



A 'Freer' Flow of Skilled Labour within ASEAN: Aspirations, Opportunities and Challenges in 2015 and Beyond

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Executive Summary

In 2007, the Association of Southeast Asian Nations (ASEAN) agreed on an ambitious goal to fast-track the creation of the ASEAN Economic Community (AEC) by 2015, which essentially is designed to transform the region into a single market and production base characterized by, among other things, a free flow of skilled labour. This flow envisioned by ASEAN leaders is different, however, from the notion of free labour flows as understood from the literature or the common practice in Europe, the Caribbean Community (CARICOM), and other regions.

Rather than aiming for the unrestricted or "free" flow of skilled labour, the AEC seeks to offer ways to facilitate a "freer" flow, mainly by implementing Mutual Recognition Arrangements (MRAs) based on national and ASEAN Qualification Frameworks, as well as the facilitation of temporary visa issuance. The MRA is completed by occupation, so far covering eight professions that involve less than 1.5 per cent of the ASEAN labour force (ADB-ILO, 2014).

The nature of today's intra-ASEAN migration flows is, however, starkly different than the AEC's aspiration. Most intra-ASEAN migrants are unskilled workers (more than 87% are low-skilled), and irregular migration remains an intractable problem. These flows are concentrated in just a few corridors. The top five corridors—Myanmar to Thailand, Indonesia to Malaysia, Malaysia to Singapore, Lao People's Democratic Republic to Thailand, and Cambodia to Thailand—represent 88 per cent of the total intra-ASEAN migrant stock.

Progress toward freer skilled mobility has been slow and uneven, for several reasons. It has been difficult to adapt domestic policies and regulations to meet the provisions of the MRAs; the challenge is broader than just technical obstacles, reflecting a lack of political and public support despite the difficult nature of the problem. A much stronger case has to be made publicly for the benefits of high-skilled mobility within ASEAN. Moreover, the mutual recognition of qualifications and experience, while important, is not enough to facilitate skill mobility. Other equally key components determine who migrates and under what circumstances. Foremost among these are basic labour market demand and supply gaps, admissions and visa policies, and the recruitment process, which is primarily controlled by the private sector.



Without jointly and comprehensively addressing these interrelated issues, ASEAN countries face the risk that the free flow of skilled labour will remain an aspiration. The potential gains from more open region-wide skill mobility are tremendous, as exemplified by the very significant contribution of foreign workers in Singapore, as well as Malaysia and Thailand to some degree. Skilled labour mobility also could help address skills shortages and gaps, as well as address unemployment for youth, particularly the well-educated, further promoting growth in the economy and increasing inclusiveness.

I. Introduction

A country's competitiveness, productivity, and growth depend largely on its ability to acquire and use new knowledge and constantly upgrade the skills of its workforce. This is truer today than ever, as the people with the skills and innovative ideas needed by domestic economies are increasingly free to pursue opportunities the world over. Numerous countries also do not have educational systems capable of producing the workforces they need, and many more see their most highly skilled workers emigrate. Moreover, global imbalances have also made some countries rich in capital and scarce in labour, so that the natural progression for them is to exchange capital and labour.

Over the past decade, the Association of Southeast Asian Nations (ASEAN), a political and economic organization of 10 countries in Southeast Asia, began to face these emerging issues head on. In 2007, ASEAN Member States agreed to fast-track the creation of the ASEAN Economic Community (AEC) by 2015, which is intended to transform the ASEAN region into a "single market and production base," characterized by, among other things, a "free flow of skilled labour." (ASEAN, 2008)

The agreement is nothing short of an historic milestone, even as progress on implementation has been slow and uneven. This issue in brief explores ASEAN Member States' aspirations versus the reality on the ground, the challenges they face, and the opportunities the region could stand to lose now and in the future if these challenges remain unmet.

