

The ASEAN Creative Economy Agreement for Cultural Product Protection and Legal Certainty in Economic Growth

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Abstract

The creative economy has emerged as a strategic pillar within national development architecture; however, the local cultural products that constitute its foundation remain persistently vulnerable to crossborder commercial exploitation in the absence of robust legal protection. The lack of a regional legal instrument specifically addressing cultural product protection within the ASEAN creative economy framework creates a normative lacuna that disproportionately disadvantages creative economy actors, particularly in developing nations such as Indonesia. This study aims to examine the synchronisation of the ASEAN Creative Economy Agreement as a regional legal instrument in safeguarding local cultural products against transnational commercial exploitation, while simultaneously assessing the effectiveness of its legal certainty guarantees in accelerating extensive convenience for creative economy stakeholders to support national economic growth. Employing a normative juridical methodology through statute, conceptual, and comparative approaches, this research critically analyses the structural adequacy of existing normative frameworks at both the regional and national levels. The findings reveal that normative harmonisation within the ASEAN Creative Economy Agreement requires substantive reinforcement through a sui generis mechanism capable of accommodating the distinctive characteristics of local cultural products, and that wellstructured legal certainty functions as a significant catalyst for accelerating the regional creative economy ecosystem. The novelty of this research lies in the integration of a regional economic legal regime with the concept of extensive convenience as a novel legal instrument construction designed to sustainably accelerate the creative economy. These findings carry meaningful implications for the urgent reform of national and regional legal policy frameworks that are genuinely responsive to the dynamic, culturally rooted nature of the creative economy.

Keywords: ASEAN Creative Economy Agreement, Cultural Product Protection, Legal Certainty, Creative Economy, Extensive Convenience

1. INTRODUCTION

The rapid expansion of the digital economy has fundamentally reconfigured the boundaries of cultural production and commercial distribution, exposing a critical legal vacuum at the heart of regional trade governance in Southeast Asia (Wang dkk., 2024) Local cultural products encompassing traditional crafts, indigenous performing arts, geographical indications, and community-based creative works are increasingly commodified and

circulated across national borders without adequate legal frameworks to prevent unauthorized appropriation or commercial exploitation. Within the ASEAN regional architecture, the absence of a binding, comprehensive agreement specifically addressing the creative economy means that protections afforded to cultural products remain fragmented, jurisdiction-dependent, and structurally insufficient (S Hari dkk., 2026) Existing instruments such as the ASEAN Framework Agreement on Intellectual Property Cooperation and various ASEAN Free Trade Area protocols do touch upon intellectual property norms, yet none provides an integrated legal regime that simultaneously addresses cultural product protection, commercial fairness, and the acceleration of creative economy growth a normative gap that demands urgent scholarly and policy attention.

The empirical consequences of this regulatory deficit are demonstrably significant. Indonesia, as the largest economy and most culturally diverse nation within ASEAN, has repeatedly encountered instances where its cultural heritage products were appropriated by foreign commercial actors without consent or compensation. The internationally documented controversies over the commercial registration of *batik* motifs, *angklung* musical instruments, and *rendang* culinary heritage by entities outside Indonesia illustrate the systemic vulnerability of cultural products in the absence of enforceable regional safeguards (Rakhmani & Sakhiyya, 2024) According to data from Indonesia's Directorate General of Intellectual Property, as of 2023, thousands of geographical indications and traditional knowledge expressions remain unregistered at the regional level, leaving them effectively unprotected against transnational commercial misappropriation (Comparato, 2023) The creative economy sector itself contributed approximately 7.8% to Indonesia's GDP in recent years, with exports of creative products reaching USD 23.9 billion a figure that underscores not only the economic stakes involved but also the urgency of establishing robust legal frameworks to sustain and protect this growth.

