

## **EU Delivery Act: Directions for the EU Postal Market**

*Working paper. Please do not cite.*

### **1. Introduction**

The European Commission's 2025 initiative on the EU Delivery Act has reopened a long-postponed debate on the future of the EU postal regulatory framework. That debate is timely. The framework still rests on the Postal Services Directive (PSD)<sup>2</sup> and the Regulation on cross-border parcel delivery services<sup>3</sup>, yet the market it governs has changed substantially. Declining letter volumes, the growth of e-commerce-driven parcel delivery, and the increasing complexity of delivery chains have put pressure on the traditional assumptions of postal regulation, especially those concerning universal service and the scope of sector-specific rules. The Commission's Call for Evidence recognises this explicitly and identifies the main challenges as the sustainability of the universal service obligation, the adequacy of user protection, the unequal application of the rules to relevant operators, cross-border frictions, and disproportionate administrative burdens.

Against that background, this paper examines the emerging directions in the debate on the future EU postal framework. Its purpose is not to predict the final shape of the EU Delivery Act, nor to defend a fully settled regulatory model. Rather, it seeks to assess why reform has become necessary, how the Commission has framed the problem in the Call for Evidence, and what kind of response appears justified at the present stage of the policy process. In doing so, the paper uses three main reference points: the Commission's Call for Evidence, the CDS position on the future EU Delivery Act (Chołodecki et al., 2025), and the broader academic

---

<sup>1</sup> Visiting Fellow at the European University Institute (EUI), Florence; Head of the Postal Laboratory at the Center for Antitrust and Regulatory Studies (CARS), University of Warsaw; lawyer. Email: mateusz.cholodecki@eui.eu.

<sup>2</sup> 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, OJ L 15, 21.1.1998, p. 14–25, as amended by Directive 2002/39/EC, OJ L 176, 5.7.2002, p. 21–25, and Directive 2008/6/EC, OJ L 52, 27.2.2008, p. 3–20.

<sup>3</sup> Regulation (EU) 2018/644 of the European Parliament and of the Council of 18 April 2018 on cross-border parcel delivery services, OJ L 112, 2.5.2018, p. 19–28.

discussion on the transformation of postal regulation in the context of digitalisation and platformisation.

The argument developed below is deliberately cautious. The available materials already show that the current framework cannot be treated as fully adequate and that some form of amendment is widely accepted. At the same time, they do not yet support any definitive conclusion about the reform's final direction. What they do show is that the future debate must begin from a clearer problem definition and from a reconsideration of the regulatory objectives that should guide the next stage of EU postal law.

The paper proceeds in five steps. Section 2 explains why the current framework appears no longer fully fit for purpose. Section 3 presents the structure of the Call for Evidence, focusing on the Commission's problem definition, objectives, and policy options. Section 4 discusses the CDS position as a normative benchmark in the debate. Section 5 then places that position in the wider consultation context and argues that, at least for now, the most plausible outcome lies between the two extremes of preserving the current framework unchanged and extending sector-specific regulation too broadly. The final section offers a brief concluding reflection on the current stage of the reform process.

## **2. Why the current postal framework appears no longer fully fit for purpose**

The need to reconsider the current EU postal framework stems from a structural transformation of the market that has progressively weakened the assumptions on which the existing regime was built. The regulatory architecture established by Directive 97/67/EC, later complemented by Regulation (EU) 2018/644 on cross-border parcel delivery services, was designed for a market in which letter mail remained the central service, the universal service obligation (USO) was closely linked to that traditional segment, and the main regulatory concern was the gradual liberalisation of former monopolies. That market reality has changed substantially. Both the EC and recent academic work increasingly recognise that postal activity is now shaped by the decline of traditional letter volumes, the rapid growth of parcel delivery linked to e-commerce, and the emergence of new delivery models and new categories of market actors (Chołodecki, 2024).

