

Shift2Rail Joint Undertaking (S2R JU)

22nd FORMAL MEETING OF THE S2R JU GOVERNING BOARD

BRUSSELS, 14 November 2019, 10:00-13:00

White Atrium building,

Avenue de la Toison d'Or 56-60, B-1060 Brussels

PRESENT:

European Union, represented by the European Commission	Elisabeth WERNER, Director C, DG MOVE	Chair (Alternate)
	Signe RATSO, DDG, DG RTD	Co-Chair
	Keir FITCH, DG MOVE	Observer
	Mihaela WILLIAMS, DG MOVE	Observer
	Leonardo DONGIOVANNI, DG MOVE	Observer
	William BIRD, DG RTD	Observer
	John CLEUREN, DG RTD	Observer
ALSTOM	Nicolas CASTRES SAINT MARTIN	Member
AZD Praha	Michal PAVEL	Alternate Member

BOMBARDIER	Massimo SIRACUSA	Member
CAF	Jorge DE CASTO	Alternate Member
DEUTSCHE BAHN	Ralf MARXEN	Alternate Member
HACON	Rolf Goossmann	Alternate Member
HITACHI RAIL STS	Antonella TROMBETTA	Member
KNORR - BREMSE	Hans-Christina HILSE	Member
NETWORK RAIL (Industrial Spokesperson)	Andy DOHERTY	Member
SIEMENS	Jürgen SCHLAHT	Alternate Member
SMART DEMAIN CONSORTIUM	Henk SAMSON	Member
SMARTRACON CONSORTIUM	Michael MOYER ZU HÖRSTE	Alternate Member
SNCF	Christophe CHERON	Alternate Member
THALES	Yves PERREAL	Alternate Member
TRAFIKVERKET	Bo OLSSON	Alternate Member
VVAC+	Erik STOCKER	Alternate Member
European Railway Agency	Anna GIGANTINO	Observer

Chairperson of the States Representative Group	Sarah BITTNER-KRAUTSACK	Observer
Vice-Chairperson of the States Representative Group	Miroslav HALTUF	Observer
Chairperson of the Scientific Committee	Angela DI FEBBRARO	Observer
S2R	Carlo M BORGHINI	Executive Director
	Giorgio TRAVAINI	Observer
	Vincent DECLERFAYT	Observer
	Isaac GONZALEZ GARCIA	Observer
	Claudia REPP	Observer
	Valerie LORGÉ	GB Secretariat

CFW	Roland Bänsch	Observer
FAIVELEY Transport	Roberto TIONE	Observer
KONTRON	Michael MIKULANDRA	Observer
MERMEC	Antonella SEMERANO	Observer

LIST OF DECISIONS:

The following decisions were taken by the Board:

- GB Decision N 8/2019 on adopting the Annual Work Plan and Budget for 2020
- GB Decision N° 9/2019 on adopting Part B of the Shift2Rail JU Multi-Annual Action Plan
- GB Decision N° 10/2019 on giving a mandate to the Executive Director to request the Commission's agreement to the non-application by analogy of Commission Decision C(2019) 4231 final of 12/06/2019 laying down general implementing provisions on the conduct of administrative inquiries and disciplinary proceedings.

The following written procedures will be launched:

- Written procedure on the S2R revised financial rules (alignment to the new Financial Regulation)
- Written procedure on internal rules on data subject restrictions

OVERVIEW OF DISCUSSIONS:

INTRODUCTION

The Co-Chair informed the Governing Board that the Chair, Ms Elisabeth Werner, would be slightly delayed. She therefore welcomed the participants to the 22nd Governing Board meeting and indicated that all documents relating to the meeting had been circulated in advance according to the Rules of Procedure. The Co-Chair briefly presented the items on the Agenda.

1. WELCOME FROM THE CHAIR AND ADOPTION OF THE AGENDA

The final agenda was approved by the Board. It was decided to switch the order of presentation of points 2 and 3.