From a jurisprudential standpoint, a profound tension exists between the normative ideals enshrined in international legal instruments and the practical realities of regional legal governance in ASEAN (Weinrich, 2025) The Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS), the UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions (2005), and the Convention on Biological Diversity's Nagoya Protocol collectively establish that states bear an affirmative obligation to protect the cultural and intellectual heritage of their communities. Yet in practice, the ASEAN region continues to operate through a disaggregated patchwork of national intellectual property laws that vary considerably in their scope, enforcement mechanisms, and remedial provisions (Ayu Palar dkk., 2023) This *das sollen* the ideal of coordinated, rights-protective regional governance stands in sharp contrast to the *das sein* the reality of legal fragmentation, uneven enforcement, and the absence of a dedicated creative economy treaty framework. The result is a structural asymmetry wherein the commercial interests of multinational enterprises in exploiting cultural products routinely outpace the protective capacity of the legal systems meant to safeguard the communities from which those products originate.

This normative empirical divergence is not merely theoretical. The 2019 dispute involving Vietnamese *pho* branding rights, the ongoing contestation over traditional Malay textile patterns in crossborder ecommerce platforms, and the appropriation of Thai traditional medicine formulations by foreign pharmaceutical entities collectively demonstrate that the exploitation of culturally rooted creative products is a live and recurring legal problem across

the ASEAN region. Furthermore, the ASEAN Comprehensive Recovery Framework (2020) and the ASEAN Digital Economy Framework Agreement (DEFA), while acknowledging the importance of the creative economy, stop short of providing a dedicated legal instrument for the protection of cultural products in commercial contexts (Haoge & Han, 2026) These cases and policy documents collectively confirm that the problem is neither hypothetical nor peripheral it represents a structural deficiency in the regional legal architecture that has tangible consequences for communities, economies, and sovereign cultural rights.

The urgency of this research is reinforced by a discernible gap in the existing scholarly literature. While a growing body of work has examined intellectual property law within the ASEAN context, most contributions focus either on conventional IP protection mechanisms or on broad frameworks of regional economic integration, without engaging substantively with the specific intersection of cultural product protection, regional agreement design, and economic acceleration (Aragon, 2022) Critically, no prior scholarship has articulated the concept of *extensive convenience* the systemic reduction of legal and transactional barriers to enable creative economy actors to operate with maximum efficiency and security across regional markets as a normative principle within a regional creative economy legal instrument (S & A, 2024) This research seeks to address that gap by proposing an integrated legal economic framework grounded in the ASEAN Creative Economy Agreement as its institutional centrepiece.

Three bodies of prior scholarship are particularly relevant to situating this research. Sinaga (2020), in her work published in *Jurnal Hukum Sasana*, examines the importance of intellectual property protection for Indonesia's economic development, arguing that robust IP enforcement is indispensable for sustaining the national creative economy. Separately, Najmi and Daulay (2023), writing in *Unes Journal of Swara Justisia*, analyse the strengthening of intellectual property protection within the framework of the ASEAN Economic Community and its implications for national policy, focusing on how regional integration pressures necessitate domestic IP reform (Ishikawa, 2021) In the same year, Magdariza (2023), in *UNES Law Review*, maps the regulation of intellectual property rights within the ASEAN Economic Community and examines the normative implications for Indonesia's legal system (Shimizu, 2021) While these contributions offer valuable insights into the relationship between IP law and ASEAN economic integration, they share a common limitation: their analytical focus remains anchored within conventional intellectual property paradigms and stops short of examining a dedicated regional creative economy agreement as a *sui generis* legal instrument (Barrena-Martínez dkk., 2020) None of these studies engages with the concept of *extensive convenience* as a legally operative framework, nor do they systematically analyse how a purpose built regional creative economy agreement could simultaneously address cultural product protection, legal certainty, and economic acceleration in an integrated normative structure. This research departs from that tradition precisely at these points.