This transformation is not merely quantitative. It affects the very logic of regulation. In the classic PSD framework, the USO was conceived as the permanent availability of specified postal services of a defined quality at affordable prices throughout the territory of the Member States (Article 3 PSD). That design reflected the historical role of the post as an essential communications infrastructure. Yet the practical relevance of this model has been weakened by digital substitution, including e-mail, e-invoicing, and e-government services, which have reduced the centrality of physical letter correspondence (ERGP 2025). At the same time, the expansion of online commerce has shifted economic and regulatory attention toward courier, express, and parcel services, whose infrastructure, competitive dynamics, and consumer expectations differ from those of the traditional letter market (Copenhagen Economics, 2021). As a result, the current framework increasingly regulates a market that is no longer the market it was originally intended to govern.

The Commission's Call for Evidence seems to reflect this diagnosis. It is based on the premise that the existing framework should be modernised and consolidated, and the CDS response rightly notes that the key issues concern the sustainability and financing of the USO, the adequacy of the regulatory scope, the applicability of the rules to the relevant operators, obstacles to cross-border e-commerce, and the proportionality of the administrative burden imposed on regulators and operators (Chołodecki at al., 2025). Particularly important among these is the growing asymmetry between the formal scope of postal regulation and the market's actual structure. The legal framework still relies heavily on categories developed for the traditional postal operator and its classic services, while much of the economic significance of the sector has moved toward delivery ecosystems involving parcel operators, out-of-home networks, platforms, and integrated logistics structures.

A second reason why the current framework appears increasingly inadequate concerns the USO itself. The concept of universality remains central to postal law, but its concrete meaning has become more contested. While universal service has historically been one of the foundational elements of postal regulation, the content of the "specific package" of protected services has always evolved in response to technological change and shifts in user demand (Chołodecki, 2026). In EU law, however, the core concept of the universal postal service has remained largely stable since the original 1997 directive, despite major market changes. This creates a tension between legal continuity and economic reality: the obligation remains central, but the market segment on which it was built is shrinking, and its social and economic justification now requires re-examination.

The difficulty, therefore, is not simply that the USO has become obsolete. Rather, the problem is that the current legal model may be too rigid in form and too narrow in scope. The postal market today resembles, in important respects, an industry in transition like telecommunications: a sector still shaped by legacy structures, but increasingly driven by new technologies, new consumer practices, and new competitive interfaces (Chołodecki, 2024). In telecommunications, such changes ultimately required a more functional and technologically neutral approach to regulation. A comparable issue now arises in the postal and delivery context. Parcel delivery, out-of-home infrastructure, pick-up and drop-off points, and platform-mediated logistics have become central to market functioning, yet they remain only imperfectly captured by a framework still strongly anchored in the traditional categories of postal regulation.

The inadequacy of the current framework also appears at the level of competition and market structure. Liberalisation under the PSD was designed to open the market while preserving a universal service backbone. However, the contemporary market is no longer defined solely by the relation between an incumbent universal service provider and its direct postal competitors. It is increasingly characterised by hybrid, multi-layered competition among logistics operators, e-commerce platforms, parcel locker networks, and other out-of-home delivery systems. In such a setting, the regulatory perimeter becomes decisive. If it is drawn too narrowly, major actors affecting market outcomes may remain outside the core discipline of sectoral regulation; if it is drawn too broadly, the framework may become disproportionate and administratively burdensome.

For these reasons, the present debate should not be understood as a routine technical update of the PSD. It is more accurately seen as a broader reconsideration of the relationship between postal regulation and the delivery market as it currently exists. The issue is no longer only about preserving traditional universal service under conditions of liberalisation. It is also about defining the relevant market, which actors fall within the regulatory scope, what obligations remain justified, and which regulatory tools are appropriate in a market where letters are declining but parcel and delivery ecosystems are growing rapidly. In that sense, the current framework appears no longer fully fit for purpose, not because its original logic was mistaken, but because the structure of the market has moved beyond the assumptions on which that logic depended.

### **3. The EU Delivery Act: problems, objectives and policy options emerging from the Call for Evidence**

The 2025 Commission's Call for Evidence frames the future EU Delivery Act as a reform intended to modernise the current postal regulatory framework, which presently consists of the PSD and the Cross-border Regulation. The document explicitly states that the initiative is likely to take the form of a Regulation, with an indicative timetable for Q4 2026, and that its preparation is linked to the broader revision announced in the 2025 Single Market Strategy. The Call for Evidence does not yet provide a full legislative blueprint. Rather, it performs a classic Better Regulation function: it identifies the main problems to be addressed, formulates the principal policy objectives, and outlines a set of policy options for the forthcoming impact assessment.

