

POSTAL DISPUTE RESOLUTION PANEL

Activity Report 2023



Bundesnetzagentur

Postal dispute resolution panel

Activity report

2023

Report prepared in compliance with section 34(1) of the Act on Alternative Dispute Resolution in Consumer Matters (VSBG) and section 4 of the Ordinance on the Obligations to Furnish and Report Information as per the Consumer Alternative Dispute Resolution Act (VSBIInfoV)

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Foreword

The postal dispute resolution panel brought about numerous out-of-court settlements between postal customers and postal operators again in 2023, making another major contribution to consumer protection.

Over the past few years, various changes in the postal sector have led to a clear strengthening of consumer rights. After the requirement for postal operators to participate in the dispute resolution procedure was laid down in law in 2021, in 2022 details of the postal dispute resolution procedure were set out in a specific ordinance. In addition, just over a year ago, the postal and telecommunications dispute resolution panels were brought together in a separate Consumer Protection Department, placing a particular emphasis on consumer protection through dispute resolution at the Bundesnetzagentur.

More requests were received in 2023 than in the previous year, showing that the postal dispute resolution panel is an important and attractive point of contact for consumers. The 3,574 submissions to the panel exceeded the 3,000 mark for the third year in a row, illustrating the sustained, high level of interest in alternative dispute resolution.

Many postal customers with a problem are hesitant to go to court on account of the often high costs and lengthy proceedings. Yet there is a great need for assistance from a neutral party, even when the disputes concern relatively small sums. In many cases, therefore, a dispute resolution procedure at the postal dispute resolution panel represents a fast, economical opportunity to settle a conflict with a postal operator. The large number of agreements achieved before the postal dispute resolution panel prove that it can certainly be worthwhile to turn to the panel if circumstances permit.

As in previous years, the most common reasons for asking the postal dispute resolution panel for assistance in 2023 were loss of or damage to postal items. In the dispute resolution procedure, the panel balances the opposing interests of the two sides and seeks to offer a solution to the conflict that is acceptable to both parties.

The Bundesnetzagentur would welcome future amendments to the Postal Act (PostG) giving further protection to the rights of consumers and greater safeguards for the assertion of such rights.



Barbie Haller

Vice President of the Bundesnetzagentur für Elektrizität, Gas, Telekommunikation, Post und Eisenbahnen

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1 The postal dispute resolution panel of the Bundesnetzagentur

The Bundesnetzagentur's postal dispute resolution panel is an official consumer conciliation body within the meaning of the Act on Alternative Dispute Resolution in Consumer Matters (VSBG) and is thus one of the dispute resolution entities in the European Economic Area that are recognised by the European Commission. The postal dispute resolution panel has been conducting dispute resolution procedures between postal operators and their customers since the Postal Services Ordinance (PDLV) entered into force in 2001.

Dispute resolution serves to resolve disputes out of court and is a cost-effective alternative to court proceedings. The panel's dispute resolution procedures are free of charge for both parties, with each only having to bear their own costs. The aim of dispute resolution is to achieve a mutually satisfactory outcome that fully resolves the conflict.

Since 2016, the VSBG has stipulated consumer protection rules for the procedure and its organisation by the postal dispute resolution panel. The Postal Act (PostG) also determines further details of the dispute resolution procedure conducted by the panel. The PDLV contains additional provisions that may be relevant to the procedure.

Consumer rights and the means of resolving disputes out of court were significantly strengthened by the amendment to the PostG in 2021. Since then, postal operators have been obliged to take part in procedures before the postal dispute resolution panel when requests come from consumers.

Following the amendment to the PostG in 2021, it also became possible to regulate the dispute resolution procedure and the set-up of the panel in a separate ordinance that has the force of law. To this end, the previous ordinance was replaced by the new Postal Dispute Resolution Ordinance (PostSchliV), which entered into force in 2022. This ordinance implemented the requirements set forth in the VSBG and the PostG regarding consumer protection, procedures and the set-up of an official consumer conciliation body. Since the end of 2022, the postal dispute resolution panel has been located in a separate Consumer Protection Department.

Further information on the postal dispute resolution panel and the dispute resolution procedure may be found (in German) on the Bundesnetzagentur's website. The page includes details of the requirements of the procedure and frequently asked questions (FAQs).

This information and the online request form may be found at

www.bundesnetzagentur.de/post-schlichtungsstelle.

The address of the postal dispute resolution panel is:

Bundesnetzagentur, Schlichtungsstelle Post, Referat 523, Postfach 8001, 53105 Bonn.

2 The dispute resolution process

In cases where postal items have been lost, damaged or stolen and when a right arising from the PDLV has been breached, postal customers can submit a dispute resolution request to the postal dispute resolution panel. There must also be no ground for exclusion from the dispute resolution procedure. Both senders and recipients of postal items are entitled to request a dispute resolution procedure provided no special arrangement for the delivery was made with the postal operator. Requests may be submitted to the postal dispute resolution panel either online via the Bundesnetzagentur website or by email, letter or fax.

The request form provided by the panel asks for information about the matter that is relevant to the procedure. People using the form are asked, for example, to confirm that they have already tried to reach agreement with the postal operator, to specify the value of the damage and to give their permission to forward the submitted documents to the postal operator.

Once the postal dispute resolution panel has received the request for dispute resolution, it checks whether the request meets the requirements for admissibility, there is no ground for exclusion and the request is complete. If these conditions have been met, the request is forwarded to the relevant postal operator (the respondent), who is requested to provide a statement on the relevant facts of the case. However, sometimes a ground for exclusion only becomes known after the procedure has begun, resulting in it having to be terminated.

Since March 2021, respondents have been obliged to take part in the process when the request comes from a consumer. Otherwise, dispute resolution in the postal sector is a voluntary process. The respondent should provide a statement covering all the facts about the applicant's submission and desired outcome.

Both parties are entitled to present their view of the matter and submit relevant documents during the dispute resolution procedure. It is often possible for them to reach agreement during this exchange of statements with the mediation and assessment of the postal dispute resolution panel.

If an agreement is not reached in the course of the procedure, the panel assesses the facts of the case again and may submit a proposal for an amicable resolution of the dispute. In doing so, it weighs up the arguments and documents submitted, taking into consideration the facts and the legal situation. The proposal for a resolution should be sent to the parties within 90 days of receipt of all relevant information and documents. The parties are not obliged to accept the proposal made by the postal dispute resolution panel, but if they do, it becomes a binding agreement between them.

As a rule, dispute resolution procedures are conducted in written form (by email, fax or letter). Oral hearings are conducted only if the postal dispute resolution panel considers it necessary and both parties agree to them.

3 Evaluating the dispute resolution requests and procedures from 2023

An evaluation of the dispute resolution cases for 2023¹ again reveals that the number of requests has stabilised at a high level. More than 3,000 submissions were received for the third year in a row, underlining that the need of postal customers for out-of-court dispute resolution continues to be very great. The number of applications went back up again from the year before, nearing the previous record that occurred in 2021.

3.1 Dispute resolution requests in 2023

The postal dispute resolution panel received a total of 3,574 requests for dispute resolution in 2023, up 12.39% on the year before (3,180). The term "dispute resolution request" as used in this report includes formal requests that use the standardised request form of the postal dispute resolution panel (3,273) and other submissions (301). These are counted together in the statistics. The other submissions are dispute resolution cases in which, following correspondence with the panel, a formal dispute resolution request was not submitted.