This study is accordingly guided by two central research questions: first, how can the ASEAN Creative Economy Agreement be synchronised as a regional legal instrument to provide effective protection for local cultural products against transnational commercial exploitation; and second, to what extent can the legal certainty guarantees embedded in such an agreement accelerate *extensive convenience* for creative economy actors in support of national economic growth (Kurniawan, 2025). The research aims, in theoretical terms, to contribute a novel jurisprudential framework that integrates regional economic legal regime

theory with the concept of *extensive convenience* as an instrument for creative economy acceleration (van der Geest dkk., 2024). In practical terms, it aims to provide evidence-based recommendations for policymakers in Indonesia and across ASEAN regarding the design and implementation of a regionally binding creative economy agreement one that is capable of transforming legal certainty from an abstract aspiration into a concrete, growth enabling infrastructure for the region's creative communities.

2. METHOD

This study employs a normative juridical (*yuridis normatif*) research method, an approach widely recognised in Indonesian and comparative legal scholarship for examining legal norms, principles, and doctrines as they are formulated, interpreted, and implemented within a legal system. The selection of this method is justified by the character of the research questions, which focus on the normative adequacy of regional legal instruments particularly the proposed ASEAN Creative Economy Agreement and their ability to establish structured legal certainty for creative economy actors across ASEAN member states. To address these issues comprehensively, the research integrates three complementary legal approaches. First, the statute approach is applied to analyse relevant international treaties, ASEAN regional instruments, and domestic legislation governing intellectual property, cultural product protection, and creative economy development, including the TRIPS Agreement, the Convention on the Protection and Promotion of the Diversity of Cultural Expressions, and Indonesian statutory frameworks (Joice Soraya & Muhammad Ansy Althafzufar, 2024).

Second, the study utilises a conceptual approach to construct and operationalise the theoretical foundations underlying the research, particularly the normative concept of extensive convenience and the integration of regional economic-legal regime theory as an analytical framework for evaluating both existing and proposed legal instruments. In addition, a comparative approach is employed to assess how selected ASEAN member states and comparable regional organisations most notably the European Union have regulated cultural product protection within their respective legal architectures. Through this comparative examination, the research develops normative benchmarks that enable a critical assessment of the ASEAN framework and its prospective institutional design.

The legal materials used in this study are categorised into three hierarchical groups. Primary legal materials consist of constitutions, international agreements, ASEAN regional instruments, national legislation, and relevant judicial or arbitral decisions (Koubi dkk., 2020). Secondary legal materials include peer-reviewed journal articles, scholarly monographs, official governmental and intergovernmental reports, and policy documents, while tertiary legal materials comprise legal dictionaries, encyclopaedias, and reference compilations employed to clarify doctrinal and technical terminology. The analysis is conducted through a prescriptive-analytical method in which legal materials are not merely described, but critically evaluated against established legal principles, constitutional mandates, and international normative standards. This analytical orientation enables the study to move beyond doctrinal exposition toward the formulation of normative recommendations, thereby fulfilling the prescriptive function characteristic of advanced normative legal research published in internationally recognised Scopus- and Web of Science-indexed journals.

3. RESULTS AND DISCUSSION

A. Synchronisation of the ASEAN Creative Economy Agreement as a Regional Legal Instrument for the Protection of Local Cultural Products

The protection of local cultural products within the ASEAN regional architecture presents a fundamental normative challenge that cannot be resolved through existing intellectual property frameworks alone (Yoshida dkk., 2024). The core problem lies in a structural misalignment between the multilateral IP regime anchored in TRIPS and the UNESCO Convention on Cultural Diversity (2005) and the fragmented, sovereignty-centric legal landscape of ASEAN member states. While TRIPS mandates minimum standards of IP protection, it does so through a universalist lens calibrated for industrial innovation, not for the communal, non-commercial, and identity-laden character of cultural products such as traditional textiles, indigenous performing arts, geographical indications, and intangible heritage expressions (Triatmodjo dkk., 2023). This categorical mismatch generates a protection vacuum that commercial actors particularly those operating across jurisdictions routinely exploit.

