

## Letter from the European Ombudsman to the European Defence Agency (EDA) on how it handled the application by its former Chief Executive to take on senior positions at Airbus

Correspondence - 01/02/2022

**Case** OI/3/2021/KR - **Opened on** 22/02/2021 - **Recommendation on** 13/07/2021 - **Decision on** 28/01/2022 - **Institution concerned** European Defence Agency ( Draft recommendation accepted by the institution ) |

Mr Jiří Šedivý

Chief Executive

European Defence Agency

Strasbourg, 22/02/2021

Strategic inquiry: OI/3/2021/KR

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

Dear Mr Šedivý,

As Ombudsman, I have increasingly encouraged EU institutions to take a more robust approach in assessing cases where senior staff members leave the EU civil service. [1] This is important for ensuring public trust in the EU administration. In this context, you may be aware of my recent inquiry into the revolving door move by the former Executive Director of the *European Banking Authority* , on the basis of which it introduced stronger measures for dealing with this challenge. [2]

I have now decided to open an inquiry into how the EDA handled the post-employment application by former Chief Executive Jorge Domecq to take on senior positions at Airbus Spain and at Airbus Defence and Space. As Chief Executive, Mr Domecq was the EDA's



highest-ranking staff member.

The former Chief Executive's new activities raise concerns in terms of risks of conflicts of interest, as Airbus Defence and Space was a contractor of the EDA while he was in office. [3]

I have decided that, for the purpose of my inquiry, it is necessary for my inquiry team to inspect the documents in the EDA's file on:

- the breach of the EDA Staff Regulation requirement to obtain authorisation prior to the actual start of the new activities, for which the EDA issued a warning to the former Chief Executive, and
- the decision to authorise the new activities.

For the purpose of my inquiry, it would also be helpful to inspect the files related to all post-employment decisions taken by the EDA in relation to applications for authorisations in 2019 and 2020.

Your office can contact the case handlers responsible for the inquiry, *Ms Angela Marcos Figueruelo* or *Mr Koen Roovers*, to agree the arrangements for the inspection to take place, if possible, before 31 March 2021.

To enable me to examine the matter fully, I would be also grateful if the EDA could furthermore reply to the questions set out in the annex to this letter. I would be grateful to receive the EDA's reply by 30 April 2021.

Yours sincerely,

Emily O'Reilly

European Ombudsman

Enclosure: Annex with questions.

**Annex: Ombudsman questions to the EDA in strategic inquiry OI/3/2021/KR**

1. When did the former Chief Executive become aware of the job opportunities at Airbus? When did he apply for the jobs at Airbus? When did Airbus make him the job offers? (*If the EDA does not have this information on file, the EDA could ask the former Chief Executive to provide answers.*)

2. Did the EDA develop a plan or consider how to communicate about this matter, both internally to address concerns of staff members, and externally to Member State authorities and stakeholders, including media outlets as indicated in September 2020 to the EDA Staff Committee? If so, could the EDA please elaborate on this?



**3.** What interactions did the former Chief Executive have with Airbus before leaving the EDA? Please provide a chronology of all interactions that took place between 1 January 2018 and 31 January 2020. Please provide copies of any communication between the former Chief Executive and Airbus (including, but not limited to Airbus Spain, Airbus Defence and Space and Airbus Brussels office) that EDA holds.

**4.** Was the former Chief Executive involved in the decision-making process related to the 2019 contracts that the EDA agreed with Airbus? If so, please describe the role that the Chief Executive had in this respect, as well as his specific tasks.

**5.** Has the EDA reviewed the specific form [4] for those seeking authorisation for new jobs, for example to make sure that future applicants submit a detailed description of their future tasks?

**6.** What does the EDA do in practice to monitor and enforce the restrictions it imposed on the former Chief Executive's new jobs?

[1] See OI/3/2017/NF, available at: <https://www.ombudsman.europa.eu/en/decision/en/110608>

[2] See: <https://www.ombudsman.europa.eu/en/case/en/56050> .

[3] For example in the area of satellite communication and related services, see: <https://eda.europa.eu/docs/default-source/procurement-library/annual-list-of-contractors-2019-sc.pdf> [Link].

[4] The form entitled 'Application for authorisation to engage in an occupational activity after leaving the EDA'.