Dispute resolution requests 2014 to 2023

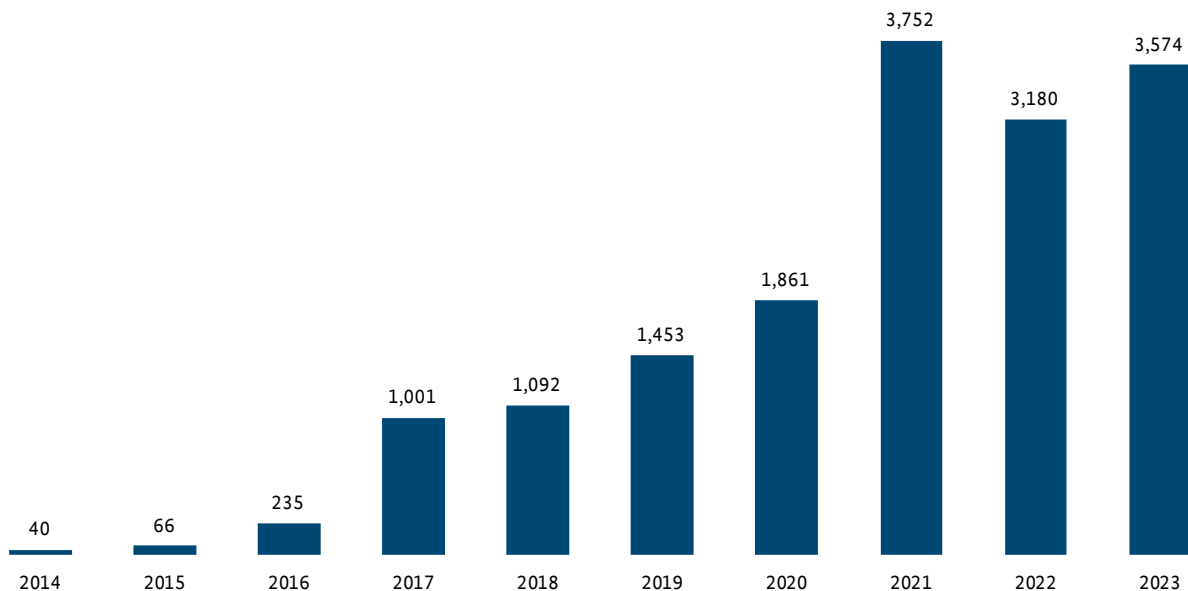


Figure 1: Dispute resolution requests 2014 to 2023

A month-to-month comparison shows that the most requests were received in November 2023 (356; 10%) and December 2023 (378; 10.6%). The fewest requests were received in April (219; 6.1%). The average number of

¹ Where 2023 figures are compared with those of previous years, the provisional figures from the relevant activity reports are used (last revised at the start of the following year). A final assessment for 2022 may be found at the end of this section.

requests per month (8.3% of all requests) was 298. In contrast to the year before, the busiest time of year for requests was the last quarter again.

Requests received in 2022 and 2023 by month

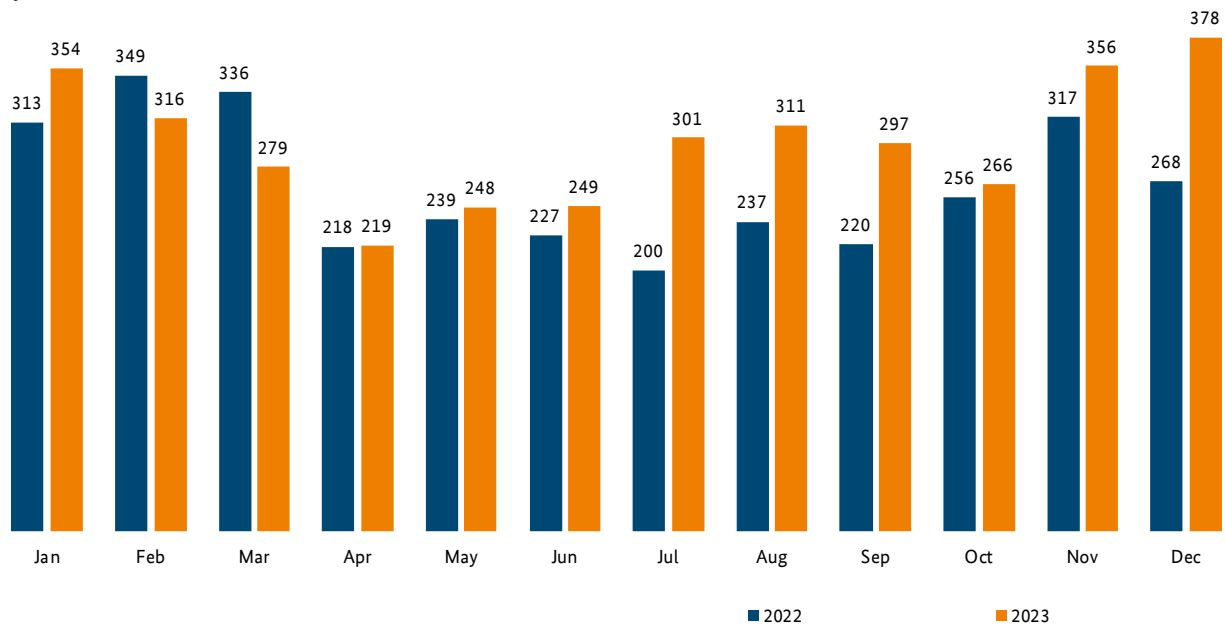


Figure 2: Requests received in 2022 and 2023 by month

Requests for dispute resolution may be submitted by both natural and legal persons, so dispute resolution is not just available to consumers but to all customers of postal operators provided the legal requirements have been met. When consumers request dispute resolution, participation is mandatory for postal operators (section 18a(2) sentence 2 PostG). In 2023, requests from consumers accounted for 88% (3,146) of all requests. The proportion of requests coming from consumers was therefore around the same as in 2022.

As in previous years, the majority of requests (over 57%; 2,059) came from senders of postal items, but there has been a tendency in recent years for more requests to come from recipients and these made up about 42% of all requests (1,057) in 2023. In eight cases (0.2%), the requests came neither from senders nor recipients.

Requesting parties 2021 to 2023 (%)

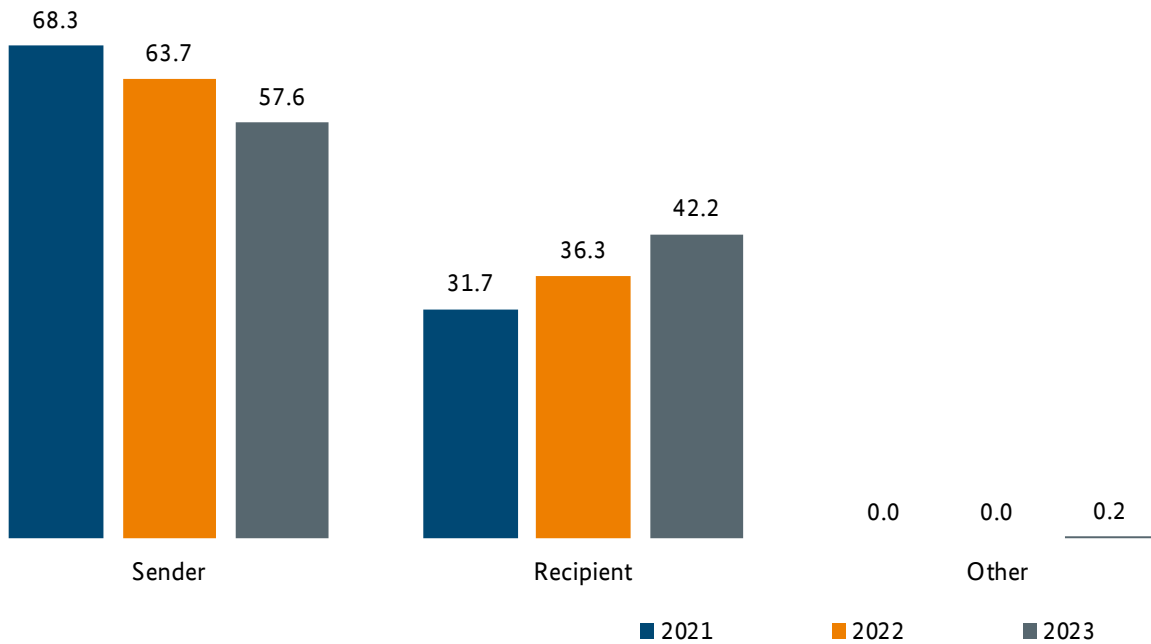


Figure 3: Requesting parties 2021 to 2023

The most requests in absolute numbers came from the federal states with the largest populations - Baden-Württemberg, Bavaria and North Rhine-Westphalia. Together, they contributed 1,659 requests, which is a nearly stable percentage of just under 46.5%. In relation to population size, the most requests came from the state of Berlin with 7.7 requests per 100,000 inhabitants, followed by Hamburg (6.0), Bremen (5.0), Brandenburg (4.5) and Saarland (4.5). The fewest requests per 100,000 inhabitants came from Thuringia (2.0). The average was 4.2 requests per 100,000 inhabitants. As far as the increases and decreases in the individual federal states in 2023 were concerned, the picture is mixed. The strongest growth in absolute numbers was observed in North Rhine-Westphalia (130 requests, an increase of 21.6%) and Lower Saxony (73 requests, up 28.3%). Surprisingly, these are the states that saw the largest drops the year before. The greatest year-on-year growth was in Saarland (up 125%), Mecklenburg-Western Pomerania (up 93%) and Brandenburg (up 64%), albeit from rather low numbers in absolute terms. The number of requests from six of the 16 federal states were stable or declined, while there was a slight rise in requests from abroad (13.5%).

