



THE NETHERLANDS – 2023

Key findings

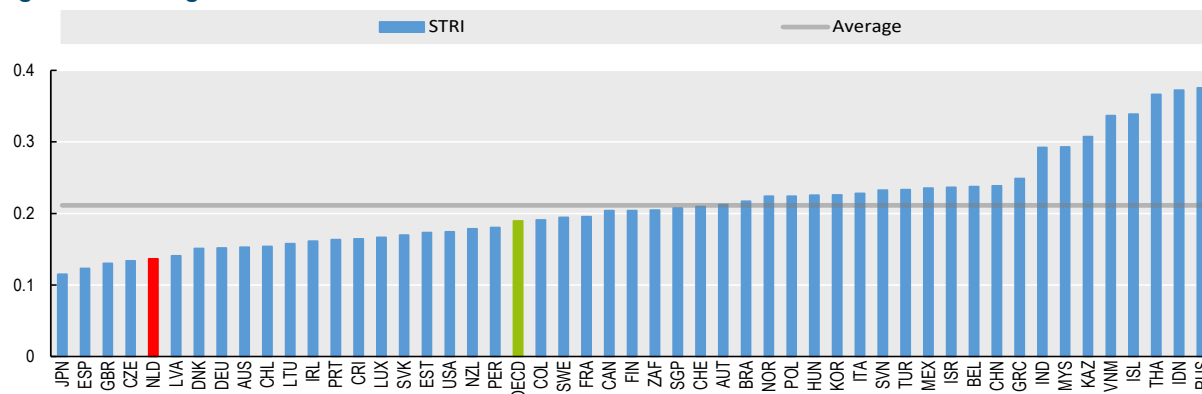
- The 2023 STRI of the Netherlands is below the OECD average and relatively low compared to all countries in the STRI sample. The Netherlands is also one of the most open countries for services trade within the EU Single Market.
- The regulatory environment for services has been relatively stable, as there were no changes to any sectoral STRI scores in 2023, while prior years saw only small tightening of regulation.
- Despite the overall favourable environment for services trade, some restrictions on the cross-border transfer of personal data and the process for acquiring visas remain impediments.
- Courier services is the most open sector in the Netherlands while air transport is the most restricted, relative to the sectoral average.

Recommendation

- Trade in services strengthens resilience across supply chains, facilitating environmental sustainability and promoting greater inclusiveness. To ensure the benefits of open markets and a rules-based international trading system, national and multilateral action is needed to lower barriers and reduce trade costs, promote greater regulatory interoperability, and facilitate the digital transformation of economies

The 2023 STRI of the Netherlands is below the OECD average, and relatively low compared to other countries in the STRI sample (Figure 1).

Figure 1. Average STRI across countries, 2023ⁱ



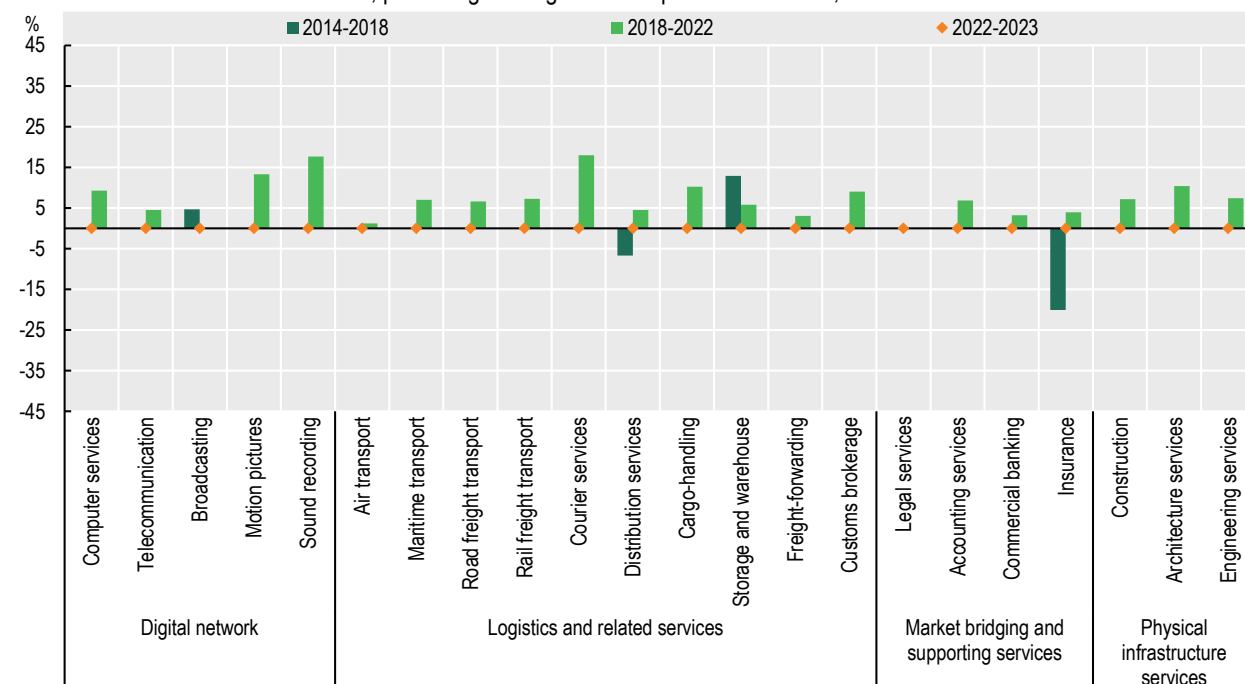
OECD (2023). STRI and TiVA databases.

