

Comprehensive Analysis of Regulatory Barriers to Services Trade in the Slovak Republic

Maryna Konovalova¹, Tatiana Čorejová¹

¹Faculty of Operation and Economics of Transport and Communications, University of Žilina, Žilina, 01026, Slovakia

Abstract The article examines regulatory barriers to services trade in the Slovak Republic using the OECD Services Trade Restrictiveness Index over the period 2014–2023. The analysis focuses on four main service categories: Digital Networks, Logistics and Related Services, Market and Support Services, and Physical Infrastructure. Significant liberalization was observed in infrastructure-related sectors, such as construction and air transport, while professional services, including legal and accounting, remained among the most restrictive. Digital networks faced growing regulatory challenges, reflecting global trends in digital governance. Despite Slovakia's STRI score of 0.17, below the OECD average of 0.21, regulatory constraints persist, particularly in highly regulated sectors. The study underscores the need for targeted reforms, harmonization with international best practices, and comprehensive frameworks for digital trade to enhance Slovakia's competitiveness and reduce trade costs.

Keywords Regulatory Barriers, STRI, Slovak Republic, Services Trade

JEL F13, F14, L51, L80, L91

1. Introduction

Trade in services plays an important role in the economies of countries around the world. According to WTO data, between 2010 and 2019, trade in commercial services grew by 52% in G20 countries and by 50% in LDCs, while global trade in commercial services grew by 54% [1]. Particularly significant has been the increase in commercial services exports from LDCs, which have increased by up to 108% over this period [1]. Thus, services not only represent a key source of foreign exchange earnings, employment and household income, but also play a vital role in economic growth and development. This importance stems mainly from their function as inputs to production in all sectors of the economy, thus contributing to 'servitization'. Moreover, if we look at trade in services in terms of value added, their share in global trade almost doubles [1]. Furthermore, the performance of different services is key to achieving many of the Sustainable Development Goals [2].

The quality, price and availability of services as inputs to production are influenced by a variety of factors, including investment in infrastructure linkages, restrictiveness of trade and investment policies, and the business environment. Empirical studies suggest that trade in services and FDI in services promote productivity growth by increasing competition in domestic markets and allowing manufacturing firms access to higher quality, more diverse and more affordable services. These factors benefit both producers of goods and providers of services [3,4]. Nevertheless, the cost of trade in services is still higher than the cost of trade in goods, and its

decline has been much slower since the beginning of the 21st century [5].

The aim of this article is to provide a comprehensive analysis of regulatory barriers to trade in services in the Slovak Republic. The study combines insights from empirical studies and OECD reports with a detailed analysis of data from the Services Trade Restrictions Index, focusing on changes in the regulatory environment in key sectors over the period 2014–2023. The analysis identifies not only the main trends and changes in the regulatory environment, but also their implications for trade policy, investment and Slovakia's international competitiveness.

2. Review of Literature: effects of services regulation and trade barriers

Regulatory measures in services affect international trade and investment by increasing the fixed costs of market entry and the variable costs of servicing it. The importance of regulation and its potentially constraining effect on service sector performance has been the focus of several studies [6,7]. Moreover, regulatory heterogeneity has been identified as a significant negative factor affecting bilateral trade in services conducted through commercial presence [6,7]. According to WTO estimates [1], regulatory heterogeneity, together with trade barriers, accounts for approximately 21% of the total cost of trade in services. Regulatory interference and differences between country regulatory frameworks also affect countries' willingness to negotiate preferential trade agreements on services [8] and determine the depth of

commitment of these agreements compared to their WTO GATS commitments [9].

Empirical studies have examined the effects of regulatory frameworks on the performance and efficiency of services sectors. For example, Nicoletti et al. [10] have shown that restrictive regulations in professional services significantly hinder productivity. Similarly, Arnold et al. [3] showed the positive impact of regulatory reforms on the efficiency of the banking and telecommunications sectors in developing countries. Key findings warn that excessive regulation is often correlated with lower productivity levels in service sectors, restrictions on market entry discourage competition and innovation, and excessive regulation can lead to higher costs and lower availability of services.