II. Free Flow or Freer Flow? The Emerging Policy and Regulatory Landscape

The ASEAN Economic Community Blueprint, which laid down the strategy for the run-up to 2015, envisioned "no substantial restrictions to ASEAN services suppliers in providing services and in establishing companies across national borders within the region" (ASEAN, 2008). ASEAN has also agreed to work "towards recognition of professional qualifications with a view to facilitate their movement within the region." (ASEAN, 2008)

The blueprint identified the following "actions" ASEAN Member States agree to support in the lead-up to 2015:

- Complete the mutual recognition arrangements (MRAs) currently under negotiation, that is, for architectural services, accountancy services, surveying qualifications, medical practitioners (by 2008), and dental practitioners (by 2009);
- Implement the MRAs expeditiously, according to the provisions of each respective agreement;
- Identify and develop MRAs for other professional services by 2012, to be completed by 2015;
- Strengthen human resource development and capacity building in the area of services;
- Facilitate the issuance of visas and employment passes for ASEAN professionals and skilled labourers who are engaged in cross-border trade and investment-related activities;
- Enhance cooperation among members of the ASEAN University Network (AUN) to increase the mobility of both students and staff within the region;
- Develop core competencies and qualifications for the job/occupational and training skills required in priority and other service sectors; and
- Strengthen the research capabilities of each ASEAN Member Country to promote skills and job placements, and develop labour market information networks among ASEAN Member States.

Since the blueprint's adoption, there have been developments in two critical areas: facilitating visa issuance and recognition of qualifications and skills.

1. Facilitating Visa Issuance

In 2012, ASEAN Member States signed two agreements to streamline the movement of select individuals within the region:

- **The ASEAN Agreement on the Movement of Natural Persons (MNP)** provides the legal framework to facilitate temporary cross-border movement of people engaged in the conduct of trade in goods, services, and investment. More specifically, the MNP aims to establish streamlined and transparent procedures for business visitors, intra-corporate transferees, and contractual service suppliers to apply for immigration formalities (ASEAN, 2012).
- **The ASEAN Comprehensive Investment Agreement (ACIA)** grants entry, temporary stay, and work authorization to investors, executives, managers, and board members of corporations in the process of "committing a substantial amount of capital or other resources." (ASEAN, 2014)

2. Recognition of Qualifications and Skills

ASEAN Member States have taken various approaches to better recognizing qualifications and skills. Indeed, there is mounting evidence that migrants in the region are often unable to put their skills to productive use because their qualifications, experience, and knowledge are not readily recognized in the destination countries. The resulting waste of human capital represents a loss to employers, host communities, and migrants themselves. At the macro level, this would be reflected in lower levels of economic growth, worker productivity, and country competitiveness.

To address this challenge, ASEAN Member States are undertaking two key initiatives:

- **Mutual Recognition Arrangements.** Between 2005 and 2012, ASEAN Member Governments signed MRAs in six key occupations (engineering, nursing, architecture, medicine, dentistry, and tourism) and Framework Agreements on MRAs

in two others (surveying and accounting). Each MRA aims to facilitate mobility within ASEAN, exchange information and enhance cooperation on the mutual recognition of qualifications, promote the adoption of best practices in standards and qualifications, and provide opportunities for capacity building and training.

The MRAs include specific provisions to guide implementation. For instance, except for the tourism sector, the MRAs require minimum years of experience. Dental and medical practitioners are required to be in active practice for not less than five continuous years in the country of origin before being eligible to apply; nurse practitioners must be in active practice for at least three years. Engineers must have seven years' experience after graduation, of which two years involve significant engineering work. Architects must have been in practice for at least 10 years, five of them after receipt of an architecture license (ASEAN, 2005). These restrictions create additional barriers to entry.

ASEAN-wide joint coordinating committees to facilitate and institutionalize implementation have also been created as part of the MRAs. The ASEAN Joint Coordinating Committee on Dental Practitioners (AJCCD), for example, comprises not more than two appointed representatives from the Professional Dental Regulatory Authority of each country (ASEAN, 2008a).

