

Dr. Spyros Pantelis  
ERGP Chair  
European Commission  
DG GROW  
Avenue des Nerviens 105  
1040 Etterbeek  
Belgium

Brussels, 28 September 2020

PostEurop Ref: JPF,BS/020/42/jv

Dear Dr. Pantelis,

In response to the **ERGP Report on Key Consumer Issues (ERGP PL I (20) 8)**, which is currently under public consultation, PostEurop would like to take the opportunity to react on its important aspects.

First, we would like to welcome ERGP's presentation of the market developments, which gives a good overview of the current context and challenges for postal operators. We appreciate that the ERGP underlines the fierce competition on the parcel market. It is also true that consumers are more and more demanding on their delivery experience when ordering online. This is why postal operators are developing innovative services to meet end-user expectations, for example with new options regarding the time and place of delivery. Even though end-users of e-retailers basically are not in a contractual relationship with us, we adapted our offers to satisfy their demands as they are at the heart of our service.

We believe that the current regulatory framework provides sufficient protection for end-users. We agree that the contractual relationships between parties are important and that consumers who receive the goods basically do not have a contract with postal operators but with the sender. Nevertheless, this does not mean that end users are less protected.

Their rights are enshrined at EU level through horizontal consumer protection rules. These rules are sufficient and quite strict regarding consumer protection. Also, the directive 2019/2161 on the better enforcement and modernisation of Union consumer protection rules recently reviewed this framework and provides an even higher level of protection and more requirements on transparency. Therefore, the general framework is sufficient and nothing calls for sector-specific regulation on this topic. The provisions of the Postal Services Directive (Article 19), remain valid and future-proof.

Finally, we would like to comment on the possibility for the recipient to select the provider that suits him. More particularly in the case of delivery services generated by the online purchase of goods, it is the retailer (i.e. the customer buying the postal delivery service) who decides which operator(s) and which delivery options he wants to propose to its end-users. Beyond the fact that it would be practically impossible to connect all delivery operators to all the e-retailers and for all parts of the territories, the choice in delivery is part of the commercial strategy of the retailer which comes under the fundamental commercial freedom of the sellers on which the establishment of the internal market is based.

We remain available to provide further inputs to ERGP on consumer issues and current practices.

Yours sincerely,



Jean-Paul Forceville  
Chairman



Botond Szebeny  
Secretary General

CC: Mr João Cadete de Matos, ERGP Vice-Chair