Origin of requests in 2022 and 2023 by federal state

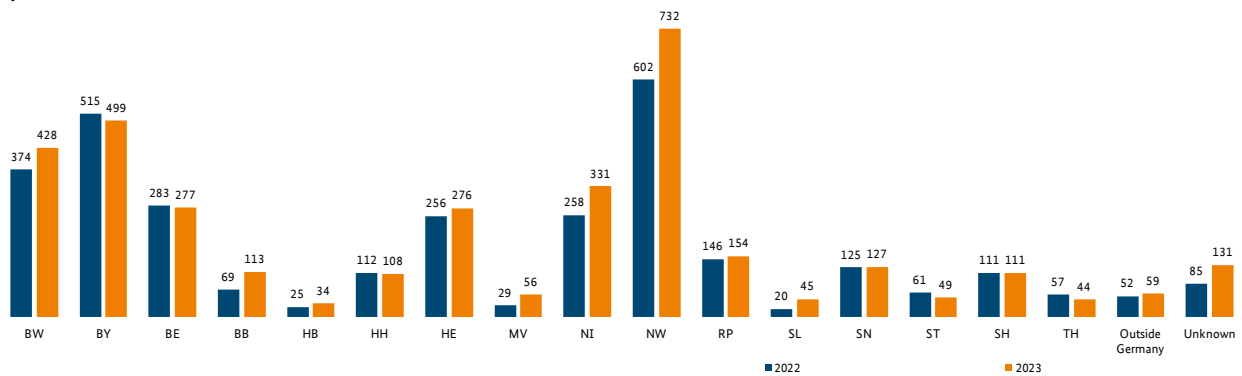


Figure 4: Origin of requests in 2022 and 2023

3.2 Subject of dispute resolution requests in 2023

In 2023, over half of requests received were submitted due to the loss or theft of contents of a mail item (1,944 out of 3,574 cases). Damaged items accounted for less than a fifth (622 cases) of the dispute resolution requests. Other reasons made up just over a quarter (1,008) of the requests received. In many of these cases when the postal dispute resolution panel was contacted, it was often for reasons that the law does not permit to be grounds for dispute resolution, such as slow delivery speed and delivery irregularities. These requests had to be refused. In contrast to previous years, there was a clear drop in the number of requests concerning damaged items in 2023.

Reasons for requests 2021 to 2023 (%)

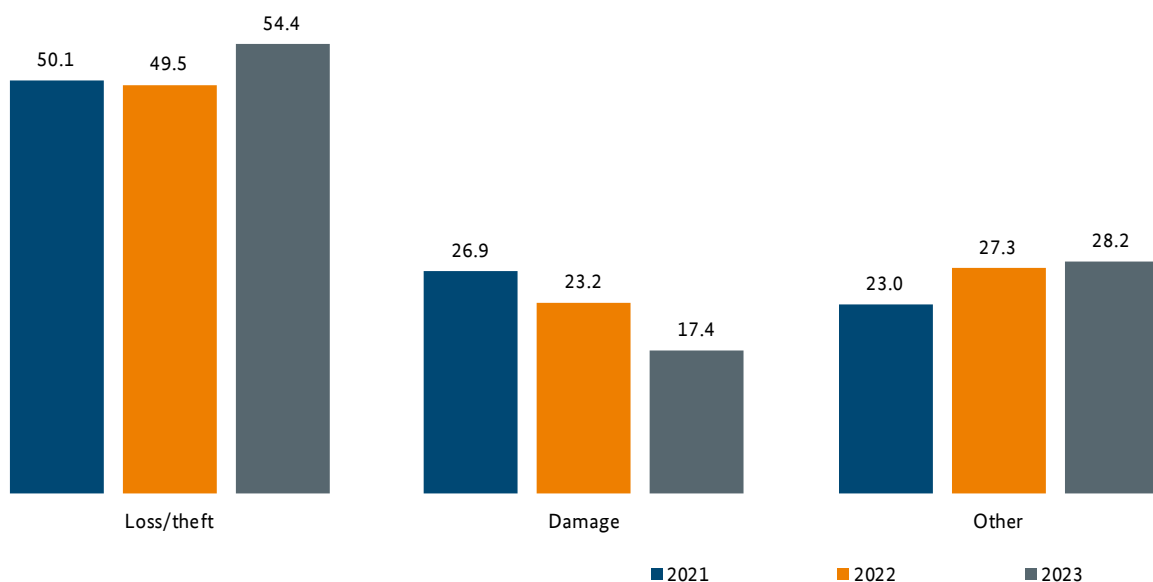


Figure 5: Reasons for requests 2021 to 2023

Postal operators offer a variety of products to which different legal and contractual liability conditions apply. For example, postal operators exclude liability for normal standard letters. Some of them now do so for small packets, as well. For parcels, the postal operators' general terms and conditions include certain liability limits and conditions.

As in previous years, the most common reasons for dispute resolution procedures in the 2023 reporting year concerned problems with parcels. Of the total requests, 72% (2,575) were submitted because of disputes arising in connection with the sending or receipt of parcels. There has been a downwards trend in parcel cases in recent years, but the proportion of requests concerning letter delivery doubled from 2021 (from 5.4% to 10.8% or 385 of all requests). The remainder involved registered items (about 6%; 210 requests), small packets (about 5%; 183 requests) and other types of item (just over 6%; 221 requests).

Dispute resolution requests by type of item 2021 to 2023 (%)

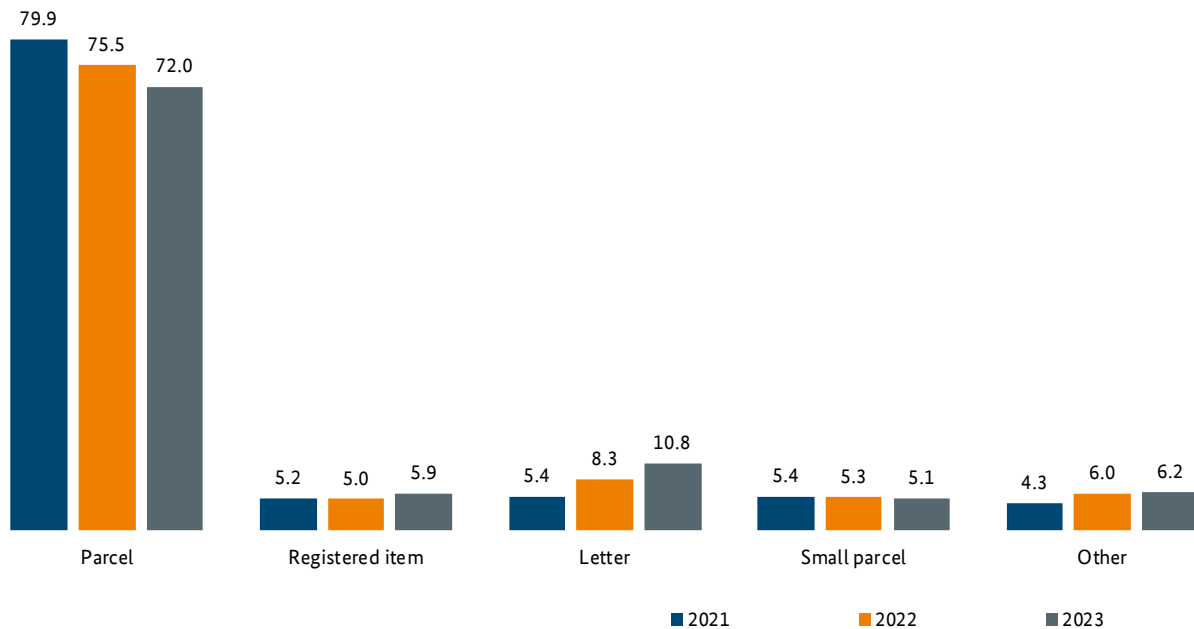


Figure 6: Dispute resolution requests by type of item 2021 to 2023

The strong growth in online retail sales (e-commerce) seen in recent years led to an upward trend in the number of dispute resolution requests in this area, which peaked in 2021.