Barriers to trade in services have adverse effects on trade, investment and integration into value chains, including at the level of individual firms. For example, Rouzet and Spinelli [11] find that regulatory restrictions in sectors such as broadcasting, construction, warehousing, and transport allow firms in these areas to charge higher margins, highlighting the potential benefits of regulatory liberalization. Similarly, Nordås and Rouzet [7] have shown that higher regulatory restrictiveness is associated with lower imports of services into countries across sectors such as legal services, telecommunications, banking, insurance, shipping, and courier services. Rouzet et al. [11] find that restrictions in the regulatory environment of importers have a negative impact on the exports of service sector firms at both extensive and intensive levels. Benz and Jaax [12] estimated the ad valorem value of regulatory costs for OECD STRI on cross-border trade in five services sectors - business, communication, financial, insurance and transport services - and found that these costs are still high, despite a threefold increase in the value of services trade over the last two decades. Miroudot and Cadestin [13] have shown that higher restrictiveness in services trade is associated with lower bilateral flows of services value added in global value chains. Andrenelli et al. [14] and Backer and Miroudot [15] have shown that restrictive trade and investment policies in the services sector affect the production of multinational companies that use these services to organize their value chains, and also affect their decision between exports and FDI in accessing foreign markets. In addition, data restrictions have a negative impact on domestic productivity [16] and on service imports in countries that implement restrictive data policies.

Trade barriers in services differ from those in goods due to the intangible nature of services and the need for proximity between provider and consumer. The literature categorizes trade barriers into mode-specific constraints, including cross-border provision, consumption abroad, commercial presence, and movement of natural persons. Studies such as Hoekman and Mattoo [18] have quantified the effects of trade barriers and have shown that liberalizing trade in services can yield significant welfare benefits. Key findings warn that lowering barriers increases trade volume, liberalization encourages FDI in services sectors, which improves technology transfer and capacity building, and services liberalization facilitates

integration into global value chains and increases competitiveness.

The combined impact of services regulation and trade barriers is complex, as these two factors jointly influence market dynamics. Research shows that overly restrictive domestic regulations can negate the benefits of trade liberalisation. On the other hand, well-designed regulatory frameworks can multiply the benefits of reducing trade barriers. Borchert et al. [19] emphasized that the synergy between the quality of regulations and openness determines the magnitude of economic benefits. Quality institutions and transparent governance structures are key to achieving the potential of liberalized trade in services.

3. Methodology

The paper is based on a combination of literature search and analysis of OECD STRI data for the period 2014-2023. The literature search draws on empirical studies and OECD and WTO reports that provide insights into the impact of regulatory barriers on trade in services, investment and productivity. A comparative analysis of existing research papers was used to inform the search, identifying the main trends and implications of regulatory constraints in services sectors.

The main part of the paper focuses on the analysis of the Slovak Republic using the STRI index, which quantifies regulatory barriers across 22 service sectors. The assessment is based on five policy areas: restrictions on foreign entry, movement of persons, discriminatory measures, barriers to competition, and regulatory transparency. The STRI allows to identify regulatory trends and to compare Slovakia's performance with the OECD average.

The analysis is divided into three time periods: 2014-2018, which was characterized by significant liberalization in transport and infrastructure; 2018-2022, which was characterized by stability in the regulatory environment; and 2022-2023, when new restrictions were introduced, including screening of foreign investment, the data were processed through descriptive statistical and comparative analyses. To better understand the impact of regulatory changes, the paper focuses on four main service categories: Digital Networks, Logistics and Related Services, Market and Support Services, and Physical Infrastructure.

4. Services Trade Restrictiveness Index

Services account for more than two-thirds of GDP in advanced economies, underlining their key role in modern economies. A growing number of business models are increasingly relying on services instead of selling solely manufactured goods, often integrating goods and services into complex packages that are designed for both domestic and export markets [5].

Although trade in services has more than tripled in the last two decades, the costs associated with regulatory barriers in this area remain significantly higher than for trade in manufactured goods. This fact highlights a significant untapped

potential that could be unlocked by removing regulatory barriers to trade in services [17].

While it is increasingly recognized that liberalization of trade in services offers the potential to boost economic growth, quantifying the costs associated with regulatory restrictions remains a challenge. This difficulty has often hindered deeper analysis and implementation of economic liberalization measures in services trade. However, efforts in this area are key to realizing the full potential of the global economy [17].

