

How the European Defence Agency (EDA) handled the application by its former Chief Executive to take on senior positions at Airbus

Case OI/3/2021/KR - **Opened on** 22/02/2021 - **Recommendation on** 01/02/2022 - **Decision on** 28/01/2022 - **Institution concerned** European Defence Agency (Draft recommendation accepted by the institution) |

The Ombudsman conducted an inquiry on her own initiative into the decision of the European Defence Authority (EDA) to allow its former Chief Executive to take up two senior positions with Airbus, an aerospace company. The Ombudsman's inquiry also looked into how the EDA dealt with the fact that the former Chief Executive took up his new positions before the EDA had authorised him to do so, which is a breach of the EDA's Staff Regulations.

The Ombudsman found that the conditions imposed on the former Chief Executive by the EDA in its authorising decision were insufficient when measured against the risks, and could not be monitored and enforced. There were also shortcomings in how the EDA assessed the risk of conflicts of interest. The EDA should have instead applied stronger conditions and forbidden the former Chief Executive from taking up the position which gave rise to the greatest risk of conflict with the EDA's legitimate interest . Not doing so amounted to maladministration by the EDA, and the Ombudsman made two recommendations to address this.

The [EDA replied to the Ombudsman \[Link\]](#). While the EDA raised questions about the Ombudsman's findings, it agreed in essence to implement the recommendations on potentially forbidding staff from taking up certain positions and providing guidelines to staff on how it would apply such a measure. In her decision closing the inquiry, the Ombudsman made observations on the circumstances under which requests by (former) staff members to take up new posts should be refused.