General regulation contributing to the STRI of the Netherlands in all sectors includes the economic needs test for natural persons seeking to provide services in the country on a temporary basis as contractual services suppliers or independent services suppliers. The duration of stay for these categories is limited to 12 months on their first entry permit. In addition to the economic needs test, services suppliers must demonstrate access to housing and must be between 18 and 45 years old. For intra-corporate transferees, wage parity with local employees is also required. The standards for cross-border transfer of personal data are set at the EU level. Transfers to non-EEA economies can take place when these ensure an adequate level of data protection or, in the absence of this, appropriate safeguards are in place, e.g. binding corporate rules or standard data protection clauses.

The regulatory environment in the Netherlands has generally been relatively stable with few changes that affect services trade (Figure 2). In 2023, the STRI for the Netherlands saw no changes. In the previous year, the index had increased for all sectors except broadcasting and legal services due to new EU-wide measures affecting access to procurement markets.

Figure 2. Evolution of STRI indices by sector in the Netherlands

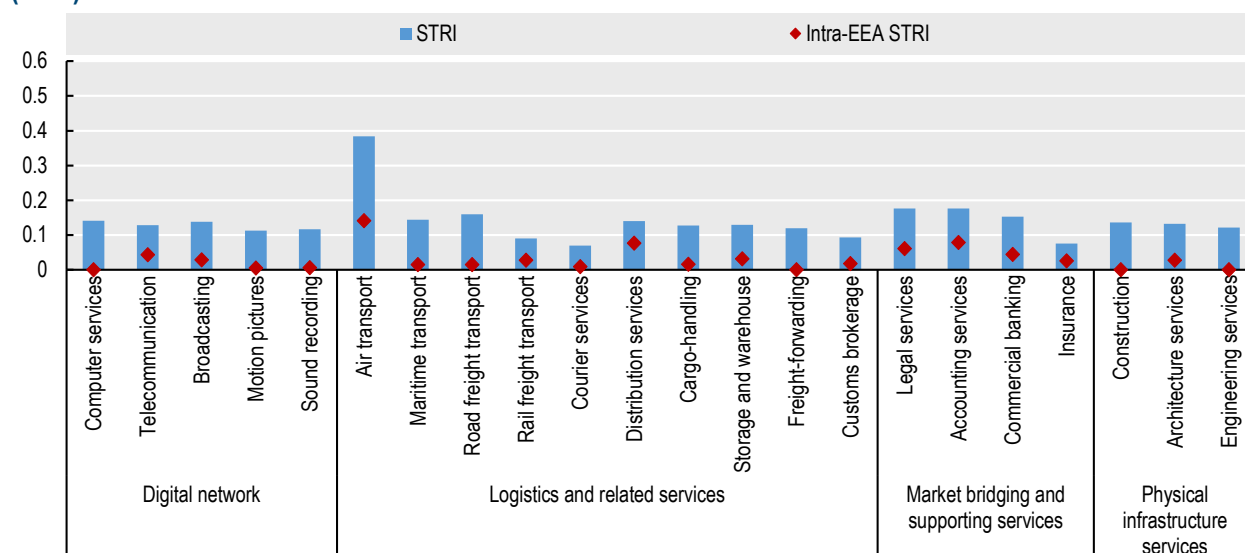
Services Trade Restrictiveness Index, percentage change over the period 2014-2018, 2018-2022 and 2022-2023



OECD (2023). STRI database.