Although services are an integral part of international trade, their importance in trade agreements only began to grow with the signing of the Canada-US Free Trade Agreement in 1991, followed by NAFTA three years later. A key turning point was the creation of the WTO, within which the GATS became one of the main pillars. Unlike goods, services are neither tangible nor storable, and therefore trade agreements in this area focus on rules related to investment, movement of people, and domestic regulation [12,17].

In the mid-1990s, the Australian Productivity Commission made the first attempt to systematically catalogue restrictions on trade in services. Subsequently, the World Bank expanded the research to 103 countries and five major sectors. Despite these efforts, trade policymakers have lacked comprehensive and regularly updated information on regulations restricting trade in services [12,17].

In 2014, the OECD came up with the STRI database to address this problem. STRI provides qualitative and quantitative data on trade policy measures, which are scored and weighted to create composite indices. These indices allow the measurement of trade restrictiveness across sectors and countries, providing policymakers with reliable data for decision-making [12].

STRI is an important tool for analyzing trade barriers in the services sector. The index provides systematic and detailed data on regulations and trade policy measures that affect international trade in services. The STRI allows quantifying the restrictiveness of these measures on a scale from 0 (minimum restrictions) to 1 (maximum restrictions), thus contributing to a better understanding of the impact of regulations on trade flows [17].

As of 2024, the STRI covers 50 countries, including all OECD member countries and selected emerging markets. The index covers 22 service sectors, including telecommunications, financial services, transport, professional services, and others. Since its launch in 2014, the database has been updated annually, covering a nine-year period. Updates reflect an average of 1,200 policy changes per year, underscoring the dynamic nature of business regulations in the services sector [17].

STRI is based on a specific algorithm that evaluates and weights individual trade policy measures based on their restrictive impact. This data is linked to factual information on de jure regulations, ensuring transparency and consistency of the index. This approach allows policy makers and researchers to reliably analyse regulatory barriers and their impacts on the business environment [17].

One of the key characteristics of the STRI is its focus on multilateral trade policies that are applied evenly to all trading partners. This approach reflects the fact that most barriers in the services sector stem from domestic regulatory regimes that affect both domestic and foreign service providers. Therefore, STRI offers an objective view of the restrictiveness of trade regimes, based on the most-favoured-nation principle, and does not take into account specific preferential arrangements such as regional trade agreements or mutual recognition agreements [17].

Nevertheless, STRI also includes supplementary data for specific regional blocs. This bloc is characterised by internal market freedoms such as the free movement of goods, persons, services and capital, and harmonisation of rules in areas such as competition or regulatory transparency. Complementary data allow for a more detailed analysis of the impact of regional integration processes on trade in services, providing a broader picture of trade dynamics in these regions [12,17].

Trade in services represents a unique area of international trade, which is distinguished from trade in goods by its intangible nature and the impossibility of warehousing. Therefore, regulation in this sector focuses on rules relating to investment, movement of persons and domestic regulation. STRI reflects these specificities by providing not only detailed data on existing barriers, but also a tool to analyse the costs of removing them and the potential benefits of liberalisation [12].

The importance of the STRI lies in its ability to standardise data on trade policies and make them comparable across countries and sectors. This standardization provides policy makers with reliable data for designing effective trade agreements and reforms. In addition, STRI serves as a foundation for researchers and practitioners concerned with quantifying the costs of trade barriers and examining their impacts on economic outcomes [12].

With the growing importance of the services sector in the global economy and the ever-evolving regulatory environment, STRI has the potential to play an even more significant role in the future. The expansion of the database to new countries and sectors, as well as further improvements in methodology, will contribute to a more accurate analysis of trade barriers. STRI thus remains a key tool for understanding and optimizing trade policies in the services sector [12].

Most trade policies in services are applied multilaterally to all trading partners. This stems from the fact that services barriers often include measures related to domestic regulatory regimes that apply to both domestic and foreign providers. In the area of market access, most countries also use multilateral policies. However, preferential liberalisation, for example through regional trade agreements (RTAs), is less common. Therefore, STRI reflects MFN-compliant restrictions and does not take into account special concessions such as regional or mutual recognition agreements [17].

