



Judgment of the Court (Sixth Chamber) of 15 January 2026 – Asociación Profesional de Empresas de Reparto y Manipulado de Correspondencia (Asempre) v European Commission

(Case C-124/24 P) ⁽¹⁾

(Appeal – State aid – Postal service – Compensation for the universal postal service – Decision not to initiate the formal investigation procedure – Action for annulment – Fourth paragraph of Article 263 TFEU – Standing to bring proceedings – Condition that the applicant must be individually concerned by the decision – Effective judicial protection – Action brought by a professional association – Inadmissibility of the action for annulment)

(C/2026/1176)

Language of the case: Spanish

Parties

Appellant: Asociación Profesional de Empresas de Reparto y Manipulado de Correspondencia (Asempre) (represented by: Í. Igartua Arregui, J.A. Silva Cabaleiro and M. Troncoso Ferrer, abogados)

Other parties to the proceedings: European Commission (represented by: J. Carpi Badía, C. Faroghi, and L. Nicolae, acting as Agents), Kingdom of Spain (represented by L. Aguilera Ruiz and A. Gavela Llopis, acting as Agents), Sociedad Estatal Correos y Telégrafos SA (represented by: D. Sarmiento Ramírez-Escudero, abogado)

Operative part of the judgment

The Court:

1. Dismisses the appeal.
2. Orders Asociación Profesional de Empresas de Reparto y Manipulado de Correspondencia (Asempre) to bear its own costs and to pay those incurred by the European Commission and by Sociedad Estatal Correos y Telégrafos, SA.
3. Orders the Kingdom of Spain to bear its own costs.

⁽¹⁾ OJ C, C/2024/2598.