The Commission identifies five core problems in CfE that the initiative aims to tackle.

- a. First, “the financing of the universal service obligation (USO) is becoming gradually unsustainable, potentially affecting accessibility.” The Commission links this directly to falling mail volumes, the cost of maintaining delivery frequency and quality requirements for letter mail, and the resulting risk that vulnerable groups and remote destinations may face reduced service availability. It also notes that diverging national approaches to universal service may fragment the postal single market.
- b. Second, the Commission identifies that “the scope and effectiveness of complaints handling systems vary across Member States and are insufficiently adapted to e-commerce.” The concern here is not only the rise of e-commerce deliveries but also the complexity of delivery chains, especially in cross-border situations involving multiple partners. According to the CfE, e-commerce recipients are not guaranteed the right to seek redress directly from the delivery provider or to access external complaint resolution mechanisms unless the provider is a universal service provider.
- c. Third, the document states that “legislation in this area does not apply equally to all relevant operators.” This is one of the most important parts of the Commission's diagnosis. It points to the growing number of parcel-delivery operators driven by e-

commerce and notes that not all of them clearly fall within the scope of the Postal Services Directive. The Commission explicitly refers to the 2024 prospective study, which suggested that the lack of clarity in the EU legal framework may be affecting the level playing field.

- d. Fourth, the Call for Evidence notes that “cross-border delivery issues hamper cross-border e-commerce.” In the Commission’s view, these difficulties arise from interoperability issues in parcel delivery chains, including differences in delivery processing, tracking-related issues, and data exchange problems stemming from the involvement of numerous national and local actors.
- e. Fifth, the Commission argues that “the administrative burden for providers and regulators is disproportionate.” It suggests that existing reporting, notification and data-processing obligations can be simplified and streamlined in order to reduce compliance costs.

Based on this problem definition, the Commission formulates **five objectives** for the modernisation of the EU postal regulatory framework. These are: “Objective 1: Safeguard universal access to postal delivery services for all citizens and businesses at all points on EU territory, in financially sustainable conditions”; “Objective 2: Clarify, and where relevant, improve, users’ rights by strengthening user protection”; “Objective 3: Safeguard the level playing field in the postal delivery sector, by ensuring equal treatment of postal delivery service providers and effective market monitoring and enforcement”; “Objective 4: Support the development of cross-border delivery solutions, to ensure seamless and efficient services across the e-commerce single market”; and “Objective 5: Decrease the administrative burden by simplifying and clarifying delivery rules, while bringing about more effectiveness and harmonisation in oversight and regulation at Member State level.”

The architecture of the CfE is therefore revealing. It shows that the Commission is not approaching the reform solely as a technical update of legacy postal law. The future act is presented as a response to a market shaped by e-commerce, cross-border logistics, and new delivery actors, while also preserving concern for universal access and user protection. In that sense, the document already signals a shift from a narrow letter-mail perspective toward a broader delivery-market perspective.

The Commission then outlines three policy options, plus a baseline. The baseline is “No change”: the regulatory framework would remain unchanged, although the Commission might issue additional guidelines to clarify the rules and improve alignment.

Option 1 – A limited review would revise only the Postal Services Directive. According to the CfE, this would update the current framework in light of technological, market, and user developments; give Member States greater flexibility to tailor universal services to national circumstances; update definitions to reflect case law; and ensure a level playing field for all operators providing postal delivery services. Under this option, the Cross-border Regulation would not be revised.

Option 2 – A wider review would revise both the Postal Services Directive and the Cross-border Parcels Regulation, potentially merging them into one legal act. In addition to the elements already included in Option 1, this option would potentially reduce or eliminate the mandatory frequency of collection and delivery, and the quality requirements for cross-border letters; clarify tariff principles; address transparency issues; harmonise licensing practices; and broaden the application of the sector-specific complaint handling mechanism.