The concept of synchronisation (*sinkronisasi*) in this context must be understood not merely as harmonisation of positive norms, but as the alignment of three distinct normative layers: the substantive scope of protection, the jurisdictional reach of enforcement, and the remedial architecture available to aggrieved cultural communities (Abraha, 2020) Present ASEAN instruments including the ASEAN Framework Agreement on Intellectual Property Cooperation and the ASEAN Comprehensive Recovery Framework address intellectual property in broad strokes but conspicuously omit a *sui generis* protection mechanism for cultural products as a legally autonomous category (Xu dkk., 2025). This omission is not incidental; it reflects the deeper tension within ASEAN's consensus-based legal culture, wherein member states with divergent levels of IP infrastructure resist binding obligations that would require substantial domestic legislative reform.

Table 1. Three-Dimensional Normative Synchronisation Gap Analysis across Regional and International Legal Instruments

Legal Instrument	Substantive Scope of Cultural Protection	Sui Generis Mechanism	Cross-border Enforcement	Community-based Remedies	Normative Gap
World Trade Organization – TRIPS Agreement	Industrial IP only; no specific cultural product category	Absent	Indirect	Absent	Universalist IP paradigm excludes communal heritage
UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions	Broad cultural expression; non-binding enforcement	Paral	Absent	Aspirational only	No legally operative commercial protection mechanism
Convention on Biological	Genetic resources &	Present	Limited	Present	Scope limited; excludes

Diversity Nagoya Protocol	–	traditional knowledge only				creative economy products
ASEAN ASEAN Framework Agreement on Intellectual Property Cooperation	–	Standard IP; no cultural-specific provisions	Absent	Soft mechanism	Absent	Replicates TRIPS without cultural product adaptation
ASEAN ASEAN Comprehensive Recovery Framework	–	Creative economy mentioned; no binding protection	Absent	Absent	Absent	Policy declaration without normative enforceability
ASEAN ASEAN Creative Economy Agreement	–	Integrated cultural product + creative economy scope	Required	Required	Required	Normative architecture yet to be constructed

Sources: Analysed by author

As the comparative matrix above illustrates, no existing instrument regional or international provides an integrated, enforceable *sui generis* framework that simultaneously addresses the substantive scope of cultural product protection, cross-border enforcement jurisdiction, and community-centred remedial access (Guo & Ward, 2026) This tripartite deficiency is precisely the normative space that a properly designed ASEAN Creative Economy Agreement must occupy.

The synchronisation challenge becomes analytically sharper when examined through the lens of *vertical* and *horizontal* legal coherence (Wong Villanueva dkk., 2022) Vertically, the proposed Agreement must align with ASEAN member states' obligations under TRIPS and UNESCO without creating normative conflict a particularly delicate task given that TRIPS' exhaustion-of-rights doctrine and the Agreement's need to prevent cross-border commercial appropriation of cultural products may operate in direct tension. Horizontally, the Agreement must bridge the substantial divergence in domestic IP frameworks across ASEAN member states: Indonesia's Law No. 28/2014 on Copyright and Law No. 20/2016 on Trademarks and Geographical Indications, for instance, provide stronger cultural product protections than equivalent legislation in several ASEAN neighbours, creating regulatory arbitrage that commercial actors can exploit by routing transactions through jurisdictions with weaker enforcement regimes.

This regulatory arbitrage dynamic is not peripheral it represents the primary mechanism through which cross-border commercial exploitation of cultural products operates in practice. Without a binding regional instrument that establishes minimum standards for cultural product identification, registration, commercial use licensing, and benefit-sharing,

the asymmetry between high-protection and low-protection member states effectively functions as a legal escape route for bad-faith commercial actors (Hirumi dkk., 2022) The ASEAN Creative Economy Agreement, to discharge its protective function, must therefore contain not merely hortatory commitments but operationally precise obligations: a regional registry of recognised cultural products, a harmonised definition of "commercial exploitation," a mandatory prior informed consent mechanism for transnational commercial use, and a dispute settlement procedure with enforceable remedies accessible to cultural communities not merely to states (Duxbury dkk., 2025)

Critically, synchronisation must also address the *temporal* dimension of protection. Cultural products are not static; they evolve, are reinterpreted, and enter commercial circuits incrementally. An effective Agreement must therefore adopt a dynamic protection model one that recognises both the collective, community-based origin of cultural products and their contemporary commercial manifestations rather than the static, registration-at-a-point-in-time model inherited from conventional trademark and copyright law (Ghavami dkk., 2022) This represents perhaps the most profound structural departure the Agreement must make from the existing IP framework, and it is this departure that gives the proposed instrument its genuine normative novelty. Without it, the Agreement risks becoming no more than a regional repetition of the very frameworks that have already failed to prevent the commercial exploitation of local cultural products across Southeast Asia.

