



C/2025/5719

3.11.2025

Action brought on 13 August 2025 – Ryanair v Commission

(Case T-568/25)

(C/2025/5719)

Language of the case: English

Parties

Applicant: Ryanair DAC (Swords, Ireland) (represented by: F.-C. Lapr vot, E. Vahida, C. Cozzani and S. Rating, lawyers)

Defendant: European Commission

Form of order sought

The applicant claims that the Court should:

- annul European Commission Decision of 9 July 2024 on State Aid SA.114648 (2024/N) and SA.114657 (2024/N) – Sweden – Denmark – Amendment to SA.57543 and SA.58342 ⁽¹⁾; and
- order the European Commission to pay the costs.

Pleas in law and main arguments

In support of the action, the applicant relies on five pleas in law.

1. First plea in law, alleging that the Commission manifestly erred by repealing the governance commitments in breach of its self-imposed equivalence test.
2. Second plea in law, alleging that the Commission committed a manifest error of assessment and infringed the Temporary Framework and Article 107(3)(b) TFEU by unlawfully waiving the requirement for a step-up mechanism.
3. Third plea in law, alleging that the Commission erred in law and manifestly erred in its assessment by endorsing the ‘fresh start’ principle, which insulates SAS from exposure to structural remedies under point 72 TF and creates an unlawful safe harbour against prior, unaddressed distortions of competition raised by the Applicant in the pending proceedings against the Readopted Decision.
4. Fourth plea in law, alleging that the Commission misapplied Regulation (EU) 2015/1589 ⁽²⁾ by choosing not to re-open the formal administrative procedure prior to the adoption of the Amendment Decision.
5. Fifth plea in law, alleging that the Amendment Decision infringed the Commission’s duty to state reasons under Article 296(2) TFEU.

⁽¹⁾ Commission Amendment Decision of 9 July 2024 in cases SA.57543 and SA.58342 (2020/NN) (ex 2020/N), relating to aid implemented by the Kingdom of Denmark and the Kingdom of Sweden for Scandinavian Airlines System AB (OJ C/2025/2781).

⁽²⁾ Council Regulation (EU) 2015/1589 of 13 July 2015 laying down detailed rules for the application of Article 108 of the Treaty on the Functioning of the European Union (OJ 2015 L 248, p.9)