Option 3 – New scope is the most ambitious scenario. It would merge the Directive and the Regulation into one legal act and “fully revise the scope of the EU postal framework to focus on the delivery of goods, without excluding letter mail.” It would seek to guarantee access to efficient and affordable delivery services across the EU under financially sustainable conditions, make consumer protection more uniform and effective, ensure a fair and competitive level playing field, address interoperability among cross-border delivery partners, simplify and harmonise requirements, and improve regulators’ ability to maintain that level playing field.

The CfE also identifies three additional, non-mutually exclusive elements that may be considered under Option 3. These are particularly important because they provide early indications of the Commission’s conceptual direction. The first is “content-defined delivery,” namely, defining postal delivery based on content, function, and criteria other than form, such as public availability or individual delivery. The second is “targeted universal service”, meaning a form-independent definition of delivery combined with basic universal service

coverage only for the most vulnerable users. The third is “accessible prices for universal service parcels”, intended to ensure that EU citizens and SMEs have at least one affordable cross-border delivery option from each Member State to another.

For the purposes of this paper, the significance of the Call for Evidence lies in two points. First, it confirms at an official level that the reform is not confined to marginal adjustment of the current framework, but may extend to a redefinition of its scope, structure, and instruments. Second, the way the Commission formulates the problems and options already frames the central policy dilemma of the future EU Delivery Act: whether the Union should merely adapt the traditional postal acquis or instead move toward a broader, delivery-oriented regime better aligned with the realities of e-commerce and integrated logistics.

#### **4. The CDS position on the future framework and the relevance of telecom regulatory experience**

The CDS position offers a coherent normative framework for assessing potential directions for the future EU Delivery Act. Unlike the Commission’s Call for Evidence, which is agenda-setting and exploratory, the CDS position takes a prescriptive approach to how the future framework should be designed. It starts from the same general diagnosis as the Commission: the current postal acquis no longer adequately reflects the realities of a delivery market shaped by declining letter volumes, e-commerce growth, new logistics models, and increasing digitalisation. From that premise, however, the CDS position goes further by identifying a set of principles that should guide reform, namely a more flexible and outcome-oriented understanding of the USO, broader reliance on functional equivalence, technological and business-model neutrality, stronger interoperability, and proportionality in the design of obligations (Chołodecki et al., 2025).

A first central element of the CDS position concerns the USO. The document does not reject universality; on the contrary, it argues that the USO should remain one of the foundations of the future framework. At the same time, it criticises the rigidity of the current model, especially the continued reliance on uniform input-based obligations such as five-day collection and delivery. In its place, the CDS position proposes that the future EU Delivery Act

should redefine the USO around outcome-oriented criteria such as accessibility, reliability, affordability, and continuity, while allowing Member States proportional flexibility to adapt delivery frequency, service formats, and territorial scope to national conditions. In this sense, the CDS position does not advocate deregulation of the USO, but rather its recalibration to preserve its social relevance and economic viability in changed market circumstances.

This point is important to the paper's broader argument of the paper. The CDS position avoids the false binary between preserving the traditional USO unchanged and dismantling it altogether. Its core claim is that universality should remain, but in a form better adapted to current market realities. That logic is also consistent with the comparative material in the CDS paper itself, which shows that several Member States have already moved away from a rigid, uniform operational model. The significance of the CDS position, therefore, lies not in defending the historical model as such but in preserving the underlying public-interest objective through more flexible regulatory design.

A second major component of the CDS position concerns the scope of regulation. The document addresses one of the most consequential questions raised by the future EU Delivery Act: whether the revised framework should remain centred on traditional postal categories or be redefined to better reflect the broader delivery ecosystem. The CDS position clearly favours a more functionally defined framework. Its criticism is that outdated, overly narrow legal definitions no longer capture how delivery services operate in a digital, platform economy, thereby perpetuating asymmetries between postal operators and other actors performing comparable economic functions. It therefore advocates a regulatory approach based on functional equivalence, under which comparable delivery activities should, in principle, be assessed under comparable regulatory logic.