However, multilateral indices do not provide an accurate measurement of regulatory barriers in regional blocs where trade in services has already been liberalized, the EEA. This problem is addressed by the complementary STRI database, which allows measuring the restrictiveness of trade in

services under the EEA's preferential regime. This regime is characterised by internal market freedoms and harmonisation of rules in areas such as competition or regulatory transparency [12].

The complex structure of free trade agreements and investment treaties poses a challenge in the development of any trade policy database, as trade barriers can vary significantly between trading partners. However, with the exception of FTAs, they have rarely been shown to provide new market access opportunities or national treatment beyond MFN arrangements in services [12,13,17,20]. The STRI database therefore reflects the regulations currently in force under MFN. For EU countries, it captures trade barriers faced by third countries, while a complementary database and indicators reflecting openness within the European Economic Area have been added [12].

The policy measures in STRI's regulatory database are divided into five policy areas [17]:

- Restrictions on foreign entry include information on restrictions on foreign holdings, screening of foreign investments, restrictions on cross-border mergers and acquisitions, and regulations on cross-border data flows, among other aspects.
- Restrictions on the movement of persons include information on occupational licensing, visa quotas, economic necessity tests and length of stay for foreign individuals providing services as intra-corporate transfers, contractual service providers or independent service providers.
- Other discriminatory measures include discrimination against foreign service providers in areas such as taxes, subsidies and public procurement.
- Barriers to competition include information on antitrust policy, state ownership of major firms, and the extent to which state-owned enterprises enjoy benefits and exemptions from competition rules and laws.
- Regulatory transparency includes information on the transparency of legislative processes, administrative procedures related to the establishment of a company and conditions for obtaining a business visa.

4.1. Trends and Developments STRI in 2023

In 2023, global services trade through commercial presence and digital platforms faced growing obstacles due to increasingly fragmented regulatory frameworks. The OECD's annual analysis highlights the complex and evolving landscape that international service providers must navigate.

The pace of liberalisation reforms in services trade slowed in 2023, with fewer reforms implemented compared to the previous year. However, the overall impact of liberalising policies slightly outweighed the introduction of new restrictions. Notable efforts focused on reducing regulatory barriers in infrastructure-related sectors, such as construction, architecture, and engineering. Despite these advances, new restrictions emerged in several key sectors, dampening progress [21].

Many countries introduced additional regulatory constraints in 2023, particularly in sectors like computer services, telecommunications, transport, and commercial banking.

These measures frequently involved stricter foreign direct investment screening and heightened regulations on cross-border data flows, digital trade, and foreign e-commerce platforms. This dual trend – progressive reforms in some areas coupled with restrictive measures in others – underscores the challenges facing global services providers [21].

The OECD's STRI: Policy Trends up to 2024 reveals a slowdown in regulatory changes affecting services trade between 2022 and 2023. Covering 22 key service sectors across 50 countries, representing over 80% of global services trade, the report highlights significant regulatory disparities [21].

Countries like Japan, Spain, and the United Kingdom maintained the lowest regulatory barriers, fostering open markets. Meanwhile, China, Korea, and Portugal led in implementing liberalising reforms. Sectorally, distribution, sound recording, and motion picture services remained the most open, while air transport, legal, and accounting services were among the most restrictive [21].

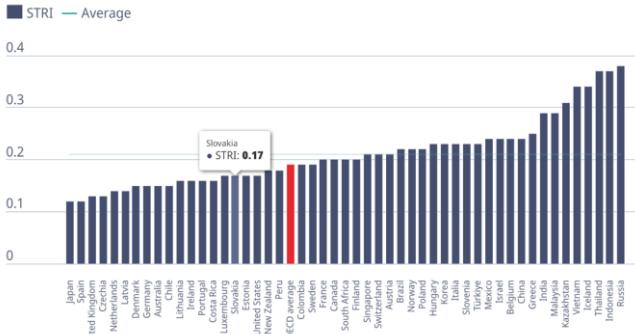
According to OECD Secretary-General Mathias Cormann, open and well-regulated service markets are crucial for global economic growth, with services accounting for half of all jobs globally. Despite this, barriers to services trade remain high, and progress on liberalisation has been slow. The upcoming 13th WTO Ministerial Conference presents a key opportunity to address these issues, with discussions on improving market access and implementing best practices in domestic regulations for services [21].