Services trade barriers are significantly lower within the European Economic Area across all services sectors (Figure 2b). the Netherlands maintains an open market for services suppliers from other EU Member States.

Figure 2b. Regulatory barriers affecting services trade within the European Economic Area (EEA)



Note: The traditional STRI indicates the level of restrictiveness on a most favoured nation (MFN) basis towards third countries, and the intra-EEA STRI indicates the level of restrictiveness towards EEA members. Intra-EEA STRI covers 24 countries (Austria, Belgium, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Iceland, Italy, Latvia, Lithuania, Luxembourg, Netherlands, Norway, Poland, Portugal, Slovak Republic, Slovenia, Spain, Sweden).

Source: OECD (2023). STRI database.

Figure 3 ranks the Netherlands' sectors relative to the respective sector's world average. Courier services, rail freight transport, insurance and logistics customs brokerage are the sectors with the relatively lowest scores. Conversely, computer services, distribution services, road freight transport and air transport are the sectors with the relatively highest scores.

Figure 3. Sectoral breakdown - The least and most restricted sectors in the Netherlands compared to world average



Note: Selection was made based on how far the sectors' score were from the world average score, as a percentage difference

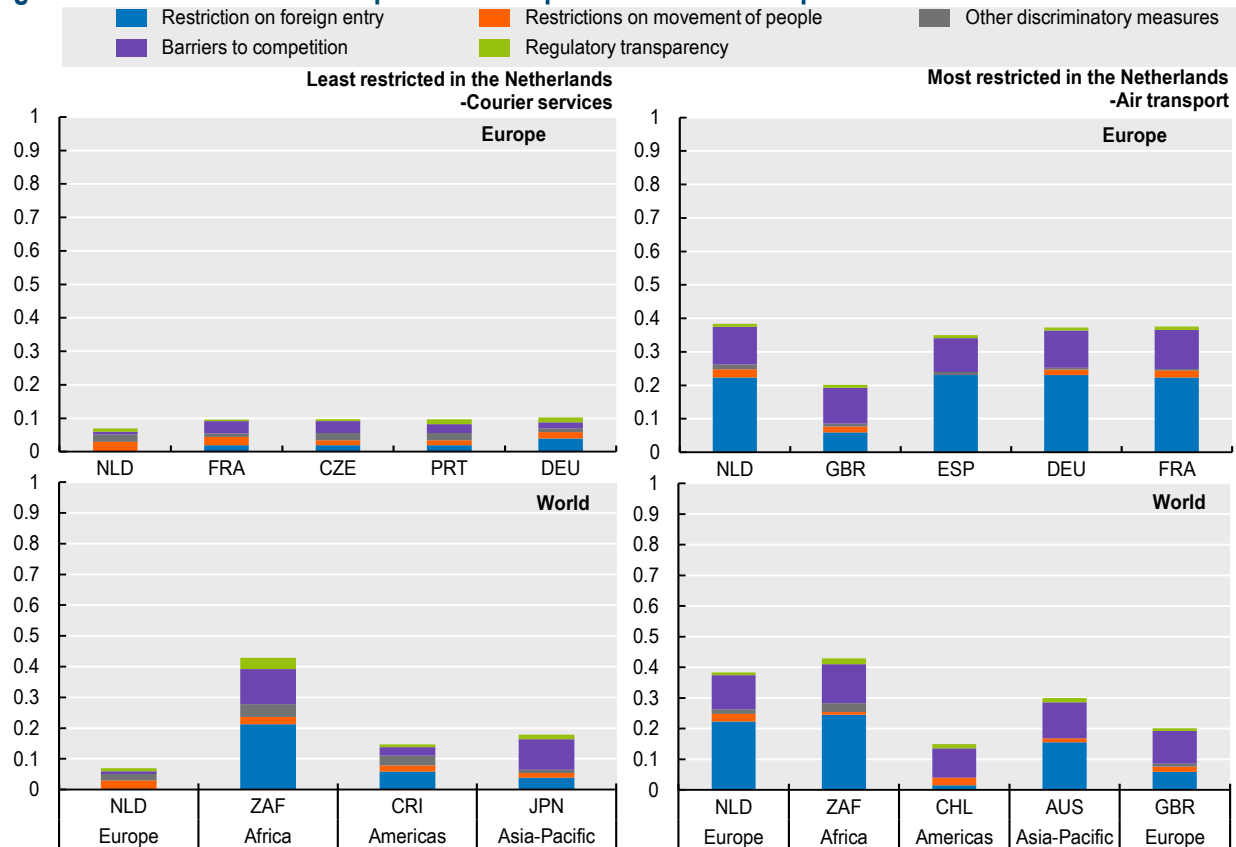
i.e. $(STR I_{country, sector} - STR I_{world average, sector}) / STR I_{world average, sector}$