A slight easing off of this trend was evident in the figures for the previous reporting year, but that did not continue in 2023, when about half of the dispute resolution requests related to e-commerce and about half did not (e-commerce: 1,492 requests, not e-commerce: 1,515, both about 42% of all dispute resolution requests). E-commerce cases thus continue to make up about 40%, as they have since 2021.

In 15.9% (567) of the cases, it was not possible to determine whether the request involved an online transaction due to the lack of information. This represents a decrease of 7.9 percentage points or 189 requests in absolute numbers.

A dispute resolution procedure will not be conducted when special arrangements for the delivery have been made with the postal operator, as is the rule for major online traders. That means it is often not possible to conduct dispute resolution procedures when requests concern these traders. By contrast, requests in the area of e-commerce that involve items sent by small online traders are often eligible for dispute resolution because such traders frequently use the postal operator's standard products. Cases in which private individuals use

online platforms to sell or buy items tend not to be excluded due to special conditions either, but come under e-commerce.

E-commerce/not e-commerce requests 2021 to 2023

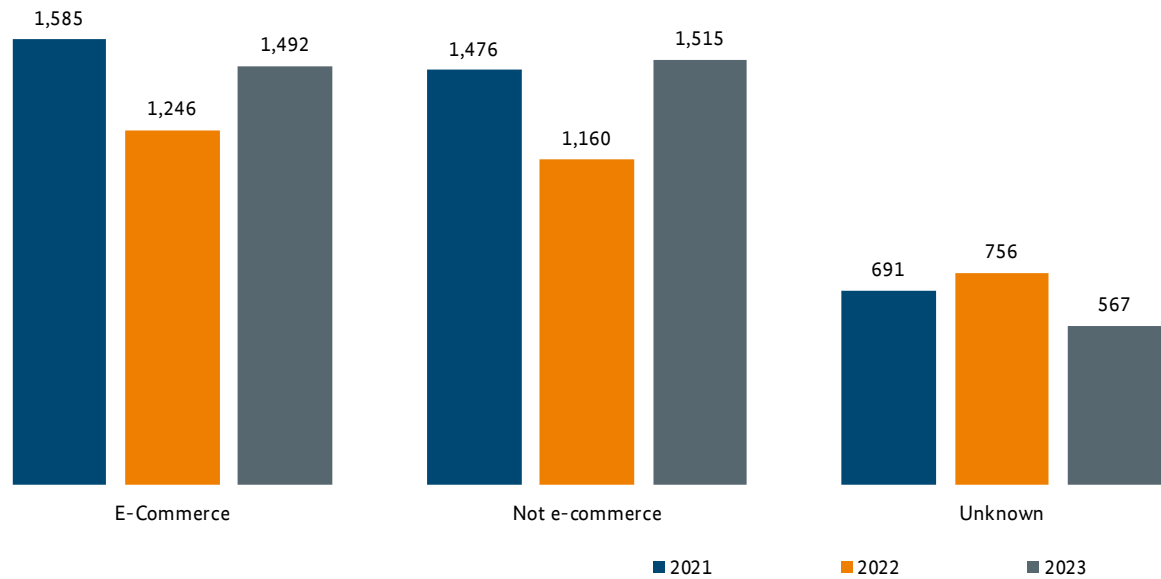


Figure 7: E-commerce/not e-commerce requests 2021 to 2023

In 2023, about 80% of the admissible requests involved Deutsche Post DHL (DP DHL), followed by Hermes with 12% (152 requests) while the other postal operators mentioned in requests (DPD, GLS, UPS and other delivery service providers) took less than 5% each (DPD: 49, GLS: 27, UPS: 13, other: 12). This breakdown also reflects the fact that DP DHL and Hermes are more active in the private customer sector than the other postal operators. Compared with the previous year, there was a slight increase in the share of Hermes and a small decrease in the cases involving other postal operators.

Admissible requests by postal operator in 2022 and 2023 (%)

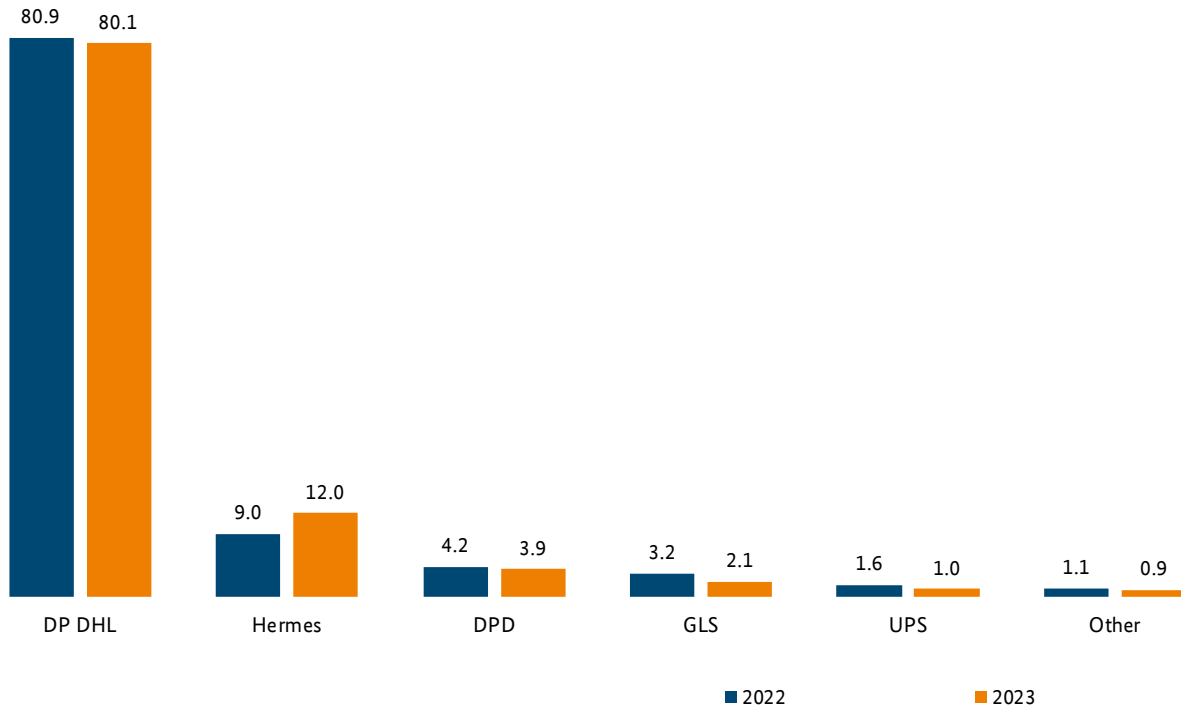


Figure 8: Admissible requests by postal operator in 2022 and 2023

3.3 Outcome of dispute resolution procedures in 2023

3.3.1 Overall picture

In the 2023 reporting year, 1,272 requests to conduct a procedure were closed (admissible requests) and 1,406 requests were refused. On the reporting date at the beginning of the year (5 January), 595 requests were still being processed (ongoing cases). There were also 301 other submissions, resulting in a total of 3,574 requests.

Of the 1,272 admissible requests, 716 of them ended in an amicable agreement, the equivalent of 56%. In the other 556 cases, the procedure had no outcome (see section 3.3.3).