The MRAs that cover engineering and architecture go a step further, with the creation of ASEAN-wide registries — the ASEAN Chartered Professional Engineers Register (ACPER) and the ASEAN Architect Council (AAC) — to streamline and centralize the recognition and certification process (ASEAN, 2005).

The MRAs also explicitly acknowledge each ASEAN Member State's right to regulate the sectors covered, including the actions of individual practitioners. This further highlights the bottom-up nature of skill mobility in the region.

- **The ASEAN Qualification Framework (AQF).** ASEAN Member States have also taken concrete steps toward creating the ASEAN Qualification



Framework (AQF) to measure levels of educational or training achievement and create more transparent career ladders between levels. The AQF¹ aims to harmonize regulatory arrangements between participating countries by developing mutually comparable national qualifications frameworks (NQFs) based on a common reference framework (CRF). Similar to the European Qualifications Framework (EQF) established in 2008, the AQF will be a common regional reference point and a translation grid that will make it easier to understand, compare, and recognize qualifications across the different systems of ASEAN Member States, Australia, and New Zealand. If properly and widely utilized, it could promote the mobility of workers and students within ASEAN more widely.

3. Free Skilled Labour Flows or Freer Flows?

Judging from these initiatives, the ASEAN Member States do not aim to facilitate a wholly unrestricted, “free” flow of skilled labour as commonly understood from the literature and other regions. The Agreement on the Movement of Natural Persons (MNP) and ASEAN Comprehensive Investment Agreement (ACIA) do not apply to individuals seeking employment, citizenship, residence, or permanent residence in another ASEAN Member State. It is quite clear, for instance, that ACIA applies only to individuals employed by a registered company in the country of origin.

In short, the AEC does not guarantee or seek full labour mobility even among the highly skilled; it only facilitates this movement. In this regard, it is not as open — or ambitious — as the European Union (EU) or the European Economic Area (EEA), where a citizen can freely move, reside, and seek employment in any Member State, regardless of skill level. It is also less ambitious compared to more limited regional groupings such as CARICOM (a political and economic organization of 15 Caribbean nations and dependencies), which allows for visa-free entry among the highly skilled.

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III. Aspiration versus Reality

The nature of today’s intra-ASEAN migration flows is starkly different even from ASEAN’s already limited aspiration towards the freer flow of skilled labour.

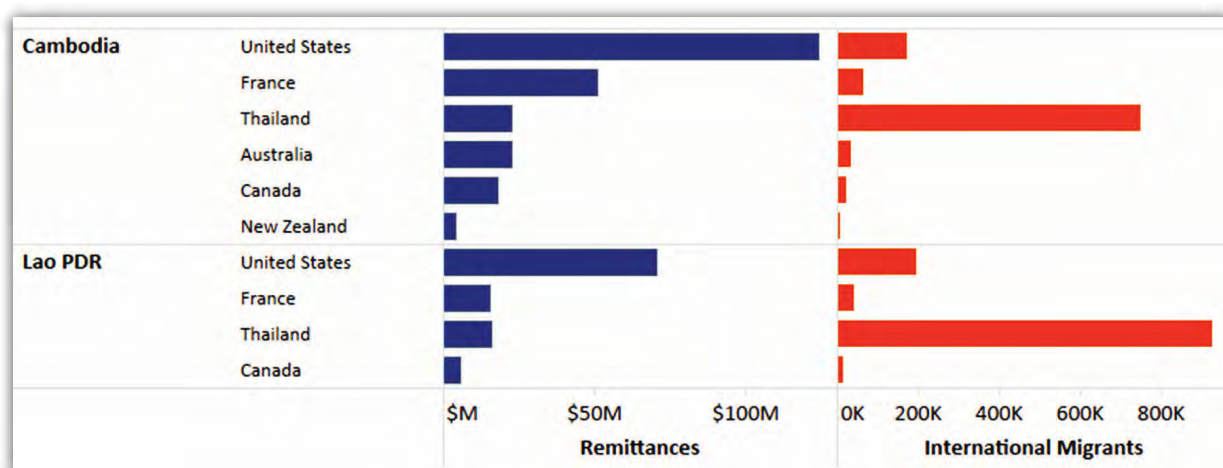
Firstly, most intra-ASEAN migration involves low-skilled workers, and there are knowledge and data gaps on the mobility of skilled workers. Some estimates suggest around 87 per cent of intra-ASEAN migrants are low-skilled workers,² and the involvement of skilled workers is still very limited. Recruitment of low-skilled workers for temporary stays began in Singapore as early as the 1970s (Orbeta, 2013). Malaysia, which long employed Indonesians in its plantations, saw the expansion of low-skilled labour migration in other sectors from the 1990s on, while Thailand is a more recent destination. Although some countries do not report the number of foreign immigrants in domestic employment, they compose the majority of such workers in Singapore, and a large portion in Thailand (OECD, 2012).