5. STRI analysis Slovak Republic

In the Slovak Republic, labor market tests apply to the temporary provision of services, specifically for workers employed as service suppliers. The duration of their stay is limited to 24 months under the first entry permit. However, these tests do not apply to intra-corporate transferees and independent service suppliers, who may remain in the country for up to 36 months under their initial entry permit. Access to public procurement is restricted to regional trade partners and members of the WTO Agreement on Government Procurement. For company registration purposes, a minimum capital deposit is required at a bank or with a notary. Cross-border transfers of personal data are subject to EU-level standards. Transfers to countries outside the EEA are allowed only if an adequate level of data protection is ensured, or appropriate

safeguards are in place, such as binding corporate rules or standard contractual clauses [22].

Figure 1. Services Trade Restrictiveness Index (STRI). Average across sectors, 2023. *Source:* [22].



In 2023, the Slovak Republic achieved an STRI value of 0.17, compared to the OECD average of 0.21 **“Figure 1”** [23]. This section of the article analyzes the Slovak Republic through the lens of the selected index. Since data is available only for the years 2014 to 2023, we divided the period into three time segments: 2014–2018, 2018–2022, and 2022–2023, to better understand the changes during these selected periods.

This analysis focuses on four main categories of services: Digital Networks, which include telecommunications, computer services, broadcasting, film production, and sound recording; Logistics and Related Services, covering air, road, and rail transport, warehousing, and customs services; Market and Support Services, such as legal services, accounting, banking, and insurance; and Physical Infrastructure, encompassing construction, architecture, and engineering. Each of these categories is examined in terms of changes in the regulatory environment and their impact on Slovakia's competitiveness and attractiveness for foreign investment [23].

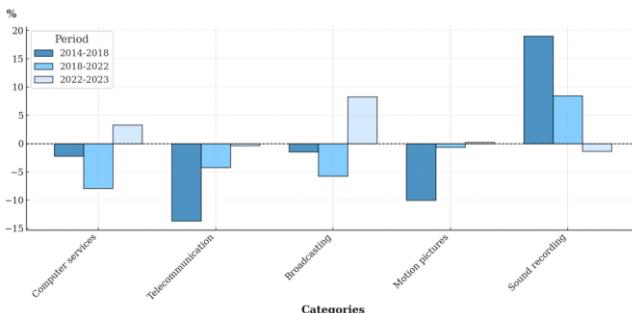
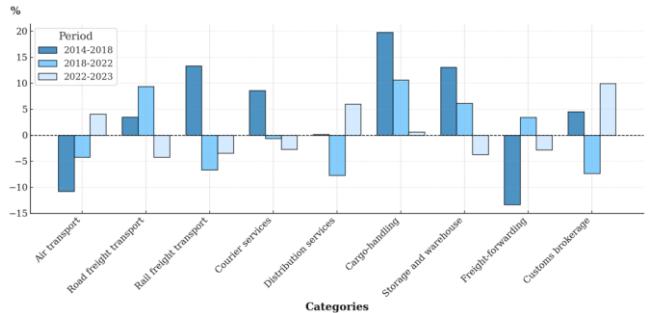


Figure 2. STRI Trends in Digital Networks by Category in the Slovak Republic (2014–2023). *Source:* [24].

In the computer services sector **“Figure 2”**, there was a steady increase in regulatory barriers of +10% during the 2014–2018 period, while the 2018–2022 and 2022–2023 periods saw minimal changes, at a level of +2%. Similarly, the telecommunications sector experienced an increase of +8% in the 2014–2018 period, with lower growth rates of +3% in subsequent periods. Television broadcasting and film production recorded a slight decrease in regulations, with a decline of -5% in the 2014–2018 period, while the situation stabilized in 2022–2023 [22,24].

Figure 3. STRI Trends in Logistics and Related Services by Category in the Slovak Republic (2014–2023). *Source:* [24].



In the air transport sector **“Figure 3”**, there was a dramatic reduction in regulatory barriers by -30% during the 2014–2018 period, indicating significant liberalization of the sector. However, this trend slowed to -5% in the 2018–2022 period, with negligible changes observed in 2022–2023. Road and rail transport showed relative stability, with changes ranging within ±3% across all analyzed periods. The warehousing and customs services sectors demonstrated consistent regulatory measures, with minimal deviations ranging from -2% to +2% [22,24].

