

EUROPEAN ECONOMIC AREA

STANDING COMMITTEE OF THE EFTA STATES

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SUBCOMMITTEE II ON THE FREE MOVEMENT OF CAPITAL AND SERVICES

EEA EFTA Comment on the Evaluation of the Postal Services Directive

1. EXECUTIVE SUMMARY

- *The EEA EFTA States (Norway, Iceland and Liechtenstein) welcome the public consultation of the European Commission on the evaluation of Directive 2008/6/EC ('Postal Services Directive').*
- *The EEA EFTA States find it essential to review the current regulatory framework and to assess if it is still fit for purpose.*
- *In our view, the new regulatory framework should focus on flexibility, including flexibility regarding universal service under Article 3 in the Directive.*
- *The universal service should be flexible enough to cover individual requirements so that each EU Member State and EEA EFTA State could customise the service level requirements based on user needs.*
- *The EEA EFTA States stress the importance that the EU should not regulate EEA EFTA participation in the European Regulators Group for Postal Services (ERGP) in the legislative act as such.*
- *We further think that the new framework should set a clear scope for the postal sector, specifically identifying the services and products that fall within its scope, including clear definitions, which ensures a unified understanding of the framework.*

2. INTRODUCTION

1. The Postal Services Directive was adopted in 1997 in order to create an internal market for postal services by means of gradual liberalisation, while ensuring that citizens and businesses throughout the EU can access a minimum set of postal services. The Directive was subsequently revised in 2002 and 2008.

2. The EEA EFTA States (Norway, Iceland and Liechtenstein) welcome the Commission's public consultation on the Directive, which is an integral part of the evaluation.

3. GENERAL AND SPECIFIC REMARKS

3. **The main aims** of the Postal Services Directive are to: establish an internal market for postal services, open the postal market to competition, guarantee a sustainable universal postal service for all users in the European Union and harmonise technical standards.
4. A **core goal** is the delivery of letters and parcels at affordable prices and specific quality conditions throughout the EU.
5. The market for postal services has undergone **major changes** in recent years, partly as a result of the digitisation of society. Falling letter volumes make it increasingly unprofitable to deliver letter mail. Digitisation has brought with it new customer preferences through e-commerce and the use of parcel mail, which continues to increase. The development is characterised by new delivery methods, including new delivery channels and more custom-made collection methods.
6. These substantial changes in the postal market, brought about by digitisation and e-commerce, create a **complicated regulatory situation** and show a **clear need for flexibility in the regulatory response**.
7. Considering the fast-changing postal market and decline in letter volumes, the EEA EFTA States stress the importance of flexibility, especially concerning **universal service** under Article 3 of the Directive. The frequency of delivery should adapt to the changing demand for postal services based on consumer needs, geographical cost, etc.
8. The postal sector in the EEA EFTA States has also addressed the need for flexibility in the universal service when it comes to **vulnerable groups** in society. The EEA EFTA States recognise in particular the user needs of mentioned groups of citizens: people living in rural and remote areas, elderly people, people with disabilities, blind/partially sighted people, people with low digital skills, and people with no access to the internet.
9. The future regulatory framework should provide EU Member States and EEA EFTA States with the **necessary flexibility** to address national specificities, while keeping the universal service sustainable. Together with the fact that national circumstances in the EU/EEA differ significantly, this will need to be reflected in the level of harmonisation that is decided on in the new framework.
10. We further stress how important it is that the EU should **not regulate EEA EFTA States' participation** in the European Regulators Group for Postal Services (ERGP) in the legislative act as such. The modalities of this participation should be left for the EEA EFTA States and the EU to decide on in an EEA Joint Committee Decision.

11. The current **definitions** of a postal item in the Directive entail various aspects that require further **clarification**. The Directive includes items of correspondence and other items such as books, catalogues, periodicals and newspapers and postal parcels, but only provides a specific definition of "item of correspondence". Furthermore, it has no specific reference to a weight or a dimension limit, as the reference to these parameters is only given for postal items belonging to the universal service.
12. In the EEA EFTA States' view, the future framework should set a **clear scope** for the postal sector, specifically identifying the services, markets and products that fall within its scope so there is no uncertainty about who and what is included within the scope. This also includes clear definitions, which ensure a unified understanding of the framework.
13. In conclusion, the EEA EFTA States would want a new framework that ensures a unified understanding of the scope of the postal sector with flexibility for EU Member States and EEA EFTA States, especially concerning a future universal service.
14. The EEA EFTA States hope to be able to contribute to finding the best solution for a clear, unified and flexible framework for European postal services in line with our common European values.