Bilateral remittance data that cannot account for remittances sent through informal channels may offer some clues on the nature of the jobs — and therefore skills — migrants take at the destination. For instance, nearly 2 million emigrants from the Lao People’s Democratic Republic and Cambodia were in Thailand in 2013, representing more than one-quarter of all intra-ASEAN migrants. However, the amount of remittances sent to Lao PDR and Cambodia from Thailand amounted to just USD 39 million, which is not even 1 per cent of total intra-ASEAN remittances.

The opposite could be said of the approximately 8,000 Thais living in Malaysia, who are estimated to have sent back USD 365 million in remittances to Thailand in 2012, or around 4 per cent of that country's total intra-ASEAN remittances. Likewise, the Philippines received nearly USD 100 million in remittances from

Brunei despite the small population of Filipinos there, estimated at just 3,500. As Figure 1 shows, Cambodia and the Lao People's Democratic Republic received an overwhelming majority of their remittances from the United States and France, not Thailand.

Figure 1. Bilateral Remittance Flows to Cambodia and the Lao People's Democratic Republic from Select Destinations, 2013



Source: Migration Policy Institute, Data Hub, "Bilateral Remittance Flows," www.migrationpolicy.org/programs/data-hub/global-remittances-guide.

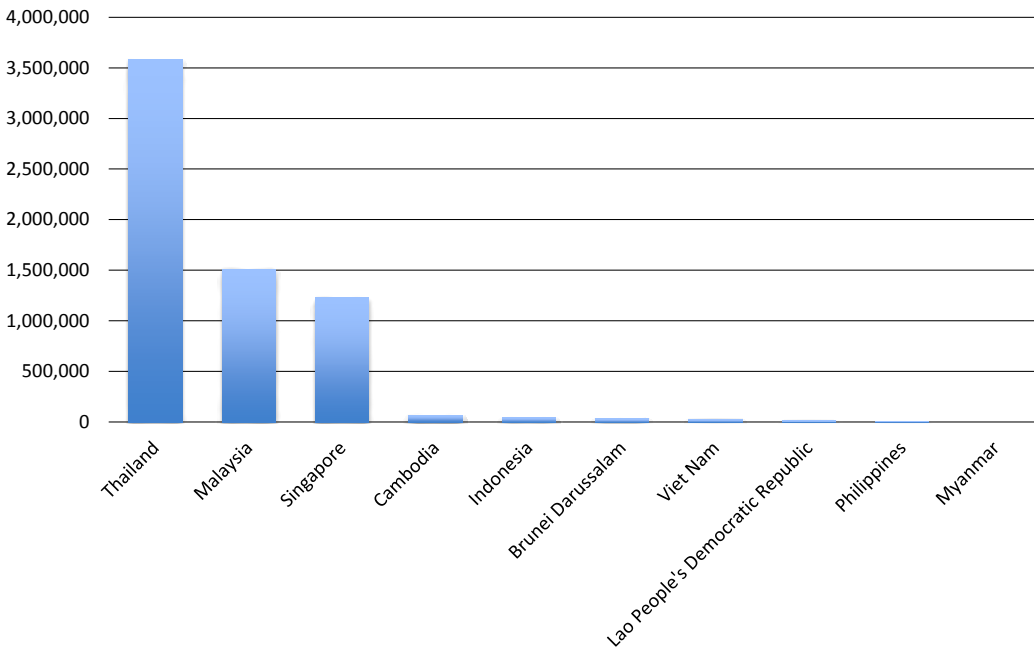
Secondly, although intra-ASEAN migration has increased in numbers, it is still highly concentrated in just a few corridors, reflecting flow imbalances.