1. WELCOME FROM THE CHAIR AND ADOPTION OF THE AGENDA - Declarations of conflict of interest based on the Agenda items (the forms will be available in the meeting room)	10:00
2. INFORMATION FROM THE COMMISSION	
3. REPORT OF THE EXECUTIVE DIRECTOR ON S2R JU ACTIVITIES	
4. ADOPTION OF THE MINUTES OF THE GB OF 4 SEPTEMBER 2019	10:45
ITEMS FOR DECISION OF THE GOVERNING BOARD	
5. ADOPTION OF THE ANNUAL WORK PLAN AND BUDGET FOR 2020 Including KPI model release 2.0, attractiveness model for IP4 and initial mode choice	10:50
6. ADOPTION OF THE MAAP PART B	11:15
7. DECISION ON THE MANDATE TO THE EXECUTIVE DIRECTOR TO REQUEST THE COMMISSION'S AGREEMENT TO THE NON-APPLICATION OF COMMISSION DECISION C(2019) 4231 Final LAYING DOWN GENERAL IMPLEMENTING PROVISIONS ON THE CONDUCT OF ADMINISTRATIVE INQUIRIES AND DISCIPLINARY PROCEEDINGS	11:45
ITEMS FOR DISCUSSION OF THE GOVERNING BOARD	
8. DISCUSSION ON MCCOLA	12:00
9. UPDATE ON COOPERATION WITH REGIONS AND INTERNATIONAL ORGANISATIONS	12:30
10. PRESENTATION OF IP2 DEMOS FOR INNOTRANS	12:45
ANY OTHER BUSINESS	
11. AOB • ED DECISION ON PROJECTS IN THE RESERVE LIST UNDER THE SHIFT2RAIL JU CALL FOR PROPOSALS H2020-S2RJU-2018-01	13:00

- | | |
|---|--|
| <ul style="list-style-type: none"> ▪ INDICATIVE LIST OF DOCUMENTS TO BE ADOPTED BY WRITTEN PROCEDURE OR AT THE NEXT BOARD MEETING: ▪ DECISION ON S2R REVISED FINANCIAL RULES (ALIGNEMENT TO THE NEW FR) • DATA PROTECTION – INTERNAL RULES ON DATA SUBJECT RESTRICTIONS – MANDATORY PUBLICATION IN THE EU OJ ▪ PRESENTATION OF THE IAS REPORT ON THE AUDIT ON THE S2R JU GRANT PROCESS ▪ PRESENTATION OF THE ECA REPORT ON INEA CEF MANAGEMENT ▪ DATES OF THE NEXT MEETINGS: <ul style="list-style-type: none"> • 26 March 2020 • 22 June 2020 • 19 November 2020 | |
|---|--|

The Co-Chair asked all members of the Governing Board to declare and sign a declaration of confidentiality and absence of conflict of interest and to abstain from deliberations should a conflict of interest on the matter exist. The declarations for Conflict of Interest (CoI) were available in the meeting room.

2. REPORT OF THE EXECUTIVE DIRECTOR ON S2R JU ACTIVITIES

For additional details, please refer to the presentation.

The Executive Director provided an update on programme activities, namely the coordination of the High-Performance Computing (HPC) and Blockchain working groups of DG Connect/Move/rail sector and participation in the 5G and Cybersecurity working groups, the contribution to the DG GROW study on the competitiveness of the rail supply industry (published), the delivery to RASCOP of the second version of the S2R Standardisation Roadmap Development Plan, and the provision to DG Move of a preliminary list of possible future ESO needed activities from results of S2R projects.

He indicated that the GAP phase is ongoing for AWP2019 projects, with the objective to sign the Grant Agreements by end of November or to insert a start date of 1 December 2019 for pre-financing reasons.