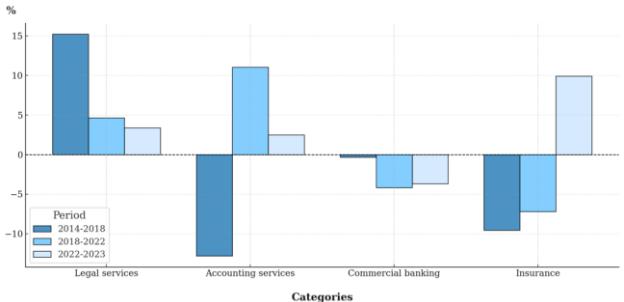


Figure 4. STRI Trends in Market and Support Services by Category in the Slovak Republic (2014–2023). *Source:* [24].

Legal services and accounting **“Figure 4”** are among the most heavily regulated sectors in the Slovak Republic, with regulatory barriers increasing by +15% during the 2014–2018 period. A slight decline of -3% was observed in the 2018–2022 period, but the situation stabilized again in 2022–2023, with no significant changes. Commercial banking experienced a moderate increase in regulations by +5% during 2022–2023, likely due to new measures aimed at protecting financial stability [22,24].

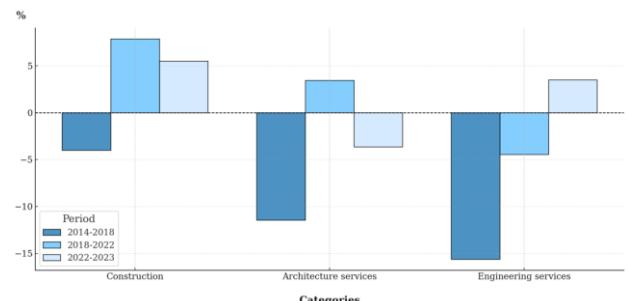


Figure 5. STRI Trends in Physical Infrastructure by Category in the Slovak Republic (2014–2023). *Source:* [24].

In the construction and architecture sector “**Figure 5**”, there was a significant reduction in regulations by -20% during the 2014–2018 period. This trend continued into the 2018–2022 period, with regulatory barriers decreasing by an additional -10%, while the 2022–2023 period showed only a slight decline of -2% [22,24].

6. Conclusions

The analysis of regulatory barriers in services trade underscores their substantial impact on trade costs, market access, and economic performance. Restrictive regulations, particularly in professional services and digital trade, increase operational costs and limit competitiveness. According to WTO estimates, regulatory heterogeneity accounts for 21% of total trade costs, highlighting the urgency of harmonized global policies to reduce these barriers.

In the Slovak Republic, the STRI reveals mixed progress across sectors from 2014 to 2023. Infrastructure-related sectors, such as construction and architecture, saw significant liberalization, while professional services, including legal and accounting, remain among the most restrictive. Digital networks, particularly telecommunications and data services, face increasing regulatory challenges, reflecting global trends in digital trade governance.

Key findings highlight notable progress in logistics, especially in air transport, where regulatory barriers were reduced by 30% between 2014 and 2018. However, the introduction of new restrictions in 2023, such as foreign investment screening and tighter regulations on data flows, underscores the complexity of balancing openness with domestic safeguards. Despite Slovakia’s relatively low STRI score of 0.17, below the OECD average of 0.21, persistent barriers in key sectors hinder its full potential in services trade.

It is important to note that data gaps remain in several categories critical to digital trade, including Electronic Transactions, Intellectual Property Rights, and Other Barriers Affecting Digitally Enabled Services. These gaps limit the ability to fully assess the regulatory landscape and its impact on emerging digital markets. Addressing these data deficiencies is essential for informed policymaking and effective reforms.

To unlock its full potential, Slovakia must prioritize targeted reforms in highly regulated sectors and align its policies with international best practices. Emphasis should also be placed on developing comprehensive frameworks for digital trade and addressing data availability in underexplored categories. These efforts are vital for reducing trade costs, enhancing competitiveness, and fostering sustainable economic growth through deeper integration into global value chains.

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1/0333/24 Innovative business models in the urban circular economy

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