According to the United Nations' most recent stock estimates, an overwhelming majority (70% or 6.5 million) of the 9.5 million migrants in the ASEAN region in 2013 are from within the region (United Nations, 2013). This is a complete reversal of the trend seen in 1990, when 60 per cent of migrants from ASEAN Member States migrated to a country outside the region.³ Clearly, there has been an increase in intra-ASEAN migration over the past two decades.

However, around 97 per cent of the 6.5 million intra-ASEAN migrants in 2013 traveled between just three countries: Thailand, Malaysia, and Singapore. As Figure 1 shows, Thailand hosts the majority of migrants from the region (more than 3.5 million), followed by Malaysia and Singapore (1.5 million and 1 million, respectively).

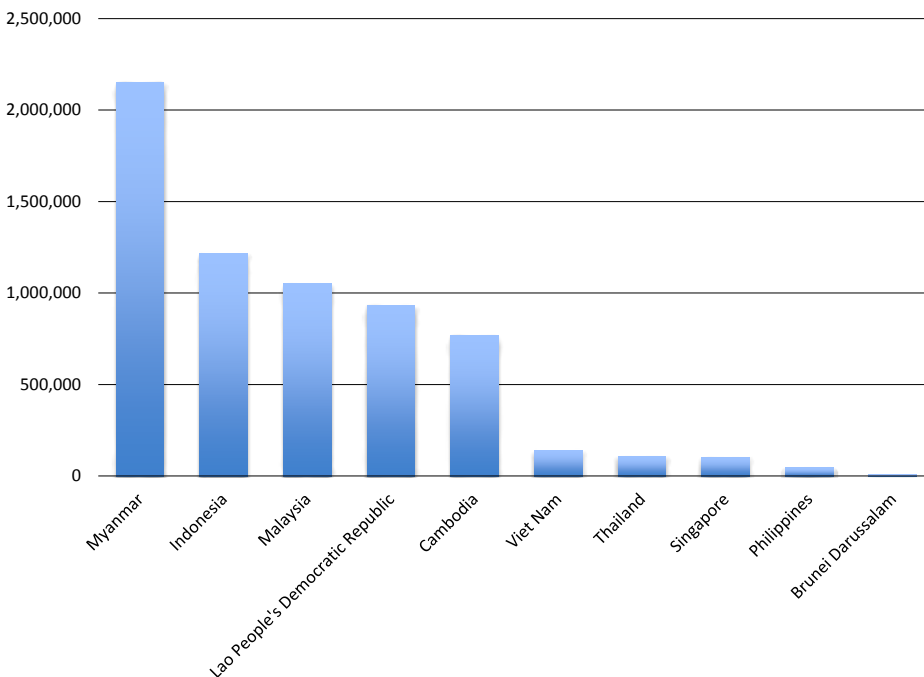
Although intra-ASEAN migration has increased in numbers, it is still highly concentrated in just a few corridors, reflecting flow imbalances.

Figure 2. Number of Intra-ASEAN Migrants, by Country of Destination, 2013



Source: Authors' tabulations of data from the United Nations, Department of Economic and Social Affairs, "Trends in International Migrant Stock: Migrants by Origin and Destination," 2013 Revision (United Nations database, POP/DB/MIG/Stock/Rev.2013), <http://esa.un.org/unmigration/TIMSO2013/migrantstocks2013.htm>.

Figure 3. Number of Intra-ASEAN Migrants, by Country of Origin, 2013



Source: Authors' tabulations of data from the United Nations, Department of Economic and Social Affairs, "Trends in International Migrant Stock: Migrants by Origin and Destination," 2013 Revision.