He highlighted the S2R JU participation in the DG RTD R&I days session Future of Railways, participation in the Horizon 2020 Transport MaaS Workshop organised by DG Move with INEA and CEN, and the ERA conference on Command Control Signaling (CCS).

He indicated that 11 reviews/checks are on-going (3 CFM 2015-2016 + 4 OC 2015-2016 + 7 OC 2017 + 4 OC 2018 Projects).

The Executive Director presented the distribution of funding per Member State for CFM and OC for the period 2015-2019, stressing the need for solutions to be found under the future rail partnership in Horizon Europe to attract entities established in the EU-13. He stated that in this respect a number of actions are foreseen, namely upcoming meetings with PKP, a meeting with the infrastructure managers in Estonia, as well as the conference organized in the Czech Republic in February 2020.

He presented the foreseen activities for 2020, inter alia the publication of the call 2020 on 7 January 2020, with a call closure deadline of 21 April 2020, the consensus week scheduled end of May and a decision on the award foreseen at the 24th GB meeting on 22 June 2020. An extraordinary GB meeting on the award of the call 2020 will be organized should there be any remaining issues to tackle. It will be assessed then whether there is an opportunity to launch an additional call end of 2020. He indicated that the aim is to finalize the projects by end of 2022.

The Executive Director provided an overview of various events the S2R JU has participated in. He thanked the members for the very successful event during the Digital Transport Days in October in Helsinki. He mentioned the regional cooperation workshop organized as a side event of the European week of the regions and cities in October. Moreover, the Executive Director highlighted the success of the S2R JU participation in the World Congress on Railway Research (WCRR) in Tokyo, with the Shift2Rail stand opened by Commissioner Violeta Bulc and Ambassador Patricia Flor (Head of EU Delegation to Japan), the launch of the Catalogue of Solutions, the presentation of 15+ Shift2Rail R&I related papers and the award-winning “Adaptable train communication systems” paper. He thanked, in particular, Thales for their participation in WCRR.

He indicated that the S2R JU Info Day 2020 will take place in Brussels on 10 December 2019, another Info Day is scheduled to take place in Paris on 12 December, and a S2R regional Info Day is scheduled in Israel on 17-18 December, with the 5th ETNA Forum with all national contact points. For 2020, the scheduled main events are the TEN T Days, the TRA (where the S2R JU and FCH JU will be sharing a stand to showcase inter-JU collaboration) and InnoTrans 2020.

Furthermore, the Executive Director provided the members with an update on the ED Programme Board established to ensure that barriers experienced in the integration of new concepts in the S2R R&I activities - in particular in relation to IP2, but not exclusively - are duly addressed, as well as to ensure that the technological and operational impacts of RCA, OCORA and a more encompassing future system architecture would not find obstacles in their integration in the specific R&I projects. The LinX4Rail project becomes the core of the design of a functional system architecture, and will interface with X2Rail, IN2SMART, FR8RAIL and FINE projects, with RCA and OCORA as its two major engines.

This also represents a testing ground for the upcoming programming period. The Alstom representative enquired whether this relates to IP2 only or to all IPs. The Executive Director answered that it concerns all IPs and that all aspects of the functional system architecture with an impact on projects with regard to automation, CCS, freight, will be assessed at the correct level.

The Executive Director then provided the members with an update on the States Representatives Group activities, namely with regard to the establishment of the German Centre for Rail Traffic Research (DZSF). Professor Corina Salander, member of the S2R JU Scientific Committee, is the newly appointed Director. In this respect, synergies between the S2R JU and DZSF will be fostered. Concerning the Scientific Committee, the S2R JU Executive Director indicated that the newly elected Chairperson is Professor Angela di Febraro and the newly elected Vice-Chairperson is Professor Juan De Dios Sanz Bobi. They are elected for a period of three years, starting 1/1/2020 until 31/12/2022, which may be renewed. Furthermore, he underlined that the opportunity given to the Scientific Committee members to be fully integrated in the whole project life-cycle, by channelling their expertise on project reviews, has been taken on board by more than half of the Scientific Committee members.

