs to be improved:

- ASEAN Forum for Creative Professions: Establish a regular forum where stakeholders from the creative sector can meet, discuss, and formulate policy recommendations. The forum will also serve as a platform to share best practices and successes.
- Incentives for Collaborative Projects: Provide fiscal incentives or subsidies for projects that involve cross-country collaboration in the creative sector. These incentives will encourage companies and individuals to establish cross-border cooperation, taking advantage of the strengths and uniqueness of each market.

Conclusion

This research has evaluated the effectiveness of Mutual Recognition Agreements (MRAs) within the framework of the ASEAN Framework Agreement on Services (AFAS) and explored its potential to be extended to creative professions. The findings show that while MRA has been successful in facilitating professional mobility in the engineering and health sectors, its implementation in the creative professions is still limited. The broader application of MRA into the creative professions offers a significant opportunity to enhance economic and cultural integration in the ASEAN region. The creative professions have an important role to play in a knowledge-based and innovation-based economy, contributing not only to the GDP of ASEAN countries but also to the cultural richness and regional identity. However, challenges such as differences in education and training standards, labour market protectionism, and lack of initiative make it clear that much remains to be done to harness the full potential of MRAs in the sector. Recommendations from the study include the development of harmonized education and training standards, intensive information campaigns to raise awareness about the benefits of MRA, and support for initiatives that facilitate cross-border cultural exchange and creativity. In this regard, closer cooperation between governments, educational institutions, and industry stakeholders is vital. Through the implementation of these recommendations, ASEAN can strengthen its creative sector, encourage more inclusive economic growth, and enhance regional integration. In an era of globalization and increasing economic competition, policies that facilitate the mobility of the creative workforce will not only enrich ASEAN economically but also strengthen the identity and cultural sustainability of the region. These measures are important to ensure that ASEAN is not only an integrated market but also a society that is interconnected and respects each other's cultural diversity.

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