Although data from the United Nations registered 57 corridors involving intra-ASEAN migrants, the top five corridors alone — Myanmar to Thailand, Indonesia to Malaysia, Malaysia to Singapore, the Lao People's Democratic Republic to Thailand, and Cambodia to Thailand — represent 88 per cent of the total intra-ASEAN migrant stock (UN, 2013). As Table

1 shows, nearly 2 million migrants from Myanmar are in Thailand, or almost one-third of the total intra-ASEAN migrant stock, while around 1 million migrants each from Indonesia, Malaysia, and Lao People's Democratic Republic have migrated to Malaysia, Singapore, and Thailand.

Table 1. Top 25 Intra-ASEAN Migration Corridors, 2013

Rank	Country Corridor	Intra-ASEAN Migrant Stock	Proportion of Total Intra-ASEAN Migrant Stock (%)
1	Myanmar to Thailand	1,892,480	29
2	Indonesia to Malaysia	1,051,227	16
3	Malaysia to Singapore	1,044,994	16
4	Lao to Thailand	926,427	14
5	Cambodia to Thailand	750,109	12
6	Myanmar to Malaysia	247,768	4
7	Indonesia to Singapore	152,681	2
8	Singapore to Malaysia	78,092	1
9	Viet Nam to Cambodia	37,225	1
10	Thailand to Cambodia	31,472	-
11	Thailand to Brunei	25,451	-
12	Philippines to Malaysia	21,345	-
13	Thailand to Indonesia	19,681	-
14	Singapore to Indonesia	19,681	-
15	Thailand to Singapore	17,644	-
16	Philippines to Singapore	14,176	-
17	Cambodia to Malaysia	13,876	-
18	Viet Nam to Lao	11,447	-
19	Myanmar to Viet Nam	9,783	-
20	Thailand to Malaysia	8,137	-
21	Indonesia to Vietnam	7,671	-
22	Brunei to Malaysia	5,975	-
23	Vietnam to Thailand	5,966	-
24	Lao to Vietnam	4,284	-
25	Philippines to Indonesia	3,517	-

Source: Authors' tabulations of data from the United Nations, Department of Economic and Social Affairs, "Trends in International Migrant Stock: Migrants by Origin and Destination," 2013 Revision.

Thirdly, despite an increasing number of policy measures to regulate the recruitment process and tighten border controls, irregular migration within the ASEAN region remains intractable. As for most irregular migration, data on its extent are scarce. The largest number of irregular migrants has been documented in Malaysia, where low-skilled jobs in

the plantation industry attract irregular migrants, mainly from Indonesia. In 2005, when an amnesty programme regularized about 400,000 migrants (out of the approximately 800,000 to 1.2 million), around 87 per cent of those who registered were from Indonesia and an overwhelming majority (70%) were male (Aguias et. al., 2011). Indeed, regularization



numbers give a good indication of the extent of irregular migration. In Thailand, for instance, more than 500,000 immigrants were regularized in 2001, and more than 1 million in 2009 (OECD, 2012). There have been some studies highlighting that the Malaysian and Thai economies have become dependent on irregular migrants (Sugiyarto, 2014). Two other factors contributing to this issue are the commercialization and feminization of the current migration. The role of recruitment agencies has become very dominant, including in acting as employers willing to finance the recruitment and migration costs to be deducted from the migrant's salary later on. This creates a bonded labour force, putting migrant workers in a vulnerable position. In this context, increasing participation of women in the migration process as low-skilled workers in the domestic services further highlights their vulnerability to abuse and exploitation (Sugiyarto, 2014). The phenomena of “fly now, pay later” and changing contracts for the departure and after arriving at destination highlight this issue.

IV. Turning Aspiration into Reality: Three Key Challenges

Progress on realizing ASEAN's vision has in general been very slow and uneven, despite the stated deadline of 2015. Because of this, many have suggested that 2015 should be seen as a milestone rather than the ultimate deadline. The implementation of agreements and frameworks remains difficult for three main reasons.