The Chair highlighted she wished for Demos on Digital Virtual Coupling to be developed for InnoTrans 2020.

The Co-Chair stressed the need to engage Member States underrepresented in the current S2R activities, as well as new players, more associated countries, as well as other third countries with high R&I levels and shared values, e.g. Japan, Australia, New Zealand, and Canada. She welcomed the idea of the joint S2R-FCH stand at TRA.

3. INFORMATION FROM THE COMMISSION

The Chair indicated that following the general agreement on the next EU Framework Programme for research and innovation, Horizon Europe, the impact assessment procedure is currently on-going. For Article 185/187 initiatives; impact assessments will be supported by a central study and co-ordinated across all services. Inputs are requested in order to support the Impact Assessment work until end 2019. The Impact Assessment will then be submitted to the Commission Regulatory Scrutiny Board (RSB) for examination and opinion around March 2020. Inputs regarding content will be fed into the Commission proposal - including the Master Plan and the technical content on partnerships. The S2R2 Regulation is expected to be sent to the Council in the first half of 2020, with a decision by 2021. The aim will be to ensure a smooth transition from S2R to SR2 and a start of operations in 2021. The Chair thanked the GB members for the own-initiative letters sent, the interviews conducted with the consultant working on the impact assessment, as well as for the contributions to the open public consultation which

ran until 12 November. She stressed the need for additional views to be integrated, including from start-ups and new incumbents. She underlined the kick off of the study aimed to feed the future technical content of the S2R JU Master Plan, coordinated by DG MOVE. The Chair stated that another consultation is on-going, and the coordinated input of the sector is sought. She stated that the future rail partnership will be negotiated alongside the other partnerships, with a common timeframe and alignment of policy priorities. The Chair emphasized the need to highlight multi-modality, geographic balance, possible synergies with other programmes and partnerships, aligned policy priorities – in particular the Green Deal, decarbonization, digitalization, automation and freight – and the importance of deployment and large scale market roll-out. Discussions on the uptake of results should occupy a more prominent place in future endorsed projects. Furthermore, she indicated activities on emerging issues will be developed, such as hyperloop. The Chair appealed to the GB members to spread the good word and increase Member States' research / budget / finance ministries' awareness and understanding of the Joint Undertakings' activities.

The Co-Chair indicated that the next vote on the Multi-Annual Financial Framework (MFF) is foreseen in March 2020. She stressed the need for the private and public sectors to continue working together to fulfil these ambitious objectives.

The Industrial Spokesperson enquired whether the S2R JU would study how the taxation and charging systems work for the rail sector. The Chair answered that a study has already been conducted on “*Sustainable Transport Infrastructure Charging and Internalisation of Transport Externalities*”, and that it would be shared with the GB. The evidence therefore already exists, and the policy action should follow in due time.

The Chairperson of the SRG asked what type of contributions are expected from Member States for the S2R JU in the Thematic Workshop Partnership on Mobility which will take place on 25 November. The Commission representative answered that the workshop was organized at the request of the Member States and that the aim is to identify new ways to collaborate between Member States and partnerships regarding governance, alignment of content and synergies among partnerships. As regards alignment of content, the Executive Director emphasized that convergence on planning of activities is cardinal, should the development of large scale demonstration represent an objective.

4. ADOPTION OF THE MINUTES OF THE GB OF 4 SEPTEMBER 2019

The Chair invited the participants to comment on the minutes of the twenty first Governing Board meeting which included the comments received. The minutes were adopted with no additional changes.

ITEMS FOR DECISION OF THE GOVERNING BOARD

5. ADOPTION OF THE ANNUAL WORK PLAN AND BUDGET FOR 2020 -including KPI model release 2.0, attractiveness model for IP4 and initial mode choice

The Executive Director presented the main changes introduced in the AWP 2020.