B. The Effectiveness of Legal Certainty Guarantees in the ASEAN Creative Economy Agreement and Their Capacity to Accelerate Extensive Convenience for Creative Economy Actors

The question of effectiveness, when applied to legal certainty guarantees within a regional economic agreement, cannot be resolved through a purely formal analysis of whether such guarantees exist on paper. Effectiveness, in the jurisprudential sense relevant here, demands an empirical and normative inquiry into whether the legal framework in question actually produces the behavioural and economic outcomes it is designed to generate namely, the reduction of transactional uncertainty, the lowering of legal compliance costs, and the creation of a predictable operating environment in which creative economy actors can make investment, production, and distribution decisions with reasonable confidence in the stability and enforceability of the rules that govern them (Harrington, 2025) Applied to the ASEAN Creative Economy Agreement, this inquiry immediately reveals a critical analytical distinction between legal certainty as a formal attribute of the agreement's textual content and legal certainty as a functional condition of the economic environment it seeks to regulate. The former concerns the clarity, consistency, and completeness of the agreement's normative provisions; the latter concerns the extent to which those provisions actually penetrate and transform the lived legal experience of creative economy actors operating across ASEAN markets (Hurley & Lee, 2021).

The concept of *extensive convenience* introduced in this research operates precisely at the intersection of these two dimensions. As a normative construct, extensive convenience denotes the systemic reduction of legal and transactional friction barriers arising from regulatory complexity, jurisdictional uncertainty, uneven enforcement, and inconsistent rights recognition that prevents creative economy actors from operating at the full extent of their productive capacity across regional markets. It is, in essence, the legal economy of scale that a well-functioning regional agreement should deliver: a framework in which the cost of legal compliance does not scale proportionally with the number of jurisdictions entered, and in

which rights recognised in one member state are functionally respected in others. The analytical question this research poses is therefore not merely whether the ASEAN Creative Economy Agreement can provide legal certainty, but whether the quality and architecture of its legal certainty guarantees are sufficient to generate extensive convenience as a practically experienced economic condition for creative economy actors particularly small and medium enterprises, independent creators, and community-based cultural producers who constitute the majority of the creative economy's actual participants (Intakarn dkk., 2026).

Examining the existing normative landscape against this standard reveals a sobering picture. The current absence of a binding regional creative economy agreement means that creative economy actors operating across ASEAN markets face a fragmented, jurisdiction-dependent legal environment in which the protections, obligations, and remedial options available to them vary substantially depending on the member state in which they find themselves operating at any given moment. This fragmentation imposes what can be characterised as a *legal friction cost* the aggregate burden of navigating multiple, partially inconsistent domestic legal regimes that disproportionately disadvantages smaller actors who lack the legal and financial resources to manage cross-jurisdictional compliance at scale (Ponis & Lada, 2021) Data from Indonesia's *Badan Ekonomi Kreatif* (BEKRAF) and its successor, the *Kementerian Pariwisata dan Ekonomi Kreatif*, consistently indicate that the internationalisation of Indonesian creative economy products particularly in the digital, fashion, and craft subsectors is constrained less by market demand than by precisely these legal transaction costs: the difficulty of securing enforceable IP protection in destination markets, the uncertainty surrounding the commercial use of culturally-derived elements across borders, and the absence of a streamlined regional mechanism for resolving commercial disputes involving creative economy products.