First, it is difficult to adapt domestic policies and regulations to meet the provisions of the MRAs.

In a 2012 official review of the achievement of the AEC, the Economic Research Institute for ASEAN and East Asia (ERIA) noted “substantial progress especially in architecture services and engineering services” although performance varies across various ASEAN Member States. The greatest progress has been made in the establishment of implementation mechanisms and processes at the regional and national levels. (ERIA, 2012) For architecture and engineering services, this involves the selection of ASEAN-chartered professionals submitted to the ASEAN Architecture Council and the ASEAN Chartered Professional Engineer Coordinating Committee. More remains to be done, according to ERIA, in revising domestic policies and regulations to be consistent with the provisions of the MRAs. ERIA highlights, for instance, the case of medical and dental professionals; ASEAN Member States have generally maintained

their national authority in deciding who can practice in their countries.

Indeed, the technical hurdles are significant. Simply signing an agreement between governments is not enough. Necessary, concrete measures may include detailed occupation-by-occupation analyses and negotiations of a highly technical nature that require considerable persistence and political will. Governments seeking to simplify and reduce barriers to professional practice face a highly complex system with a wide range of stakeholders responsible for various aspects of the recognition process — especially where occupational regulation is delegated to subnational actors. Further, even at the national level, several government departments may have a stake in negotiations, including those responsible for education, employment, trade, and international relations. This multiplies the number of entities that have a role in intergovernmental MRA negotiations and creates complex divisions of labour among them. Even within broad occupations (for example, engineering), several subfields may exist with different training systems and standards that must be considered separately. Because of such wide variations in education and testing, professional associations are often reluctant to alter their existing standards or to admit professionals from abroad.

Particular problems may also arise where the level of regulation varies among countries. Indeed, barriers to transferring skills and experience between countries are especially problematic in regulated occupations, where applying for the right to practice can be an extremely time-consuming and difficult process for foreign nationals — or not even an option at all. Some countries, such as the Philippines, have constitutional provisions barring migrant workers from receiving a license in some occupations.

Second, stronger political and public support is needed to drive the process forward despite the time-consuming and technical difficulty of the task. A much stronger case has to be made for the benefits of high-skilled mobility within ASEAN in order to increase public support and enthusiasm for the implementation of the MRAs and the ASEAN Qualifications Framework (AQF). For instance, national professional associations in the region are worried about the implications of the AQF for their professions, and may see more threat than benefit for their members.

As Chiu (2014) notes, “differences in language, culture, and social acceptance can create practical barriers to labour mobility beyond any provisions that may be set down in law.” For instance, the influx of professionals

and managers in Singapore has led to development of what Yeoh and Lin describe as “nationality-based enclaves in private residential and condominium belts.” Yeoh and Lin (2012) write:

There is a degree of resentment among the local population that these ‘foreign talent’ take away jobs, are paid too much, and enjoy all the privileges of living in Singapore with none of the responsibilities that citizens bear...The influx of well-heeled expatriates boost property prices and rental yields reaped by homeowners and transformed neighbourhoods: “old-school shops selling joss sticks and simple grocery items” have turned into alfresco eateries, upmarket specialist shops, modern convenience stores or supermarkets, wine shops, and new beauty and wellness services that attract a “more diverse ‘globe-trotting’ crowd” or serve a “cosmopolitan clientele.”

Beyond addressing technical barriers, success also rests on cultivating political and public support for reforms. Central to gathering this support is an honest assessment of the potential gains from skilled labour mobility — for the sending and receiving societies as well as individual migrants — and also an examination of the costs and challenges at the global, regional, and country levels.

Last, along with the mutual recognition of qualifications and experience, other key factors that shape the migration process require regional cooperation and action. Foremost among these deciding factors are market demand and supply gap analysis, admissions and visa policies, origin countries’ emigration policies, and the recruitment process, which is primarily controlled by the private sector. Without jointly and comprehensively addressing these interrelated issues that fall above and beyond recognizing qualifications, ASEAN countries face the risk that competent authorities will implement the MRAs inconsistently or, worse, not at all, and that the free skilled labour mobility aspiration will never be realized.