- 1) The call for proposals for members' in-kind contributions were reduced by 1 Million euros, to ensure that the overall ratio resulting from the S2R Regulation is complied with by the end of the programme. The Executive Director emphasized that this is a minimum requirement and that industry members are welcome to contribute more should they desire so.
- 2) For the open calls, a few changes were implemented, namely a slight reduction of funding to take into account the increase of the share of the ERTMS tender (from 1,6M to 2M Euros). A prize for a maximum amount of 0,5M Euros was also included following a request from the Commission, relating to the implementation of a unique representation of the train and path objects throughout the EU, with the use of efficient algorithms generating a single Train ID. A CSA of 0,25M Euros was included on innovation in guided transport.
- 3) Moreover, the following three prizes were added: i.) TRA prize for a total value of 10,000 Euros (Shift2Rail will sponsor 3 monetary prizes for the TRA 2020 young researcher competition, to be presented at TRA 2020 in Helsinki: 1st prize = 5,000 EUR, 2nd prize = 3,000 EUR and 3rd prize = 2,000 EUR); ii.) Innotrans Prize for a total value of 10,000 Euros (The prizes for the 'Shift2Rail R&I Awards' in InnoTrans 2020 are: the Women in Rail R&I Award, the Decarbonisation Award, the Digitalisation Award, the Project Management Award); and iii.) Mobility start-up prizes for a total value of 10,000 Euros (Shift2Rail will sponsor the 2020 European start-up prize for mobility, co-founded by the Chair of the Transport Committee of the European Parliament).
- 4) Concerning the calls for tenders, the "Support to ERTMS European Action Plan to pave the way for the deployment of the future S2R JU Innovative Solutions" (4 years framework contract with a total estimated value of 8M Euros) tender's estimated share for 2020 amount was increased to 2M Euros.
- 5) Concerning content, emphasis was placed on projects with the highest TRL and projects focusing on demo activities, with IPX complementing LinX4Rail.

The Executive Director highlighted the importance of delivering the final part of the programme end 2022-beginning 2023. With the aim of maximizing the use of resources, a mini-call might be proposed end 2020.

The Chair thanked the Executive Director for taking all of the Commission comments into account, and asked for further clarification on the prizes. She emphasized the Commission's commitment to the development and uptake of unique train ID numbers. The Executive Director clarified that according to the Financial Regulation, it is not compulsory to include prizes of less than 1M Euros in the AWP, but that for the sake of transparency, the S2R JU has included them.

A presentation was delivered by the SmartRacon and the Thales representatives on the KPI model release 2.0, attractiveness model for IP4 and initial mode choice (*For additional details, please refer to the presentation*). The Chair thanked them for an interesting presentation and for the compelling figures put forward and asked the question of capacity, availability of data to the customers and of process engineering. The Co-Chair underlined the need to include outreach to citizens, not only in the sense of explaining but identifying their needs and expectations and passenger modal choice (i.e. what makes passengers choose rail?) in co-creation mode, in preparation for the future rail partnership. The Chairperson of the Scientific Committee stated that the Scientific Committee would be very happy to contribute to the KPI model. The Alstom representative indicated that showcasing the top-five findings and reducing the gap between passenger and freight would be useful. The Executive Director agreed and further emphasized that the CCA project should define the interval of confidence for the KPI model. He also indicated that the S2R JU call for tenders S2R.19.OP.01 on railway operators, staff and passengers expertise (<https://shift2rail.org/participate/procurement/ongoing-calls-for-tender/>) was awarded –though yet to be notified- and would contribute to streamlining the railway passenger views in the S2R JU work. He also stressed that the S2R JU is working in the direction of citizen outreach and regional involvement, starting with the signature of the various MoUs with regions. The Chair concluded by thanking the representatives for the excellent work accomplished on the KPI model and indicating that a proposal on the top five findings can contribute to defining the future work programme, and that the Scientific Committee contributions are very welcome.