That functional perspective is closely linked to the CDS emphasis on technological and business-model neutrality. The underlying idea is that the legal framework should not be structured solely around legacy institutional categories, but rather around the actual functions performed in the market. This does not necessarily mean that every operator in the wider delivery chain should be subject to the same obligations. Rather, it means that the regulatory perimeter should be able to recognise equivalent services and equivalent sources of market power or user dependency, regardless of whether they arise in traditional postal networks,

integrated parcel systems, or platform-mediated logistics. In this respect, the CDS position pushes the debate beyond incremental amendment and toward a more conceptually updated framework.

A third important element is interoperability. The CDS position treats interoperability not as a secondary technical matter, but as an increasingly central condition for the functioning of the single market in delivery services. It emphasises the need for common standards in cross-border data exchange, tracking systems, and operational interfaces, and it links these requirements to both efficiency and user protection. It also proposes moving away from fragmented, static reporting obligations toward more continuous, dynamic data exchange among operators, regulators, and the Commission, while respecting proportionality. In this respect, the CDS position develops the Commission’s own diagnosis in a more operational and system-oriented direction.

The final cross-cutting principle is proportionality. This is especially important for situating the CDS position within the broader consultation landscape. Although the document supports deeper structural reform than some other submissions, it does not call for indiscriminate expansion of sector-specific regulation. On the contrary, it repeatedly stresses that obligations should be calibrated to actual market realities and regulatory needs. This is evident both in its approach to the USO and in its proposals for reporting, data exchange, and aligning regulatory burdens with the roles and significance of the relevant actors. The CDS position is therefore better understood not as an argument for “more regulation” in the abstract, but as an argument for a framework that is more coherent, more future-oriented, and better targeted.

At the policy options level, the CDS position is explicitly critical of the baseline and of a merely limited review. It argues that these paths would leave untouched the deeper structural mismatch between inherited legal categories and the realities of the contemporary delivery economy. It therefore views Option 2 as capable of delivering meaningful progress, especially through merging and updating the Postal Services Directive and the Cross-Border Parcels Regulation, but considers Option 3 the most normatively attractive option because it would allow a fuller revision of scope and objectives and establish a comprehensive framework for a converging delivery ecosystem (Cholodecki et al., 2025). At the same time, for the purposes of this paper, that preference should be read as the CDS position’s normative benchmark rather than as a prediction of the most likely political or institutional outcome.

This distinction is important. As shown in the following section, the wider set of responses considered for this paper suggests broad agreement that the current framework requires amendment and that the USO should be preserved, albeit in a more flexible form. However, many institutional actors appear to favour a more cautious, limited reform than the normatively preferred reform in the CDS position. For that reason, the analytical value of the CDS position lies less in forecasting the final legislative compromise and more in articulating the strongest case for a structurally updated and functionally coherent reform model. It thus serves as a benchmark in this paper against which more cautious reform paths can be evaluated.

The CDS position also gains additional perspective when read against developments in telecom regulation. The relevance of that comparison does not lie in treating the two sectors as equivalent, nor in suggesting that regulatory solutions developed for electronic communications can simply be transferred to the postal field. The structure, economic characteristics, and public-service functions of the two markets remain distinct. At most, telecom regulation provides a useful comparative reference point for a more limited proposition: when technological and market developments undermine the assumptions of a legacy framework, regulation may need to reconsider its scope, concepts, and instruments. In that sense, the telecom experience is relevant not as a pattern to be copied, but as an example of how sector-specific regulation can be rethought in response to structural change. The CDS position uses that comparative perspective in precisely this limited way, namely to support a more functionally coherent and future-oriented approach to the delivery market without assuming regulatory equivalence between the two sectors.

## **5. Between baseline and overregulation: likely directions for the future EU postal market**

The Call for Evidence and the responses considered in this paper suggest that the future EU Delivery Act is unlikely to emerge at either of two opposite poles. The first is the baseline scenario, namely, leaving the current framework essentially unchanged. The second is an overextended sector-specific framework, in which a broad range of delivery activities would be absorbed into postal-style regulation without sufficient regard to proportionality, market

structure, or the actual existence of market failures. The review of the positions considered for this paper indicates that neither pole commands broad support. Rather, the dominant tendency appears to favour a more limited but meaningful reform: one that preserves the universal service obligation, accepts the need for adjustment, and introduces selected changes to the current framework without fully transforming it into a comprehensive regulatory regime for the entire delivery ecosystem.