It is important to note that even a full implementation of the MRAs and AQF does not guarantee the mobility of professionals. At best, qualification frameworks enable professional service providers who are registered or certified in signatory countries to be equally recognized in other signatory countries. However, it does not call for the unrestricted free flow of foreign professionals. In other words, MRAs and qualifications frameworks are just parts of a

larger system for facilitating professional mobility. The Migration Policy Institute’s research on other regions of the world suggests that MRAs have been most successful when part of a broader strategy for cooperation on both mobility and other economic policy issues.⁴

V. Gaining from the Free Flow of Skilled Labour

Overcoming these three sets of challenges highlighted earlier may be difficult but not impossible. The AEC aspiration to facilitate a “free flow of skilled labour” is an ambitious yet highly valuable policy goal for ASEAN in line with the major demographic, economic, and social changes that are sweeping across the region. Moreover, ASEAN Members’ economies are becoming ever more interdependent, if unevenly so. The opportunities therefore lay in harnessing these shifting forces in a way that encourages more broad-based, inclusive growth and also utilizes economic competitiveness in the region. The costs of inaction outweigh the investments that could be made now.

With a growing, vibrant market of over 600 million consumers and a combined gross domestic product (GDP) of nearly USD 3 trillion, the ASEAN region stands to gain even more from adopting a more comprehensive approach to facilitating skill mobility. The benefits that foreign skilled workers have brought to the economy of Singapore, as well as those of Thailand and Malaysia to some degree, have exemplified the positive effects of skill mobility. It is important to develop and embrace a longer-term vision for the intersection of human-capital development and economic growth, and the role that skilled labour mobility across the region can play in them.

A freer flow of skilled labour could help address some of the region’s greatest challenges, foremost of which is the growing skills gap. Numerous reports have highlighted the disconnect between the knowledge and skills that ASEAN higher education systems provide graduates and those demanded by today’s employers. The Economist Intelligence Unit recently reported labour shortfalls and skill shortages in Indonesia, the Philippines, Thailand, and Viet Nam while recent research from the International Labour Organisation (ILO) identified skill shortages in several key sectors within ASEAN, including mining, trade, hydropower, hotels and restaurants, telecommunications, and information technology.



A more open ASEAN-wide skilled labour regime could also help address the growing problem of youth unemployment in the region, especially among the well-educated. The ILO estimated in 2012 that around 12.7 per cent of young people, or 73 million, were jobless within ASEAN, with some of the highest unemployment rate recorded in the Philippines (16%) and Indonesia (19.6%).

The potential costs of inaction are huge. In order for the region's most promising industries to remain regionally, and even globally competitive would require the presence of a well-trained workforce. Realizing ASEAN aspirations towards a free flow of skilled labour are key to more effectively managing the region's human capital and promoting regional competitiveness and development.

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Endnotes

1. This is being developed under the ASEAN–Australia–New Zealand Free Trade Area (AANZFTA) Economic Cooperation Work Programme (ECWP).
2. Aniceto Orbeta Jr., “Enhancing Labor Mobility in ASEAN: Focus on Lower-skilled Workers” (Discussion paper 2013-17, Philippine Institute for Development Studies, 2013), www.pids.gov.ph/dp.php?id=5153.
3. Authors’ tabulations of data from UN, Department of Economic and Social Affairs, “Trends in International Migrant Stock: Migrants by Origin and Destination,” 2013 Revision.
4. See for example: Madeleine Sumption, Demetrios G. Papademetriou, and Sarah Flamm, *Skilled Immigrants in the Global Economy: Prospects for International Cooperation on Recognition of Foreign Qualifications* (Washington, DC: Migration Policy Institute, 2013), <http://migrationpolicy.org/research/international-cooperation-recognition-foreign-qualifications>.

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