Decision

Considering the last-minute submission of the comments on the AWP and budget for 2020 by the members of the GB, the Executive Director proposed to the Governing Board to conditionally adopt the Annual Work Plan and Budget 2020. Nevertheless, for transparency, he invited the members of the Governing Board to send any final comments on the document until Tuesday 26 November cob. Should the comments only relate to editorial changes or should they be of minor importance, the document will be adjusted accordingly and the GB Decision N°08/2019 on the Annual Work Plan and Budget for 2020

considered as adopted by the Governing Board at its 22nd meeting on 14 November. Should the changes put forward until Tuesday 26 November affect the substance of the document, the revised version will be submitted for adoption via written procedure in time for the Info Day of 10 December. The Chair thanked the Executive Director for this constructive approach and the Governing Board members agreed to this *modus operandi*.

6. ADOPTION OF THE PART B OF THE MULTI-ANNUAL ACTION PLAN

The S2R JU Executive Director stated that the MAAP Part B – Technical Content focuses on the re-prioritised R&I activities included initially in the 2015 MAAP and ensures adequate alignment with the MAAP Part A. A draft version of MAAP Part B was published on the S2R JU website on 20 May 2019. Feedback was received on the draft version by the European Commission (DG MOVE), S2R Members, the Scientific Committee and the UR-ID Working Group. The MAAP Part B introduces a demonstration plan by Technological Demonstrators and incorporates new ideas to enable a more appropriate quantification of the impact of each new technology. The Executive Director highlighted the huge contribution of the Members in delivering the new MAAP Part B and thanked their staff.

The S2R JU Multi-Annual Action Plan shall consist of two parts:

- Part A – Executive View, adopted by the S2R JU Governing Board on 27 October 2017 by Decision N°7/2017;
- Part B – Technical Content, annexed to the Decision of the GB N° 9/2019;

The Executive Director also stressed the need to maintain the original MAAP of 2015 as a reference document in case of doubts with regard to, for example, the types of assets that the Members other than the Union committed to provide for demonstration activities.

The Executive Director suggested the document be adopted by the Governing Board, and that an editing check be performed by OPOCE. A consolidated version of the MAAP will then be published on the S2R JU website.

The Industrial Spokesperson stated that this document should represent a part of the migration process towards S2R2. The Chair indicated that Part B is well aligned to Part A, and that it is essential this exercise be concluded, as it also includes stepping stones for the future programming period, i.e. references to the work on system architecture.

Decision

The Governing Board adopted the Decision of the GB N° 9/2019 on Part B of the Shift2Rail JU Multi-Annual Action Plan.

7. ADOPTION OF GB DECISION N° 10/2019 on giving a mandate to the Executive Director to request the Commission's agreement to the non-application by analogy of Commission Decision C(2019) 4231 final of 12/06/2019 laying down general implementing provisions on the conduct of administrative inquiries and disciplinary proceedings

The Executive Director stated that the Commission Decision C(2019)4231 (Final) laying down general implementing provisions on the conduct of administrative inquiries and disciplinary proceedings was adopted by the European Commission on 12 June 2019. This decision relates to Officials only. It is therefore not applicable to the S2R JU since the JU is composed only of Temporary and Contract agents. A new decision tailor-made for Agencies and Joint Undertakings is under preparation. To ensure compliance with Article 110 of the Staff Regulations, the GB shall give a mandate to the ED to request the Commission's agreement to the non-application of the Commission Decision

Decision

The Governing Board adopted the Decision of the GB N° 10/2019 on giving a mandate to the Executive Director to request the Commission's agreement to the non-application by analogy of Commission Decision C(2019) 4231 final of 12/06/2019 laying down general implementing provisions on the conduct of administrative inquiries and disciplinary proceedings.