Dispute resolution cases in 2023

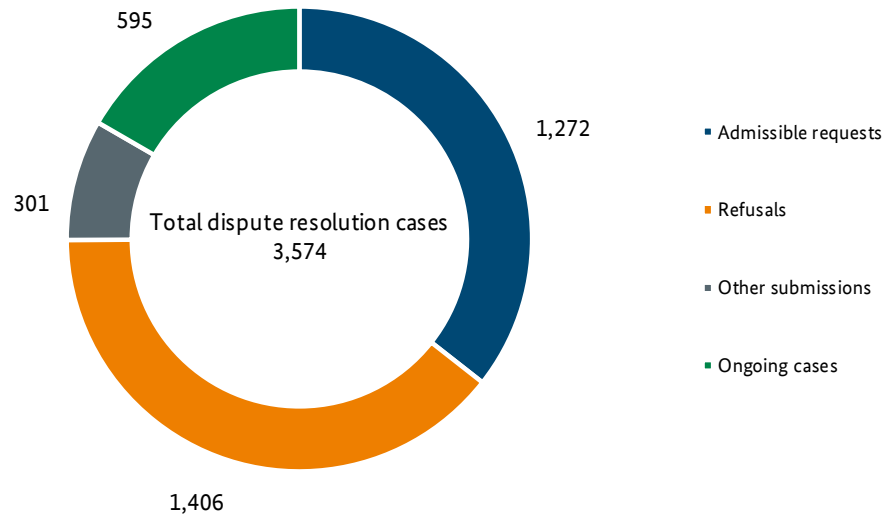


Figure 9: Dispute resolution cases in 2023

Admissible dispute resolution cases in 2023

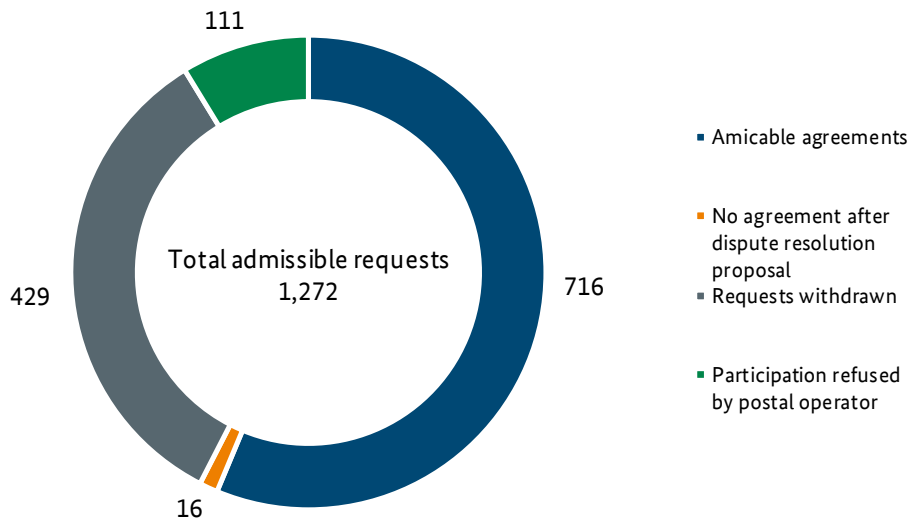


Figure 10: Admissible dispute resolution cases in 2023

3.3.2 Proportion of refusals and grounds for refusal in 2023

A total of 1,406 requests for dispute resolution were refused in 2023. The proportion of total requests refused in 2023 was 39.3%, about the same as in 2022.

The chart below shows a breakdown of the reasons why requests were refused. The largest proportion of refusals last year by far was due to the fact that the case did not fall within the competence of the postal dispute resolution panel (about 67% of the total). In second place came a far smaller group with "no prospects of success" (about 13%) and in third, "no attempt to reach agreement" (also about 13%). In sum, therefore, about 93% of all refusals in 2023 were mandatory on the basis of section 14(1) VSBG. About 6% of refusals were due to optional reasons under section 14(2) VSBG. This group included most of the 2023 refusals on grounds of the value of the dispute (4.91% of all refusals). The lower limit for the value of the dispute is €10 and the upper limit is €2,500 (section 7(1) para 7 PostSchliV).

Two of the grounds for refusal stated in section 14(1) VSBG were not applied in either 2022 or 2023. These were registrations for a test case or action for redress measures (section 14(1) para 3 VSBG) and rejected requests for legal aid (section 14(1) para 4c VSBG).

**Reasons for refusal in 2022 and 2023
section 14(1) paras 1 to 3 VSBG**

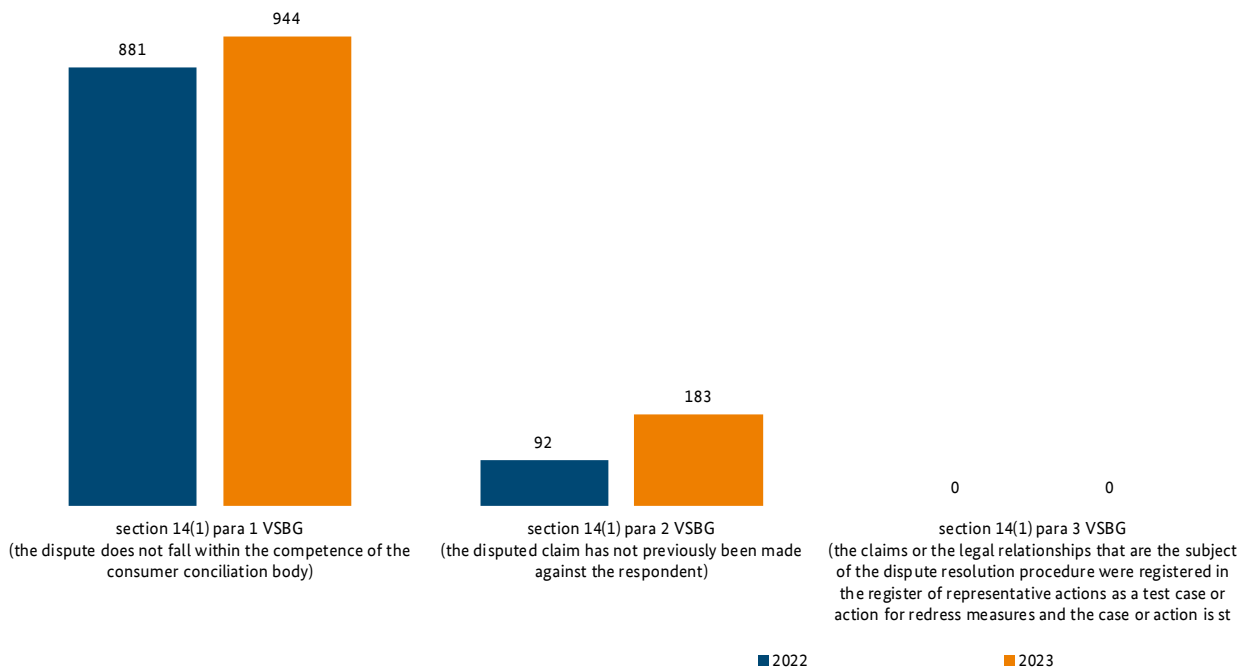


Figure 11: Reasons for refusal in 2022 and 2023 (section 14(1) paras 1 to 3 VSBG)

