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ERGP incoming Chair 2024  
European Commission  
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Dear Mr Dan Sjöblom,

In response to the [public consultation of 6 July 2023](#), please find attached PostEurop's response to the draft ERGP Work Programme 2024.

We are at your disposal for further questions.

Best regards,



Ms Elena FERNÁNDEZ-RODRÍGUEZ  
Chairwoman



Mr Botond SZEKENYI  
Secretary General

In copy to:

Ms Agnieszka SKONIECZNA, DG GROW, Head of Investment Conditions and Public Services Unit  
Ms Christelle DEFAYE-GENESTE, La Poste, Chair of PostEurop European Union Affairs Committee

## PostEurop's response to the public consultation on the draft ERGP Work Programme 2024

PostEurop and its Members welcome the [public consultation organised by the ERGP on its Work Programme 2024](#) and seize this opportunity to come back on their main positions on the regulatory future of the postal sector. We are also delighted about the ERGP intention to enhance its engagement with stakeholders in 2024 and to communicate on a regular basis on the progress of its work. We will remain available to exchange further on all points mentioned above.

### **Deliverable # 1: ERGP Report on the outline of the future postal regulatory framework**

In general terms, as we have often said, Universal Service lies at the core of the postal legislative framework and PostEurop Members believe it should remain the focus of postal legislation. We support a regulatory framework that leaves space for subsidiarity and flexibility. Member States together with National regulators should retain the possibility of adapting products and services offered as part of the universal service in line with the needs of their citizens and considering country-specific circumstances. Regarding the boundaries of the postal regulatory framework, we believe that the Postal Services Directive must maintain a uniform and coherent scope of application: we need to define a consistent scope build around its universal service obligations. That is why we think that the Postal Services Directive should remain to deal only with universal postal items (letters/parcels) and that postal regulation is not suited for other sectors of the economy such as food delivery or groceries.

### **Deliverable # 2: ERGP Report on exploring the possibilities to support environmental sustainability within the Postal Regulatory Framework**

PostEurop Members are fully aware that the environmental transition is a vital issue for their business. That is why they have been committed to environmental sustainability for a long time investing and taking measures to green all their activities, not only the last mile delivery. They are fully aligned with the UN Sustainable Development Goals on resource efficiency, procurement, waste management and air quality, among others. At the European level, within PostEurop and the International Post Corporation (IPC), postal operators have been stepping up their initiatives and commitments to reduce their carbon footprint for two decades. PostEurop Members are keen to increase benchmarks on this topic and to step up exchanges with the ERGP.

From a regulatory point of view, PostEurop advocates to avoid over-regulation. PostEurop stresses that all legal environmental obligations apply to the postal sector, including taxonomy and disclosure obligations as defined in the Corporate Sustainability Reporting Directive as well as all measures aiming at reducing gas emissions and waste. Regarding information to users, PostEurop Members draw the attention of the ERGP on several recent proposals of the Commission: the first one aimed at making information disclosures on greenhouse gas emission reliable and comparable for EU customers<sup>1</sup> and the second one aimed at improving consumer information on sustainable features of products and services<sup>2</sup>.

In this context, PostEurop Members do not see the point in creating a specific environmental regulation for the postal sector, considering that they are, on the one hand, proactively boosting environmental

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<sup>1</sup> [Proposal for a Regulation of the European Parliament and of the Council on the accounting of greenhouse gas emissions of transport services of 11 July 2023](#)

<sup>2</sup> [Proposal for a Directive of the European Parliament and of the Council amending Directives 2005/29/EC and 2011/83/EU as regards empowering consumers for the green transition through better protection against unfair practices and better information of 30 March 2022](#); and [Proposal for a Directive of the European Parliament and of the Council on substantiation and communication of explicit environmental claims \(Green Claims Directive\) of 22 March 2023](#)

sustainability in their operations, and on the other hand, already subject to comply with obligations resulting from other horizontally applicable regulatory measures.

### **Deliverable # 3: ERGP Report on access to the infrastructure for delivery of parcels**

The parcel delivery sector is highly competitive, and using parcel lockers is just one way among many others to deliver parcels. Firstly, parcels can be delivered at home, or to an alternative address. For out-of-home delivery, various solutions are possible (parcel shops, post offices, retailer shops, dedicated pick-up stores, and so on). Therefore, PostEurop Members do not consider parcel lockers an essential infrastructure for parcel delivery, and they believe there is no value nor legitimate reason such as proven market failure to regulate parcel lockers access.

Then, newcomers often compete by proposing new ways of delivering which are increasingly data driven, digital and convenient. PostEurop Members believe that regulating final delivery will not support innovation nor competition and may be counterproductive.

### **Deliverable # 4: ERGP Report on the regulation of end-user pricing, including the obligation to secure affordable pricing and tariffs and the criteria for assessing affordability and unreasonably high prices**

Several ERGP reports have shown that the Regulation 2018/644 on Cross-border parcel delivery services has been correctly implemented and no significant problem was raised. In the same way, only very few cross-border parcel tariffs were considered unreasonably high.

We insist that any assessment on affordability and unreasonably high prices should also take into account that prices have to be cost-oriented too. NRAs must ensure the best balance between affordability and cost-orientation for pricing of parcel universal services offer.

### **Deliverables # 5: ERGP Report on core postal indicators**

We appreciate the work the ERGP is doing each year in reporting on core postal indicators and find it useful. However, we do believe that these reports should remain focused on indicators linked to universal services and obligations. Extending the information to be published outside the scope of USO for designated operators is risky for the level playing field in a highly competitive context.

Here again, we stress the administrative burden that reporting and publication activities mean for operators and we advocate avoiding duplication insofar as all the general disclosure obligations already apply to the postal sector.

### **Deliverables # 6: ERGP Report on Quality of Service, consumer protection and complaints handling**

Improving quality of service is a constant concern for postal operators, and this type of report, elaborated year after year, gives postal operators an overview of problems that may arise. Nevertheless, PostEurop believes that this report should focus on universal services and not on e-commerce parcels that are already subject to a highly competitive environment offering customers a wide choice of operators.

### **Deliverable # 7: ERGP Report on the needs of postal services for vulnerable users**

As Universal service providers, postal operators are used to deal with all kinds of users and think that the universality of the service creates obvious positive externalities for the Society, including for vulnerable users. The USO must ensure accessibility for all users and their need should be taken into account. This might lead to differentiated service offerings, based on national circumstances. PostEurop Members will be very keen to participate in the external workshop on protection of the most vulnerable users next year and wish to be involved in the debate.