ITEMS FOR DISCUSSION OF THE GOVERNING BOARD

8. DISCUSSION ON THE MCCOLA

The Executive Director indicated that the Members' Common Collaboration Agreement now consisted of a stable text, and that the comments of the Commission were taken into account. The Legal Service of the Commission advised the SR JU not to be a signatory party. He stated the S2R JU will therefore not be a signatory party to the MCCOLA, but will act as its depository. He underlined that the MCCOLA will therefore be in use for a part of 2019 and for 2020, and will allow for an alleviation of the administrative burden also in view of S2R2. The Chair acknowledged the importance of cutting red tape for the continuation of S2R.

9. UPDATE ON COOPERATION WITH REGIONS AND INTERNATIONAL ORGANISATIONS

The Executive Director presented the progress on the cooperation with regions and international organizations. He indicated that the MoU with ETSI was signed in May 2019, the MoU with the region of the Basque Country (ES) on ESIF synergies will be signed end of 2019, and the MoUs with CUTRIC and FERRMED are in final drafting stages. The MoUs with the World Alliance for Efficient Solutions and CEN/CENELEC are pending feedback. Furthermore, the Executive Director presented the results of the first S2R JU regional cooperation workshop, held on 9 October 2019 with the aim of exploring synergies between Shift2Rail JU and European Structural Investment Funds. Representatives from more than 10 EU regions were present, as well as representatives from the EP, EC, JRC, Clean Sky JU and public transport operators. The Executive Director appealed to the members of the GB to promote and accelerate this approach with their respective regions.

The Chair warmly welcomed the signature of an MoU with CEN/CENELEC, and emphasized the need to seek synergies and complementarities with national programmes and to prioritize the regions and international organisations with which the impact would be the highest, while ensuring geographic balance and an adequate management of resources to perform such activities. She asked the Executive Director to provide the GB members with a continuous update on this topic at the GB meetings.

10. PRESENTATION OF IP2 DEMOS FOR INNOTRANS

Please refer to the presentation.

Bettina Doetsch (Thales – coordinator X2RAIL-3) presented the overall IP2 approach with regards to the preparation of the possible demonstrators to be showcased at InnoTrans 2020. Three demonstrations are currently on the table: Moving Block and Traffic Management, Smart Connected Object Controllers, and ATO and communication. She specifically mentioned that a detailed analysis of the impacts of these three proposed demonstrations is still ongoing within the IP2 partnership. A final decision of partners participating with their commitment and teams to be set up needs to be taken before year end in order to properly launch the technical activities.

Following the question of the Chair on what demonstrators to be shown at Innotrans and how to select them, the Executive Director stated that ATO levels 2 and 3-4 are a clear priority and that a system approach should be deployed, with each IP tabling, by 15 December, a clear proposal on the demo activities planned for Innotrans – with content, resources and impact area. The Programme Board will then assess the proposals put forward by each IP and inform the GB of its recommendations. The Governing Board members agreed that all S2R IPs need to present their proposals by 15 December 2019.

The Industrial Spokesperson remarked that the final purpose and target audience of the demonstration activities needs to be clear. The Co-Chair explained that the audience should be both the European stakeholders as well as the international “market”. The Chair underlined that these demonstrations showcase the impact of the partnership in the sector.

Bettina Doetsch agreed and added that a minimum of 2 companies per demos are needed.

11. ANY OTHER BUSINESS

The Executive Director informed the GB of the adoption of the ED Decision on projects in the Reserve List under the S2R JU Call for Proposals H2020-S2RJU-2018-01.

