

# PostEurop Response to public consultation on ERGP Work Programme 2022





## ABOUT POSTEUROP

POSTEUROP is the association which represents European public postal operators. It is committed to supporting and developing a sustainable and competitive European postal communication market accessible to all customers and ensuring a modern and affordable universal service. Our Members represent **2 million employees** across Europe and deliver to **800 million customers daily** through over 175,000 counters.

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## POSTEUROP'S RESPONSE TO PUBLIC CONSULTATION ON ERGP WORK PROGRAMME 2022

### Background and context

PostEurop welcomes the public consultation on the ERGP Work Programme for 2022 and appreciates the opportunity to give its opinion on this programme.

In March 2021, PostEurop already had opportunity to share its views answering the ERGP call for input for its Work Programme 2022 (see *Position Paper on ERGP Work Programme 2022*). All the positions explained in this position paper still remain valid and apply to the Work Programme 2022 currently under consultation especially regarding Pillar II of the 2022 WP "Promoting a competitive EU postal market".

Moreover, PostEurop had the opportunity to answer this year and last year to ERGP reports on consumers in the postal sector<sup>1</sup> (see *Position Paper on ERGP Report on the contractual situation of consumers of postal services* and our *letter in response to ERGP Report on Key Consumer Issues* (ERGP PL I (20) 8)). Our answers apply to the Pillar III of the 2022 WP "Empowering end-users".

For the Work Programme 2022, considering its previous inputs, PostEurop would like to focus its contribution on three topics, deliverable #5, deliverable #8 and deliverable #10.

### Deliverable #5 "Report on access to the postal network in a context of booming e-commerce"

With respect to the intended deliverable #5 "Report on access to the postal network in a context of booming e-commerce", PostEurop would like to point to the fact that the European parcel markets – as commonly agreed by experts – are highly competitive, innovative and performant. The boom in e-commerce, even accelerated by the Covid 19 crisis, attracted and attracts new players and business models including e-commerce platforms entering the logistic market. We are therefore wondering about the need felt "to re-examine the regulated access to the postal network as it remains a critical tool for the

promotion of competition". In order to justify a sector-specific approach, evidence must be provided that general competition law alone is insufficient to tackle market failures. This could be the case only in markets where no effective competition exists and with high and non-transitory entry barriers. On the contrary, parcel markets are competitive and have low entry barriers. Thus, given the wide and competitive offer and the lack of evidence of bottlenecks, PostEurop believes there is no need for a legal requirement to grant access to parcel networks.

We would also like to recall that recently, in the context of the cross-border parcel Regulation, the European legislator rejected the proposal to request Universal Service Providers to provide access to their international agreements. In fact, in a competitive market like the parcel market, agreements and access to agreements should be part of normal commercial negotiations and not subject to regulatory specifications.

### Deliverable #8 "Report on environmental sustainability in the postal sector"

Regarding deliverable #8, "Report on environmental sustainability in the postal sector", PostEurop would like to reiterate that the postal sector is very aware of their responsibility in fighting climate change and reducing their environmental impact. Ahead of other sectors of the economy, the postal industry has invested heavily for over a decade in innovative solutions to make operations more sustainable. Through a holistic approach, postal operators not only implement sustainable transport and delivery alternatives to reduce greenhouse gasses emissions and their impact on communities, but also develop strategies to foster resource efficiency and circular economy in our processes. Our sector continues adapting its business model in order to find ways of significantly reducing its carbon footprint and leading the way to the sector's Green transformation. Indeed, most postal operators have already comprehensive strategies in place to measure and reduce their own carbon footprint, as well as that of their customers.

<sup>1</sup> ERGP Report on the contractual situation of consumers of postal services (ERGP PL I (21) 10) and ERGP Report on Key

Consumer issues (ERGP PL I (20) 8)

Moreover, improving transparency of the carbon footprint is becoming increasingly important, especially for the e-commerce sector. Consequently, postal operators cooperate and participate in the many different initiatives taken by, amongst others, the European Commission and CEN, in developing meaningful tools to measure this carbon footprint. PostEurop and its members are always available to share and further discuss these practices and initiatives with the ERGP to the benefit of their report.

**Deliverable #10 “Internal feasibility study of QoS indicators for the parcel market due to the development of e-commerce in the postal sector”**

Lastly, regarding deliverable #10 “Internal feasibility study of QoS indicators for the parcel market due to the development of e-commerce in the postal sector”, PostEurop does not see a need to introduce sector specific indicators regulating QoS. As stated before, the parcel market is highly competitive and actors are offering different services to provide consumers with reliable information and enhanced transparency on their parcels. Moreover, the EU level horizontal consumer protection rules are already means to take into account end-users needs in this market.

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