

(English version)

**Question for written answer E-002993/25
to the Commission
Fabio De Masi (NI)
(17 July 2025)**

Subject: Closure of state aid proceedings relating to Hamburger Hafen und Logistik AG (HHLA) and the Mediterranean Shipping Company (MSC) in light of the judgment in Case C-40/23 P

In light of the Court of Justice's judgment in Case C-40/23 P ⁽¹⁾, according to which the Commission is required to definitively determine the existence of aid as part of its decisional practice, how does the Commission justify the non-conclusion and closure of the state aid proceedings relating to the HHLA-MSC case (see written request to the Commission under reference EASE 2025/2487)?

Submitted: 17.7.2025

**Answer given by Executive Vice-President Ribera on behalf of the European Commission
(2 September 2025)**

For the justification of closing a case without final decision in light of Judgment C-40/23 P, the honourable Member is invited to refer to Article 24(2) of Regulation (EU) 2015/1589 ⁽¹⁾.

Based on the information the Commission received from a concerned citizen on the HHLA-MSC case, it concluded that the person does not meet the conditions of an interested party under Article 1(h) of Regulation 2015/1589, which is a prerequisite for submitting an admissible formal complaint under Article 24(2) of the same Regulation.

In line with usual practice, the citizen was informed accordingly. Consequently, the case file was closed without a formal decision.

¹ <https://curia.europa.eu/juris/document/document.jsf?jsessionid=5658369B2D133B24CE434EA79641CF71?text=&docid=287069&pageIndex=0&doclang=EN&mode=req&dir=&occ=first&part=1&cid=4147156>

⁽¹⁾ 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 L 248, 24.9.2015, pp. 9, available at: <https://eur-lex.europa.eu/eli/reg/2015/1589/oj/eng>.