The baseline is the easier of the two extremes to reject. The Commission itself presents it largely as a formal benchmark. In the Call for Evidence, the baseline would maintain the current framework, possibly complemented by guidance, but would not address the structural problems identified by the Commission itself, including the increasing difficulty of financing the USO, the uneven adaptation of complaint-handling systems to e-commerce, the unequal application of the rules to relevant operators, persistent cross-border issues, and disproportionate administrative burdens. The very structure of the Commission's problem definition, therefore, points away from preserving the status quo. The logic of reform has already been accepted at the level of the initiative itself.

This conclusion is confirmed by the institutional responses reviewed here. ERGP expressly rejects the baseline as a substantive option, arguing that leaving the current legislation unchanged would make it impossible to tackle most of the problems identified in the CfE and that the very decision to revise the framework presupposes the need for change. ERGP is similarly critical of Option 1, treating it as an improvement over the status quo but still insufficient, mainly because it does not revise the Cross-Border Parcels Regulation and therefore leaves important cross-border and systemic issues unresolved.

The CDS position goes further. It argues that the baseline and Option 1 share a common weakness: both retain legal categories that are too narrow and too closely linked to a legacy understanding of postal services. In the CDS view, these options would perpetuate fragmentation of the USO, definitional asymmetries between postal and platform-based delivery actors, and unresolved interoperability and transparency problems. For that reason, the CDS position treats baseline and limited review as forms of regulatory patchwork rather than as serious responses to structural market change (Chołodecki et al., 2025).

The opposite extreme is more difficult to define precisely, because no major response appears to advocate an unlimited expansion of sector-specific regulation as such. Yet the risk of **overregulation** is clearly present in the debate whenever the future act is discussed in terms of a broad new scope covering the wider delivery ecosystem. In principle, the broadest reading of Option 3 could move in that direction if it were to extend postal-style obligations across highly competitive parcel markets, integrated logistics systems, and platform-based delivery models without a sufficiently precise delimitation of scope or a sufficiently differentiated approach to obligations. Even actors that support structural reform tend to insist that any broader framework must remain clear, proportionate and carefully delimited.

This caution is particularly visible in the PostEurop response. PostEurop accepts that the legal framework should be updated and strongly supports reform of the USO to make it more flexible and sustainable. At the same time, it rejects the idea that concerns about the level playing field justify extending sector-specific postal regulation to the broader parcel and delivery market. In its view, the parcel segment is already highly competitive, many of the concerns identified by the Commission are better addressed through general competition law and the Digital Markets Act and Digital Services Act, and regulation is justified only where genuine market failure exists. PostEurop also argues that applying the general principles of universal service to a highly competitive parcel market would risk distorting competition and imposing unnecessary burdens in a commercial segment that does not call for the same kind of intervention.

ERGP, although clearly more open than PostEurop to structural reform, also reflects a similar concern in more cautious language. It supports a merged and modernised framework and considers Option 2 an improvement over Option 1, while regarding Option 3 as the most suitable direction if properly designed. Yet it repeatedly emphasises the need for flexibility for Member States, clarity of scope, careful coordination with other EU acts, and avoidance of duplication. It also shows caution toward some of the additional elements mentioned in the CfE, such as a content-defined approach to delivery, stressing practical and legal uncertainties. In other words, even the more reform-oriented regulatory perspective does not amount to a call for indiscriminate expansion of postal regulation.

Taken together, these submissions support a more nuanced reading of the consultation record. A review of the responses considered for this paper suggests broad agreement on two

points. First, the current framework is no longer fully adequate and requires amendment. Second, the USO should be preserved, although in a more flexible and sustainable form. The main disagreement concerns not whether reform is needed, but how far it should go beyond recalibrating universal service and streamlining the existing *acquis*. On that question, the balance of the responses reviewed here points more toward contained reform than toward full structural redesign.