The table below maps the specific legal certainty deficits that the ASEAN Creative Economy Agreement must address in order to generate meaningful extensive convenience across the four primary dimensions that matter most to creative economy actors:

Table 2. Legal Certainty Deficit Matrix and Extensive Convenience Outcomes across Key Dimensions of the ASEAN Creative Economy Agreement

Dimension of Legal Certainty	Current (Absence of Agreement)	Deficit of	Required Guarantee in ASEAN CEA	Extensive Convenience Outcome	Friction Cost Level	
Rights recognition & portability	IP rights recognised in one state are not automatically enforceable in others; no mutual recognition mechanism	rights are not	Binding recognition of registered economy rights in all member states	mutual of creative rights across	Creators enter multiple markets without duplicating registration; transaction costs fall substantially	High friction
Regulatory predictability	Domestic economy regulations diverge significantly; investors cannot	creative diverge cannot	Harmonised standards for commercialisation, and platform liability	minimum licensing, and	Investment decisions are based on regional rather than	High friction

	forecast compliance obligations across markets				jurisdiction-specific risk assessment		
Dispute resolution access	No regional forum; default to domestic courts with inconsistent outcomes and high costs	regional disputes with domestic courts and high costs	Accessible ADR enforceable and community-standing provisions	regional awards	Small creative actors rights prohibitive	and medium economy can enforce without legal costs	High friction
Digital & cross-platform commerce	Jurisdictional gaps in digital trade allow platforms to evade member-state obligations; regional data-commerce framework	Regional commerce integrating economy with no accountability	Regional commerce integrating economy with no accountability	digital protocol creative IP protection platform	Online economy operate unified standard; arbitration	creative actors under a regional platform eliminated	Medium friction
Benefit-sharing & revenue flows	No regional framework for equitable distribution from commercial use of cultural products	regional revenue from commercial use of cultural products	Mandatory benefit-sharing mechanism with community-to-creator revenue traceability	with	Cultural communities receive economic returns from regional commercialisation of their products	direct returns from commercialisation of their products	Medium friction

Sources: Analysed by author

The matrix above makes visible what the existing literature has tended to obscure: the relationship between legal certainty and economic acceleration is not linear or automatic. Legal certainty does not generate extensive convenience merely by existing it does so only when it is designed with sufficient precision, accessibility, and enforceability to actually reduce the friction costs that impede economic behaviour. A regional agreement that contains legal certainty guarantees in its preamble but delivers them through soft-law mechanisms, aspirational commitments, or enforcement procedures accessible only to state parties will produce formal legal certainty without generating functional extensive convenience. This distinction is analytically critical because it is precisely the gap between formal and functional legal certainty that has characterised the failure of previous regional instruments to translate their normative commitments into observable economic outcomes for creative economy actors.

The theory of extensive convenience advanced in this research draws upon and extends the foundational insights of legal certainty theory as articulated in the comparative constitutional scholarship of Joseph Raz, who identifies predictability, consistency, and accessibility as the three constitutive properties of legally certain systems (Turrieff & Barry, 2023) Applied to the regional creative economy context, these properties must be operationalised not merely at the level of the agreement's textual provisions but at the level of the actual legal experience of creative economy actors in their day-to-day commercial operations. Predictability demands that creative economy actors be able to anticipate the legal consequences of their commercial decisions across all ASEAN markets without engaging jurisdiction-specific legal expertise for each transaction. Consistency demands that

the rights, obligations, and remedies available to a creative economy actor do not vary materially depending on which member state's legal system happens to have jurisdiction over a given dispute. Accessibility demands that the dispute settlement and rights enforcement mechanisms provided by the agreement are practically available to the full range of creative economy participants including individual creators, micro-enterprises, and community-based cultural producers not merely to sophisticated commercial entities with substantial legal resources (Yu dkk., 2026)