**Reasons for refusal in 2022 and 2023
section 14(1) para 4 VSBG**

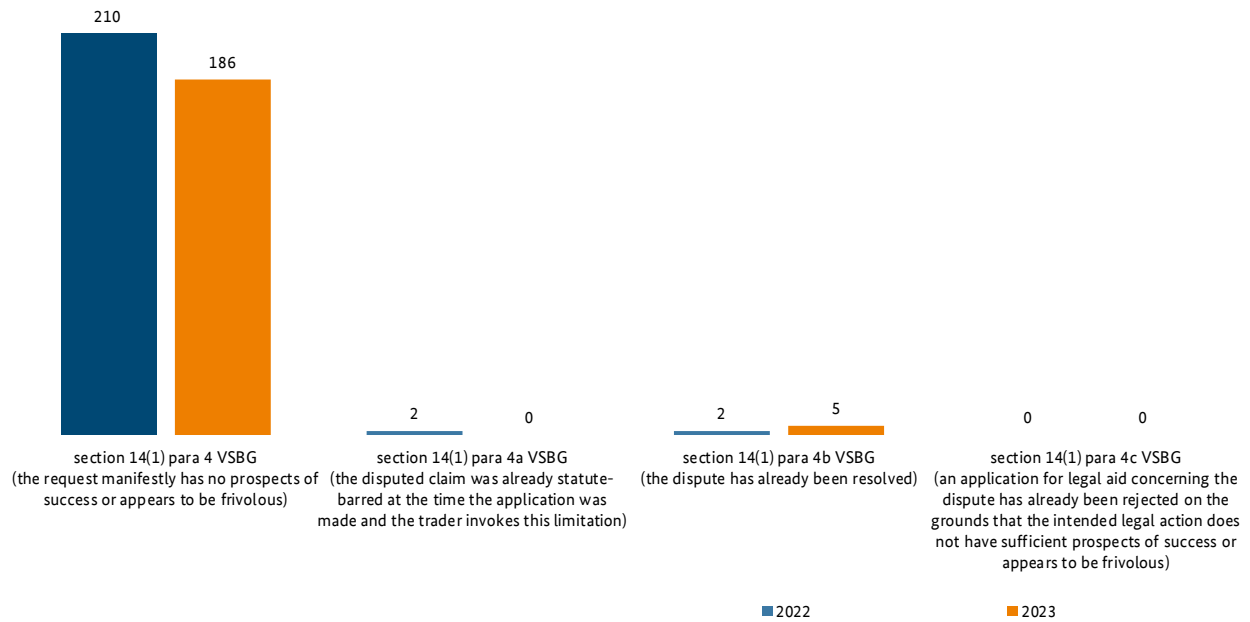


Figure 12: Reasons for refusal in 2022 and 2023 (section 14(1) para 4 VSBG)

**Reasons for refusal in 2022 and 2023
section 14(2) VSBG**

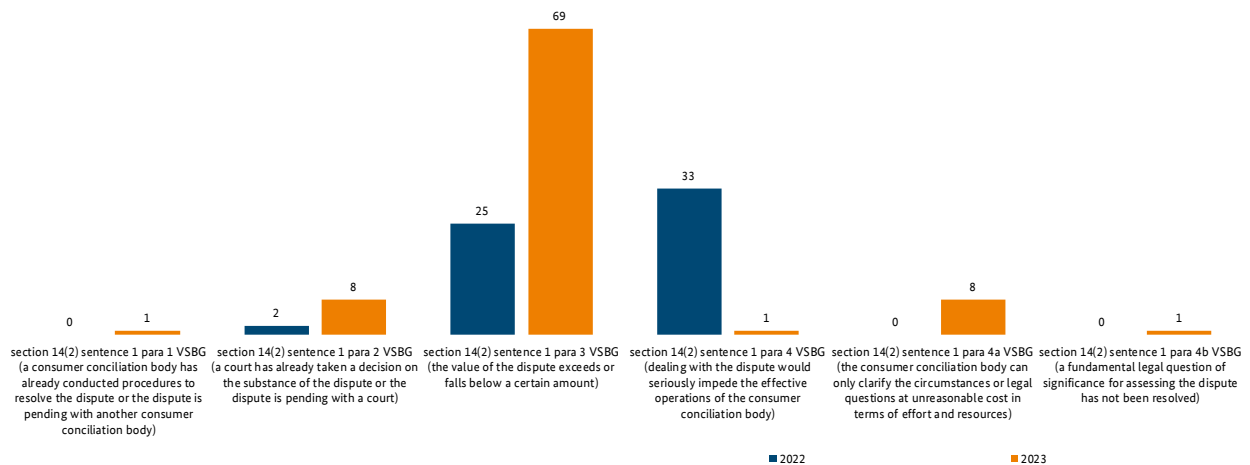


Figure 13: Reasons for refusal in 2022 and 2023 (section 14(2) VSBG)

3.3.3 Proportion of procedures with no outcome in 2023

In this reporting period, 556 dispute resolution procedures had no outcome (section 4(1) para 1c VSBInfoV in conjunction with section 20(2) VSBG). Of these, over three quarters (429) were terminated at the request of the applicant, usually by the request being withdrawn. In 111 cases, the respondent was not obliged to take part in the procedure and refused to do so (for example, when the request came from a trader). In 16 cases, at least one party refused to accept the dispute resolution proposal.

Procedures with no outcome in 2022 and 2023

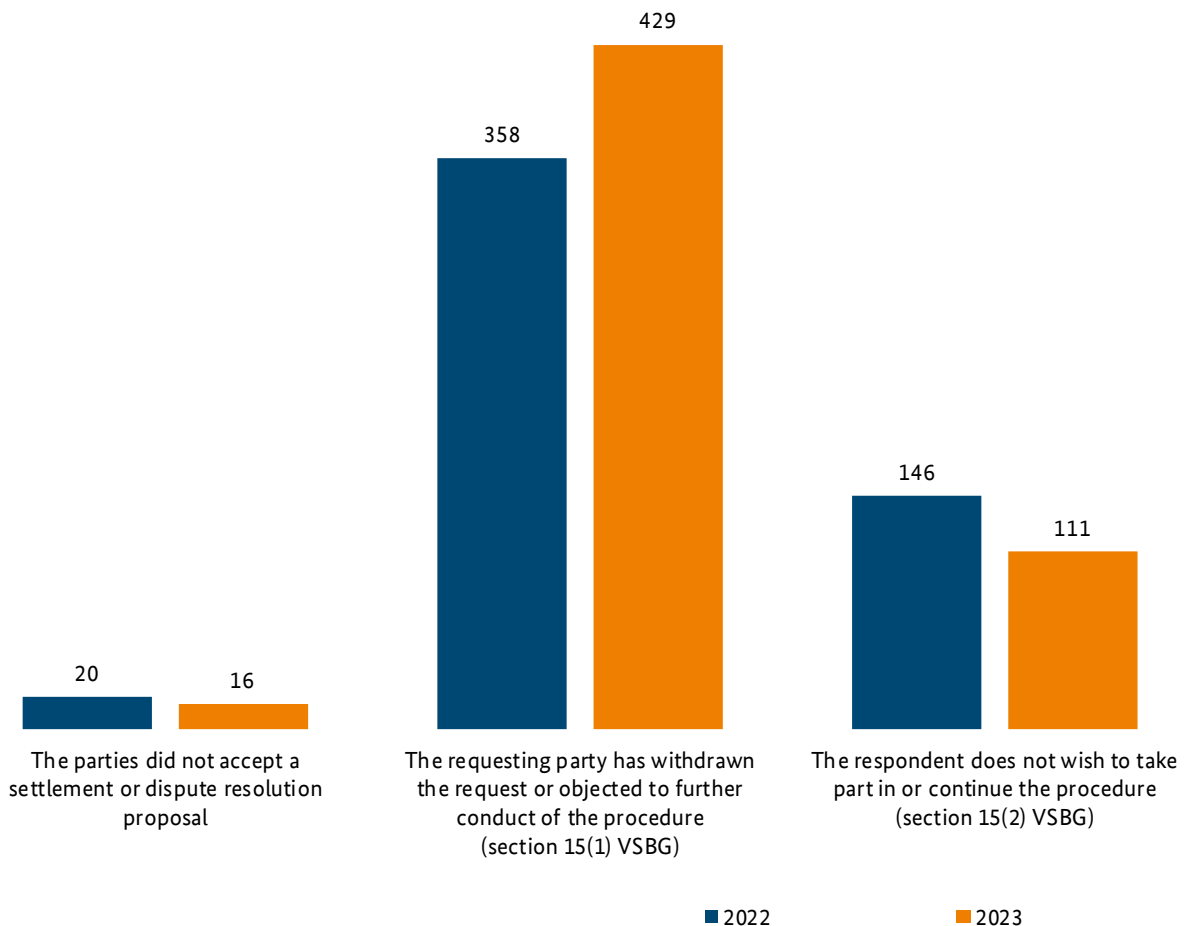


Figure 14: Procedures with no outcome in 2022 and 2023

3.3.4 Average duration of procedures in 2023

The average duration of procedures in 2023 from receipt of the complete file to the dispute resolution proposal was 78 days. The average duration of procedures for all requests (formal requests and other submissions) from receipt to completion was nearly 39 days. The average duration of procedures for the formal dispute resolution requests from receipt to conclusion, however, was nearly 41 days. The processing time for all types of request was therefore within the time frame of 90 days envisaged in the legislation (section 18a(3) sentence 2 PostG, section 20(2) VSBG).