For that reason, the most likely direction at this stage appears to lie between the two extremes. It is unlikely that the Union will simply preserve the current framework. It is equally unlikely that it will impose a dense, comprehensive postal-style regime across the entire delivery economy. The more plausible outcome is a reform that remains anchored in the traditional architecture of postal regulation, but updates it in several important respects: by preserving the USO while allowing greater flexibility in its design; by improving coherence between the Postal Services Directive and the Cross-Border Parcels Regulation; by addressing selected issues of user protection, interoperability and administrative burden; and by refining definitions and oversight tools without fully redefining the whole market through a new sector-wide theory of regulation. In the Commission's own typology, this would place the eventual outcome somewhere around Option 2, possibly with carefully selected elements of Option 3.

From the perspective of this paper, such a middle course is also the most convincing at the present stage of the policy process. The baseline underestimates the extent of market transformation and the obsolescence of some inherited legal categories. An overly expansive approach, by contrast, risks replacing one mismatch with another by projecting sector-specific obligations too broadly across market segments that may remain effectively governed by competition and horizontal digital regulation. The future EU Delivery Act should therefore be understood neither as a mere consolidation exercise nor as a vehicle for comprehensive re-regulation of the whole delivery market. More likely, and more appropriately, it will emerge as a calibrated reform: preserving the public-service core of the *acquis* while adapting its instruments and scope to the realities of a more parcel-oriented, digitalised and heterogeneous market.

## **6. Conclusion**

The debate on the future EU postal framework was both timely and necessary. The market has changed profoundly, and the inherited regulatory architecture no longer fully corresponds to the realities of a sector increasingly shaped by declining letter volumes, expanding parcel delivery, digitalisation, and new forms of market organisation. In that context, the Commission was right to formally open the reform process through the Call for Evidence and to place the future of the current framework on the European policy agenda.

At the same time, the analysis undertaken in this paper suggests caution against premature conclusions. The consultation record indicates broad acceptance that change is needed and that the universal service obligation should be preserved, albeit in a more flexible and sustainable form. Beyond that, however, the direction of reform remains open. It is still unclear how far the future EU Delivery Act will go beyond a limited modernisation of the existing *acquis* and whether it will evolve into a broader, more functionally defined framework for the delivery market.

For that reason, the main value of the current stage of the process lies less in producing definitive answers than in structuring the right debate. Before choosing the final regulatory model, the Union must first ensure a sufficiently clear problem definition and identify the regulatory objective that should guide the reform. Only on that basis can it determine which instruments are justified, which actors should fall within the scope of the future framework, and how the balance should be struck between public-interest protection, market development, and consumer welfare.

The challenges facing the postal and delivery market are substantial and warrant a serious reconsideration of the current framework. But the outcome of that reconsideration cannot yet be predicted with certainty. At this stage, the most appropriate conclusion is therefore a modest one: the process has begun at the right moment, the need for reform is real, and the key question is no longer whether change is necessary, but what kind of regulatory framework will ultimately prove most appropriate for the market and its users.

## References:

- Chołodecki, M., Pisarkiewicz, A.R., Parcu, P.L., Botta, M., Mazzoni, L., Galli, N., MENÉNDEZ GONZÁLEZ, N. and ROSSI, M.A., 2025. CDS position statement on the European Commission's call for evidence for an impact assessment on the EU Delivery Act.
- Colomo, P. I., Future-Proof Regulation against the Test of Time: The Evolution of European Telecommunications Regulation, *Oxford Journal of Legal Studies*, Volume 42, Issue 4, Winter 2022, Pages 1170–1194, <https://doi.org/10.1093/ojls/gqac016>
- Chołodecki, M. The future EU postal regulation. What can be learnt from the telecommunication regulations. *Computer Law & Security Review*, 52, 2024, 105938. <https://doi.org/10.1016/j.clsr.2024.105938>
- ERGP, Report on The Outline of The Future Regulatory Postal Framework, 2025.
- Copenhagen Economics, The Value of Flexible Work for Local Delivery Couriers. Evidence from a novel, large-scale pan-European courier survey. Study for Delivery Platforms Europe, November 2021.