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Answer given by Mr Séjourné, Executive Vice-President
on behalf of the European Commission
(23.7.2026)

The Commission does not wish to speculate on the ongoing judicial inquiries regarding the airline Plus Ultra. The Commission does not currently have any information that would justify either reopening the case or revoking its decision of 31 July 2020 authorising the recapitalisation aid scheme in question, the legality of which has been confirmed by the General Court and the Court of Justice of the European Union¹.

The Commission recalls that, in accordance with Article 22 of Regulation (EU) 2017/1939², the material competence of the European Public Prosecutor's Office is limited to criminal offences affecting the financial interests of the European Union that are provided for in Directive (EU) 2017/1371. The Commission's decision referred to above specifies that the aid scheme in question has been funded by the Spanish State budget. In these circumstances, the question of whether a criminal offence may have been committed does not seem relevant in light of the ongoing judicial inquiries.

¹ State Aid SA.57659(2020/N) - Spain COVID 19 - Recapitalisation fund. OJ C/2020/269, 14.8.2020, p. 8. Cases T-628/20 EU:T:2021:514 and C-441/21 P, EU:C:2024:447.

² Council Regulation (EU) 2017/1939 of 12 October 2017 implementing enhanced cooperation on the establishment of the European Public Prosecutor's Office (the EPPO), OJ L 283, 31.10.2017, p.1.