3.3.5 Proportion of cases in 2023 in which the parties kept to the outcome of the procedure

The postal dispute resolution panel has no statistically relevant findings on this point. As soon as both parties have come to an agreement – usually for a refund – the procedure before the dispute resolution panel is terminated. In a few cases, applicants return to the panel after a procedure because the respondent has not kept to the agreement. In such cases, which are not recorded for statistical purposes, the postal dispute resolution panel contacts the relevant postal operator again and tries to clear up the matter.

3.3.6 Proportion of cross-border disputes in 2023

In 2023, 3,066 procedures involved mail items sent within Germany. Meanwhile, 508 procedures had an international connection, of which 304 were related to the EU and 204 to non-EU states. These were mostly disputes over cross-border deliveries where either the sender or the recipient was based abroad. Compared to the previous reporting year, it may be seen that the ratio of purely domestic to international disputes has increased.

Cross-border disputes in 2022 and 2023

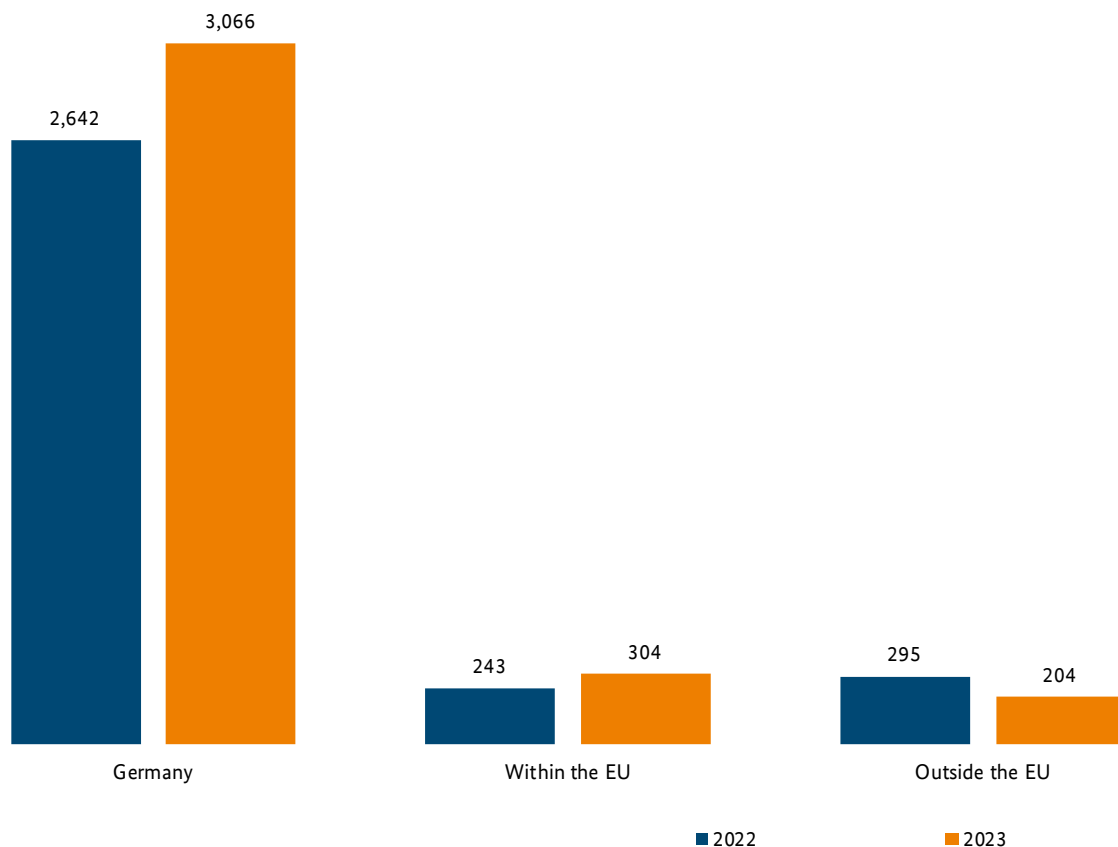


Figure 15: Cross-border disputes in 2022 and 2023

3.3.7 Final evaluation of dispute resolution cases in 2022

The procedures that were still ongoing at the time the activity report for 2022 was produced have now been completed. The final evaluation for 2022 is shown in the chart below. The total number of requests (3,180) has not changed, but as the processing of the requests that arrived at the end of 2022 was only completed in 2023, the evaluation of the dispute resolutions has changed somewhat and is now final. For example, the number of refusals in 2022 had been provisionally put at 1,247. It was actually 1,302. The total number of agreements was 995, rather than 882 as provisionally stated.

Final evaluation of dispute resolution cases in 2022

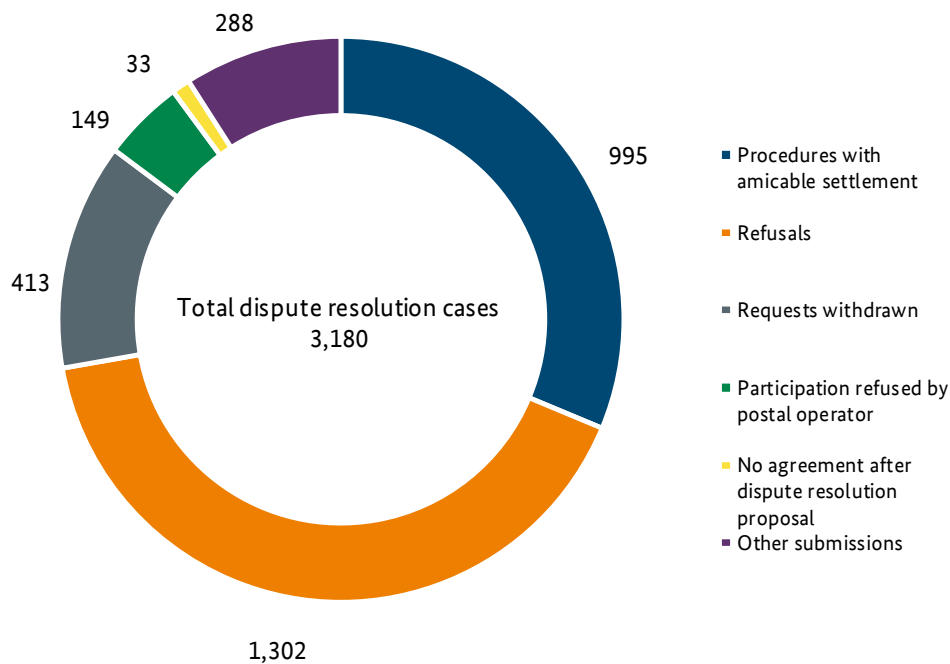


Figure 16: Final assessment of dispute resolution cases 2022

4 Common problems

In 2023 the majority of the requests for dispute resolution were about lost or damaged postal items. In addition to the question of whether or not a postal operator was actually liable for any loss or damage, disputes often centred on the question then frequently asked about the extent of the operator's liability. Whether or not and to what extent a postal operator is liable for loss or damage depends on the contractual agreements and the operator's general terms and conditions usually included in the service contract. The provisions of the German Commercial Code (HGB) relating to freight also apply in most cases. Alternative liability rules usually apply in cross-border disputes.

In 2023, as in previous years, problems with evidence played a role in many cases. The documents submitted by the parties often showed that the parties had not reached an agreement beforehand because of problems with providing evidence. As the postal dispute resolution panel cannot collect evidence, these problems are often a key factor in the dispute resolution process as well. The problems in these cases include a lack of evidence of posting an item and suitable evidence of the value of the contents of an item. These uncertainties are taken into account in the postal dispute resolution panel's mediation process.

4.1 Common problems with lost items

More than half of all the requests for dispute resolution in 2023 were about lost items, revealing the following most common problems.

4.1.1 Sending items using parcel lockers

The increasing spread of digital technology in the postal sector as well is leading to growth in the number of parcel lockers, which many customers use to send or receive postal items. In 2023 the postal dispute resolution panel again received reports of various problems customers had using parcel lockers. Many cases involved disputes about whether an item had actually been placed in a locker and whether there had been technical problems.

