2. Is there not a danger that these new regulations will create greater legal uncertainty given that the definition of special services is unclear, and might allow any services included in the universal service to be excluded from the universal service whenever it has additional service features.

3. In its judgment in the Corbeau case, the Court of Justice of the European Communities held that if competition in the provision of added value would compromise the financial equilibrium of the universal service providers, the national authorities could legally include such services within the reserved area of services. Can the Commission explain why the proposal for a directive disregards this point, which is crucial to ensuring the viability of universal service providers?

Answer given by Mr Bolkestein on behalf of the Commission

(21 November 2000)

1. No. The adaptability of the universal service would not be affected by this measure. The proposal for a Directive involves the reserved sector and does not change any part of the universal service.

The distinction between ‘standard’ and ‘special’ services has already been made (recital 21, read in conjunction with Article 7 of Directive 97/67/EC of the European Parliament and of the Council of 15 December 1997 on common rules for the development of the internal market of Community postal services and the improvement of quality of service (1)).

2. No. For a service to be considered a special service, it must fulfil the following three criteria: it must fall outside the scope of the universal service (as defined by each Member State); it must meet the specific needs of economic operators; and it must have at least two additional services not offered by the traditional postal service. The compulsory services which form part of the universal service are defined in detail by each Member State.

3. The Corbeau judgment applies in the absence of harmonised rules: Directive 97/67/EC lays down a maximum area for the reserved sector and other measures which the Member States can use to ensure the provision of the universal service.


(2001/C 136 E/252) WRITTEN QUESTION E-3258/00
by Brice Hortefeux (PPE-DE) to the Commission
(20 October 2000)

Subject: Revision of the postal directive — price increases

Sweden is often cited as evidence that, taken as a whole, the impact of liberalisation of the postal market has been positive.

However, if one looks at the trend in the prices paid by Swedish consumers, one finds that there has been a significant increase since 1993:

- prices rose by 25% between 1993 and 1995,
- by 6% in 1996,
- by 30% in 1997.

Can the Commission confirm that it will give priority to competition even at the expense of maintaining a quality service at a price that is affordable for all?
Answer given by Mr Bolkestein on behalf of the Commission

(21 November 2000)

The Commission considers that opening up to competition means improving the quality of the universal service. The two are not mutually exclusive.

This is the case in Sweden where citizens enjoy a very high quality of service (97% of mail delivered the following day) in a Member State with a very low population density.

The increase in tariffs in Sweden is linked mainly to the introduction of VAT on postal services.

The Swedish Government points out that every year private individuals receive a number of stamps at a reduced price, which covers most of their needs.

(2001/C 136 E/253)

WRITTEN QUESTION E-3259/00

by Brice Hortefeux (PPE-DE) to the Commission

(20 October 2000)

Subject: Revision of the postal directive — impact on employment

In the proposal for a directive (COM(2000) 319 final) the European Commission put forward a number of figures for the consequences on employment of the liberalisation options envisaged. Given that the postal sector employs 1.4 million people in Europe, the social consequences of the Commission’s proposal should be the subject of a specific and thorough evaluation but the proposal fails to provide such an analysis.

1. Can the Commission say what studies it took as a basis for its assessment of the social consequences of the proposal?

2. Can the Commission guarantee that its proposals will not jeopardise employment in the postal sector?

3. As the paragraph on employment in its proposal is somewhat succinct, can the Commission provide data on the consequences on employment in the postal sector for each Member State of the European Union?

Answer given by Mr Bolkestein on behalf of the Commission

(5 December 2000)

1. The social consequences of the proposal for a European Parliament and Council Directive, amending Directive 97/67/EC with regard to the further opening to competition of Community postal services, are assessed on the basis of experience in certain Member States which, in opening their postal sector to competition, have gone beyond the provisions of Directive 97/67/EC of the European Parliament and of the Council of 15 December 1997 on common rules for the development of the internal market of Community postal services and the improvement of quality of service (1), and the study entitled ‘Employment trends in the European postal sector’ carried out by Price Waterhouse in May 1997 (2). This information has been updated with information received subsequently from the economic operators. Moreover, in order to have up-to-date information in future, the Commission is about to launch a study on this issue as part of its periodic assessments of sectoral trends.

2. The Commission’s proposal involves introducing a gradual and controlled opening of the postal services market. The proposed opening of the market, with effect from 2003, represents on average 20% of the postal services revenues of the universal service operators. Experience shows that the existing operators should retain the largest share of trade open to competition (80-90%). Moreover, it is helpful to recall that seven Member States have already set about opening the market, going further than the requirements of the Postal Directive. Because of this, the impact of the proposed opening of the market on employment should be limited and will certainly not jeopardise employment in the sector.