Source: OECD (2023). STRI database.

Courier services are the least restricted in the Netherlands compared to the average STRI across all countries, and the least restricted in the world. The only sector-specific restriction in courier services is that designated postal operators receive preferential treatment during customs clearance procedures.

On the other hand, air transport is the most restricted services sector in the Netherlands compared to the sectoral average. The Netherlands has foreign equity restrictions applying to airlines as a result of a common EU regulation on air services. Pursuant to this regulation, non-EU nationals cannot own more than 49% in local airlines. Lease of foreign aircrafts with crew from outside the EU can be refused on grounds of reciprocity or conditioned on approval granted on the basis of economic needs. The EU-wide exemption of certain airline arrangements from competition law and regulations on airport slot allocation and slot trading further contribute to the score in this sector (Figure 4).

Figure 4. The Netherlands compared to Europe and World's best performers



Source: OECD (2023). STRI database.

Recent policy changes

Several recent changes affecting the Netherlands were due to changes in EU law. In August 2022, Regulation 2022/1031 (EU) entered into force, aiming to regulate access of third-country (non-EU) goods and services to the EU's public procurement and concession markets. At this stage, no implementing act restricting access to the EU procurement market has been adopted by the European Union. The Regulation applies to public procurement and concessions where the EU has not undertaken market access commitments in an international agreement.

In air transport, a series of temporary rules allowing airlines to retain historic slots, despite not using their slots according to the 80/20 grandfathering rule, were in place from 1 March 2020 to 25 March 2023 on grounds of reduced air traffic levels due to the COVID-19 pandemic. As of 26 March 2023, such slot relief rules are no longer in force.

In telecommunications, maximum Union-wide voice termination rates defined by Commission Delegated Regulation (EU) 2021/654 took effect on 1 July 2021. These maximum termination rates do not, however, generally apply to calls originating from countries outside the EU.

From 1 July 2021, the EU abolished the VAT de minimis regime for goods valued under EUR 22. In maritime transport, Commission Regulation (EU) 2020/436 extended the existing block exemption to liner shipping consortia from competition law until April 2024.

More information

- » Access all country notes, sector notes, and interactive STRI tools at <http://oe.cd/stri>
- » Read more about [Services Trade Policies and the Global Economy](#)
- » More information about measuring the regulatory environment for services trade in the Intra-EEA region: oe.cd/intraeeaSTRI
- » Contact the OECD Trade and Agriculture Directorate with your questions at stri.contact@oecd.org

Note: The STRI indices take values between zero and one, one being the most restrictive. The STRI database records measures on a Most Favoured Nation basis. Air transport and road freight cover only commercial establishment (with accompanying movement of people). The indices are based on laws and regulations in force on 31 October 2023. The STRI regulatory database covers the 38 OECD Members, Brazil, China, India, Indonesia, Kazakhstan, Malaysia, Peru, Russia, Singapore, South Africa, Thailand and Viet Nam. The statistical data for Israel are supplied by and under the responsibility of the relevant Israeli authorities. The use of such data by the OECD is without prejudice to the status of the Golan Heights, East Jerusalem and Israeli settlements in the West Bank under the terms of international law.