4.1.2 Liability risks with alternative delivery locations

In 2023 the postal dispute resolution panel again received requests for dispute resolution about items for which an alternative delivery location had been agreed and which had been (in most cases) lost or (in some cases) damaged. In these cases, the parties were in dispute about whether an item had actually been delivered and whether an item had been lost or damaged after delivery. In some cases, the parties were also in dispute about whether an alternative delivery location had actually been agreed.

Many postal operators give their customers the option of designating an alternative place for their items to be left. At the same time, they also point out that an item is considered to have been delivered once it has been left at the designated place and that they are then no longer liable for the item. This is because it is not possible to say who is responsible for any loss or damage to an item after it has been left at a designated place. Postal operators often remind their customers that their designated place should be as secure and weatherproof as possible.

4.1.3 Problems with contactless delivery

Many postal operators have been using contactless delivery especially since the COVID-19 pandemic. In 2023 the postal dispute resolution panel again received a large number of requests for dispute resolution from customers stating that they had not received an item even though their postal operator had recorded that contactless delivery had taken place. With contactless delivery, the addressee does not sign to confirm receipt of their item but the delivery person signs to confirm delivery. The parties are often in dispute about whether someone actually signed and who signed.

4.2 Liability issues with damaged items

In 2023 damage to items was the second most common reason for requesting dispute resolution after loss of items. The disputes between the parties are about whether an item was damaged because it was not packaged correctly or because it was not transported correctly. While a postal operator is generally liable for any damage caused between an item being handed over for transport and the item being delivered, the sender must package the item so that it is protected against damage and does not cause any harm to the postal operator. Which type of packaging is considered adequate depends on the contents of an item and any special arrangements for transporting the item.

4.3 Exemption from liability for certain products

In 2023 the postal dispute resolution panel again received requests for dispute resolution from customers whose postal operator had refused to pay compensation for loss or damage because of the product the customer had used. Many postal operators' general terms and conditions state, for example, that they do not accept liability for ordinary letters (without any extra options) or small packets. The Commercial Code provides the legal basis for limitations on and exemptions from liability. Under the provisions of the Commercial Code, postal operators may make limitations on or even exemptions from liability (for certain products, for instance) through either individual agreements or rules in their general terms and conditions. In accordance with the Commercial Code, however, these limitations or exemptions do not apply to any damage caused intentionally or recklessly and in the knowledge that damage would probably occur.

4.4 Limitations on liability for prohibited items and items with a value over the limit

Postal operators' general terms and conditions frequently specify which contents are prohibited and cannot be transported. There are also various restrictions on the value of the contents of an item. Postal operators' general terms and conditions often set a limit of €500, for example, on the value per item. The general terms and conditions limit or exclude liability for any items not in accordance with these rules. Contents that are not permitted are often referred to as prohibited items in the general terms and conditions. They frequently include cash, precious metals, jewellery, precious stones, watches, artwork and antiques as well as dangerous goods and goods that need special handling. Customers with dispute resolution requests relating to these issues often state that they did not know about the liability limitations and exemptions or that they were not given the correct information at a post office about what they could or could not send.

4.5 Liability for international items

A large number of postal items are transported across different national borders. In 2023 the postal dispute resolution panel again received requests for dispute resolution relating to international items. These cases raise particular questions about liability compared with domestic items, which are sent both from and to an address in Germany.

First, German postal operators lay down their own individual liability rules for different international products in their general terms and conditions. The liability rules for the same type of product sometimes differ considerably, depending on whether it is domestic or international. Second, the provisions of the Commercial Code relating to freight are often not applicable. The question of which rules apply apart from the postal operator's general terms and conditions depends in each case on the postal operator transporting an item and the countries from and to which the item is being sent. The postal dispute resolution panel often has no information about the applicable foreign provisions relating to freight or the foreign postal operators' general terms and conditions.

5 Recommendations for avoiding or settling disputes

The cases dealt with by the dispute resolution panel have various problems in common. The following recommendations are designed to help avoid and settle disputes.

5.1 Serious efforts to reach an agreement before dispute resolution

Customers are required by law to try to reach an agreement with their postal operator before making a request for dispute resolution. The postal dispute resolution panel recommends that postal operators take their customers' efforts to reach an agreement seriously and settle the dispute at an early stage. Customers often report not being taken seriously enough by their postal operator and feeling they have been left on their own. Good customer service is a key factor in settling disputes quickly.

5.2 Postal operators' information about permissible contents

Many disputes are about what customers can or cannot send. Postal operators may or may not accept liability or may limit the amount for which they are liable, depending on whether or not the contents of an item are permissible. Their general terms and conditions often specify what cannot be transported (prohibited items) or put a limit on the value for which they are liable (for example €500 per parcel). Postal operators will not accept liability for items with contents that are not permissible or will only accept limited liability for items with a value over the limit.

Postal operators are recommended to provide their customers with clear and adequate information about what they can or cannot send.

Customers are recommended to find out about their postal operator's rules on what they can or cannot send before posting their items. Information about what can be sent is included in postal operators' general terms and conditions. Customers are recommended to check the information available on their postal operator's website and elsewhere as well as the general terms and conditions before posting an item.

5.3 Choosing the correct product

The postal dispute resolution panel often receives reports of cases in which the postal operator will not accept liability because of the product the customer had chosen. Customers should bear in mind that postal operators' general terms and conditions differ considerably depending on the product.

Postal operators are recommended to provide their customers with clear and adequate information about the correct product for different contents.

Customers are recommended to find out which product is correct before posting an item, depending on the contents and value of the item. Customers are strongly recommended to check the rules on liability for damaged, lost and stolen items and should consider extra options (such as additional compensation cover).

5.4 Choosing the correct packaging and documentation

Disputes about damaged items and about how the contents of an item were packaged often lead to problems with providing evidence.

Postal operators are recommended to provide their customers with adequate information about the correct packaging for different products and contents.

Customers are recommended to choose the right packaging for what they are sending and to document (for example take a photo of) their packaged item. Postal operators often have information about which packaging to use for different contents on their websites.

5.5 Keeping evidence of value and posting

The postal dispute resolution panel often receives reports of cases where the parties are in dispute about an item being posted or about its value.

Customers are therefore recommended to keep documents that can provide clear evidence of the value of the contents of an item and of posting the item. These documents can often help in a dispute to calculate the exact damage and have the postal operator pay compensation.

6 Indications of structural barriers to settling disputes

The postal dispute resolution panel did not identify any structural barriers to settling disputes in the reporting year.

7 Cooperation with other consumer conciliation bodies in networks to resolve cross-border disputes

The Bundesnetzagentur's postal dispute resolution panel is part of the Commission's European Online Dispute Resolution (ODR) platform. In 2023 no requests for dispute resolution were forwarded to the postal dispute resolution panel via the ODR platform.

There was no further cooperation with other consumer conciliation bodies in networks to resolve cross-border disputes in 2023.

8 Outlook

The postal dispute resolution panel will continue in 2024 to act as a neutral conciliation body in resolving disputes between postal customers and their postal operators quickly and cost-effectively. The increase in the number of requests for dispute resolution in 2023 shows that customers still need a neutral, out-of-court point of contact to settle disputes with their postal operators.

In view of the trend in requests in previous years and the continually high volume of postal items, a large number of requests for dispute resolution are anticipated in 2024 as well. Parcel volumes in the mail order sector – and therefore the risk of items being lost or damaged – will remain high in the future, not least because of the large volume of goods ordered online.

The extent to which the postal dispute resolution panel needs to mediate mainly depends on whether postal operators involved in a dispute are willing to work out a solution with their customers without outside help.

If efforts to find a solution fail, the parties involved can, for example, find information about the dispute resolution process on the postal dispute resolution panel's website and make a request for dispute resolution directly on the website. The postal dispute resolution panel also publishes answers to frequently asked questions (FAQs), its activity reports and the dispute resolution rules on its website, with the aim of giving all customers quick and easy access to an overview of the dispute resolution process.

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List of abbreviations

DP DHL	Deutsche Post DHL
EU	European Union
HGB	Commercial Code
PDLV	Postal Services Ordinance
ODR platform	Online Dispute Resolution platform
PostG	Postal Act
PostSchliV	Postal Dispute Resolution Ordinance
VSBG	Act on Alternative Dispute Resolution in Consumer Matters
VSInfoV	Ordinance on the Obligations to Furnish and Report Information as per the Consumer Alternative Dispute Resolution Act

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