INDICATIVE LISTS OF DOCUMENTS TO BE ADOPTED AT THE NEXT BOARD MEETING OR BY WRITTEN PROCEDURE

- **Decision on S2R Revised Financial Rules (alignment to the new Financial Regulation)**

The Executive Director stated that after the entry into force of the new EU Financial Regulation (FR) on 18/07/2018, S2R JU must adopt revised financial rules based on a Commission Model Financial Regulation for public-private partnership bodies (MFR). In May, the S2R JU asked the Commission to derogate from some clauses of the MFR, to adapt to the S2R JU specific needs and align them to the S2R JU Regulation and GB Decisions. On 29 October, the Commission adopted a decision on the S2R JU derogation’s requests (forwarded to the GB on 5th November) and rejected all of them (as rejected for all the Joint Undertakings), in particular: i.) the implementation of “multi-annual” work programmes in addition to “annual” work programmes, and ii.) the possibility to replace the obligation to publish in the S2R JU web site the GB members declarations of conflict of interest by a requirement to make those declarations available with respect to applicable EU rules on data protection and access to documents. A solution could be to provide an e-mail address on the S2R JU web site where any third party can request such declaration.

The Chair and Co-Chair praised the JU for being a pioneer on the two innovations introduced by the Financial Regulation, namely the lump sum approach and the use of prizes.

This GB Decision will be subject to adoption by written procedure before the end of the year and will replace the current S2R JU financial rules (GB Decision n° 21/2015).

- **Data Protection – internal rules on data subject restrictions – mandatory publication in the EU OJ**

The new EU Data Protection Regulation (EU) 2018/1725 - entered into force on 11 December 2018 and applicable to EU institutions and bodies (EUIs) - states that data subjects rights could be restricted by EUIs in some *exceptional circumstances and with the safeguards laid down in the new Regulation*, for example:

- prevention, investigation, detection and prosecution of criminal offences or the execution of criminal penalties
- internal security of Union institutions and bodies
- protection of judicial independence and judicial proceedings
- protection of the data subject or the rights and freedoms of others

As a consequence, the S2R JU should adopt such restrictions only where strictly necessary and always based on a legal act, or, in the absence of such a legal act, on internal rules adopted by the “highest level of management (i.e.: GB) and published on the Official Journal of the European Union. Before formal GB adoption, consultation of the European Data Protection Supervisor is required.

This GB Decision will be subject to adoption by written procedure or at the next GB meeting.

- **Presentation of the IAS Report on the Audit on the S2R JU Grant Process**

The Executive Director presented the main findings of the IAS Report on the Audit on the S2R JU Grant Process dated 21 October 2019. It includes four findings considered as ‘important’ and one issue for consideration (also considered important). He indicated that according to audit recommendation n°1: ‘Participation of Member representatives as observers in the evaluation process’, the JU should develop and publish guidance regarding the involvement of industry representatives as observers in the evaluation of open calls, and individual contacts between applicants and the ‘S2R member projects’ representatives during the submission and evaluation phase. The Thales and Deutsche Bahn representatives stressed that in their opinion, having the Member representatives (IP coordinators) present during the evaluation process fosters coherence and alignment of the OCs with the CFMs. The Executive Director therefore suggested the S2R JU action plan to the IAS include a proposal to test in 2020, by which member representatives continue participating as observers in the evaluation process, but all channels of communication from Open Calls go through the JU. The JU will therefore develop and publish guidance regarding the involvement of industry representatives as observers in the evaluation of open calls, and individual contacts between applicants and the ‘S2R member projects’ representatives during the submission and evaluation phase

- **Presentation of the ECA Report on INEA CEF Management**

The Executive Director mentioned the ECA Special report No 19/2019 on INEA. The auditors found that INEA has fulfilled the delegated tasks as defined in its mandate and delivered the expected benefits, with some limitations, related to framework constraints. The Executive Director mentioned the reference made to S2R whereby auditors state that “Synergies materialised only in a limited number of actions”: He stressed that this point should be tackled in the future in fostering collaboration with INEA.

DATES OF THE NEXT MEETINGS

The dates of the upcoming GB meetings for 2020 were agreed upon:

26 March 2020

22 June 2020

19 November 2020

Done in Brussels on 14 November.



Signed:

Henrik HOLELEI

Chairman of the Governing Board