

ANEC President's intervention at European Parliament event "Delivering parcels in a Connected Europe"

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*Hosted by the rapporteurs of TRAN and IMCO committees:
Lucy Anderson MEP & Biljana Borzan MEP*

Problems encountered by consumers in cross-border e-commerce

Thank you for the opportunity to present a consumer view on cross border parcel delivery. As Markus Ferber said "What's in it for consumers". So let me tell you what consumers want from a Regulation on cross border parcel delivery. **The delivery of items bought cross-border was found to be a major problem experienced by EU online shoppers** when surveyed by ANEC in 2015. [ANEC study 'European cross-border online shopping - Learning from consumer experiences'](#)¹ looked at the online shopping habits and identified key problems when buying online from another EU country.

We surveyed more than 4,000 consumers in 22 EU countries uncovering a significant number of problems. Issues raised by respondents were:

1. A **Lack of transparency around pricing**: How much will a delivery cost and what are the different options?
2. The **Damage to goods in transit**: Who is responsible and how should problems be addressed?
3. Problems with **Third party courier services**: Respondents didn't know who to contact in the event of problems. Is it the retailer or courier responsible for resolving disputes they asked?
4. **Poor communication**: was reported. Insufficient information provision, or notice of delivery date and time. There was also a lack of flexibility to make changes.
5. In addition, we found **Irresponsible delivery**: Parcels were left in unsecure places when the recipient is not at home when the item is delivered.

Concerns were raised over the **confidentiality of communications, especially where the package is delivered to other persons than the contracted consumer**, if the addressee is not present.

National consumer organisations also register complaints about the **necessity for the end consumer to notify the online seller** (and not the delivery operator) **of a problem with delivery**. As we know it is the seller that is responsible for

¹ This was commissioned especially to provide ANEC representatives in standardisation with useful evidence for their work in defending consumer interests.

the execution of the entire contract, including delivery but many EU consumers are confused.

We found that negative perceptions of the delivery process are a key barrier to cross-border shopping, so it is important to resolve these issues.

With the aim of improving cross border parcel delivery, ANEC considers the key aspects to be tackled are:

1. **Clarity and transparency of information** (on price, returns policy and other procedures, including delivery);
2. **Effective tracking and tracing** of parcels;
3. **Quality of the delivery service**: timely and efficient delivery, to the correct address or person, without damage to the product;
4. It is also essential to address the **Affordability and accessibility** of the services.

As we highlighted² **high prices for cross-border parcel delivery are one of the biggest obstacles for consumers and retailers alike**. This is a disincentive for cross border sales within the EU.

The [**Proposal for a Regulation on cross-border parcel delivery services**](#) put forward in the package to boost e-commerce - aims at more efficiency, transparency on delivery times, and affordable prices.

Lower prices for consumers can be expected to result from a more competitive market and are particularly welcome. However, this should not result in a decrease in the quality of the services provided nor in an uneven playing field for operators. I heard what Raphael Goulet said in reply to Lucy Anderson's question on the scope of the Regulation. We believe the Regulation needs to cover all significant operators in the field whether public or private companies.

Consumer confidence would definitely benefit from improved requirements for more transparent and comparable information on available delivery options; more guidance on procedures for damage, loss of goods, or delays and returns³; and for complaints handling.

² European Parliament IMCO committee in November 2016 published the study "Completing the Internal Market for Parcel Delivery and E-Commerce. State of Play and Possible Reforms"

³ We draw attention to the recommendation of the European Parliament Analysis made for IMCO committee in November 2016 IP/A/IMCO/2016-02 PE 587.332 "Completing the Internal Market for Parcel Delivery and E-Commerce. State of Play and Possible Reforms" that concluded among other issues: Article 6 of the proposed Parcel Regulation **should be edited to specifically apply to returns solutions**.

Role of standards

Turning to the role of Standards, the proposed regulation is presented as a complement to the European standardisation work.

For several years ANEC has been involved in the **European standards committee CEN TC 331 'Postal Services'** to defend consumer interests and ensure the quality of postal services. Initially standards were developed in support of the implementation of the Postal services directive but, more recently, the focus has been on the growth of e-commerce.

Several standardisation deliverables⁴ could support operators in the delivery of quality services. We are concerned, however, that the many privatised postal operators involved in delivering e-commerce parcels do not consider standards to be relevant to them or are unaware of them. It would be helpful if the Commission could promote the use of these technical specifications among **all** relevant postal operators.

In addition to the proposal for a Regulation, the Commission monitors the initiatives of Universal services providers, and e-commerce associations on:

- cross border complaints handling procedures, and
- The introduction of cross border track and trace, and common labels.

These initiatives are welcome, but we believe more direction could be given in the proposed Regulation.

(In addition to these consumer requirements, it is important that there is proper enforcement of the [legislation on Alternative Dispute Resolution and Online Dispute Resolution](#). It is essential to address the lack of effective redress that constitutes an obstacle to cross-border e-commerce. Your attention is drawn to the ISO standards⁵ on complaints handling and dispute resolution that could be of considerable assistance in this respect.

Finally, we believe there is a need for action to be taken on **e-commerce trust marks**. There are too many in the cross-border sector. Ideally, one trust mark should be adopted at the European level to avoid consumer confusion and inspire consumer trust. This must of course be validated by independent third party certification.)

⁴ We participated in the development of the CEN/TS 15472:2016 on '**Postal Services method for measurement of parcel transit time for cross-border parcels within the European Union and EFTA using Tracking and Tracing**'. Another CEN TC 331 standard that should be taken into account and used by operators is **CEN TS 6819 'Postal Services technical features of parcel boxes'** that can help prevention of damage to postal items. A recently adopted Standardisation request on postal services is being implemented.

⁵ 10002 and ISO 10003

Conclusion:

Our 2015 study shows both consumers and retailers need to achieve a better understanding of their rights and responsibilities if cross-border e-commerce is to reach its full potential, while respecting societal rights, consumer, workers and environmental protection. Thus we look with interest at the work of the European Parliament in this area.

ANEC believes that the consumer concerns in the parcel delivery market can and should be addressed by the regulation, with the suggested mix of tools, bearing in mind also the efforts to achieve harmonised EU rules on contracts and common consumer protection when buying online⁶. We stress the need to keep key consumer principles at the heart of the policy to achieve efficient & effective parcel delivery: affordability, accessibility & transparency of information.

Finally, we strongly support the role of European and international standards in underpinning the legislation, offering guidance on good practice in areas such as complaints handling, quality of postal services, online review sites and trust schemes.

⁶ Commission proposal for a directive on contracts for online and other distance sales of goods, part of the digital single market strategy, would partly replace the existing Consumer Sales Directive. EP Briefing: [http://www.europarl.europa.eu/RegData/etudes/BRIE/2017/599286/EPRI\(BRI\(2017\)599286_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/BRIE/2017/599286/EPRI(BRI(2017)599286_EN.pdf) ; Standardisation started on services contract at CEN TC 447 'Horizontal standards for the provision of services'.