The economic significance of achieving extensive convenience at this level of functionality is considerable. The ASEAN creative economy collectively represents one of the region's fastest-growing economic sectors, with the broader regional digital economy projected to reach USD 1 trillion by 2030 according to the Google-Temasek-Bain e-Conomy SEA report series. Within this broader digital economy, the creative economy subsector encompassing digital content, fashion, crafts, performing arts, and cultural tourism constitutes a disproportionately large share of employment, particularly in Indonesia, Thailand, the Philippines, and Vietnam (Handayaningrum dkk., 2026) The structural constraint on the growth of this sector is not a deficit of creative capacity or market demand; it is a deficit of the legal infrastructure necessary to translate creative output into secure, scalable, and equitably distributed economic value across regional markets. The ASEAN Creative Economy Agreement, if designed to deliver functional rather than merely formal legal certainty, thus has the potential to function as precisely the kind of growth-enabling legal infrastructure that the region's creative economy requires not by creating new markets, but by removing the legal friction costs that prevent existing creative capacity from reaching its full economic potential. It is in this specific sense that legal certainty, properly understood and properly delivered, becomes not a passive background condition for economic activity but an active instrument of economic acceleration the mechanism through which extensive convenience is transformed from a theoretical aspiration into a structural feature of the regional creative economy ecosystem (Sanda dkk., 2024).

4. CONCLUSION

This research establishes that the synchronisation of the ASEAN Creative Economy Agreement as a regional legal instrument requires a fundamental departure from the conventional intellectual property paradigm that has dominated regional and international frameworks to date. Existing instrument including TRIPS, the UNESCO Convention on Cultural Diversity, and the ASEAN Framework Agreement on Intellectual Property Cooperation are structurally incapable of providing adequate protection for local cultural products against transnational commercial exploitation, primarily because they were designed around individually assignable industrial rights rather than the communal, dynamic, and identity-constitutive character of cultural products. Effective synchronisation demands the simultaneous construction of three interdependent normative layers: substantive synchronisation through a *sui generis* protection mechanism that recognises collective authorship and dynamic cultural evolution; jurisdictional synchronisation that eliminates the regulatory arbitrage opportunities created by divergent domestic legal regimes across member states; and remedial synchronisation that makes dispute settlement and benefit-sharing mechanisms genuinely accessible to cultural communities rather than exclusively to state parties. Without the concurrent development of all three layers, the Agreement risks reproducing, at the regional level, the same structural inadequacies that have already rendered existing frameworks incapable of preventing the commercial exploitation of Southeast Asia's cultural heritage.

The effectiveness of legal certainty guarantees within the ASEAN Creative Economy Agreement is the decisive variable that determines whether the Agreement can accelerate

extensive convenience as a functionally experienced economic condition for creative economy actors, rather than merely as a formal textual commitment. Legal certainty generates extensive convenience only when it is sufficiently precise, accessible, and enforceable to reduce the transactional friction costs arising from fragmented domestic legal regimes, inconsistent rights recognition, and inaccessible dispute resolution that currently prevent creative economy actors, particularly small enterprises and community-based producers, from operating at the full extent of their productive capacity across regional markets. The ASEAN Creative Economy Agreement, if architected to deliver functional rather than merely declaratory legal certainty, has the structural potential to function as a genuine instrument of economic acceleration transforming legal certainty from a passive background condition into an active, growth-enabling infrastructure for the region's creative economy ecosystem and, by extension, a substantive contributor to national economic growth across ASEAN member states.

NOVELTY

The novelty of this research lies in its formulation of an integrated regional economic-legal framework that positions the concept of *extensive convenience* as a normative legal instrument for accelerating the creative economy within ASEAN. Unlike existing studies that primarily examine intellectual property protection or cultural governance in fragmented sectors, this study develops a comprehensive legal approach that combines regional economic integration, cross-border legal certainty, cultural product protection, and community-based benefit-sharing into a single normative architecture. Through the proposed ASEAN Creative Economy Agreement, the research introduces *extensive convenience* not merely as an economic principle, but as a legal-regulatory mechanism designed to reduce transactional friction, harmonise regional standards, strengthen cross-border enforcement, and enhance the commercial sustainability of creative economy actors across ASEAN member states.

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