

Europe's Rail Joint Undertaking (EU-RAIL)
3rd FORMAL MEETING OF THE EU-RAIL GOVERNING BOARD

24 June 2022

9h30 – 13h00

Hybrid connection

PRESENT:

European Union, represented by the European Commission	SCHMIDT Kristian, DG MOVE	Chair
	FROISSARD Philippe, DG RTD	Co-Chair
	FITCH Keir, DG MOVE	Observer
	PERSCHKE Wawrzyniec, DG MOVE	Observer
	FIMIN Ana-Maria, DG MOVE	Observer
	CLEUREN John, DG RTD	Observer
	WALTER Martina, DG RTD	Observer
	LE BERRE Stephanie, DG RTD	Observer
	RAUNA Audeline, DG RTD	Observer
	STAICU Simona, DG RTD	Observer

ADIF	VILLALMANZO RESUSTA David-Iban	Alternate
ALSTOM	FRENCH Richard	Alternate
ANGELRAIL consortium led by MER MEC	SCARNERA Vincenzo	Alternate
AŽD PRAHA	KAMPIK Vladimir	Representative
CAF	DE CASTRO Jorge	Representative
CEIT	MELLENDEZ Juan	Representative
ČESKÉ DRÁHY	HAJN Krystof	Representative
	LOCHMAN Libor	Alternate
DEUTSCHE BAHN	MARXEN Ralf	Representative
DLR	MEYER ZU HORSTE Michael	Alternate
European Smart Green Rail Joint Venture (eSGR JV)	JIMENEZ REDONDO Noemi	Representative
FAIVELEY TRANSPORT	TIONE Roberto	Representative
FSI	SANTORO Riccardo	Alternate
HITACHI RAIL	TROMBETTA Antonella	Representative

INDRA/ TALGO	RUBIO SANCHEZ Jose Miguel	Representative
JERNBANEDIREKTO RATE (Norwegian Rail Directorate)	SAETHRE Preben	Representative
KNORR-BREMSE	HILSE Hans-Christian	Representative
ÖBB	TOPAL GOEKCELI Mark	Representative
	LUDWIG Bertram	Alternate
PKP	JANCEWICZ Zbigniew	Representative
NS/PRO RAIL	FUKKEN Jeroen	Representative
SIEMENS MOBILITY	SCHLAHT Jürgen	Alternate
SNCF	CHERON Christophe	Representative
STRUKTON	SAMSON Henk	Alternate
THALES	PERREAL Yves	Alternate
TRAFIKVERKET	OLSSON Bo	Representative
VOESTALPINE	HOLZFEIND Jochen	Representative
	OSSBERGER Uwe	Alternate
European Railway Agency	TOURNIER Ny Tiana	Observer

ERRAC	MOSER Roland (ERRAC Chair)	Observer
Chairperson of the SRG	BITTNER-KRAUTSACK Sarah	Observer
Vice-Chairperson of the SRG	HALTUF Miroslav	Observer
Chairperson of the Scientific Committee	DI FEBBRARO Angela	Observer
EU-RAIL	BORGHINI Carlo	Executive Director, Member without voting rights
	TRAVAINI Giorgio	Observer
	DECLERFAYT Vincent	Observer
	GONZALEZ GARCIA Isaac	Observer
	CONLON Ian	Observer
	CIECZKO Catherine	Observer
	PAVLOVIC Martin	Observer
	KANIA Magdalena	Observer

LIST OF DECISIONS:

The following decisions were taken by the Board:

- GB n° 05/2022 on the approval of the Consolidated Annual Activity Report 2021
- Opinion of the GB n° 06/2022 on the Final Annual Accounts, including the Budgetary Implementation Report 2021
- GB n° 07/2022 adopting the Code of Conduct for the Governing Board
- GB n° 08/2022 on the application by analogy of Implementing Rules to the Staff Regulations
- GB n° 09/2022 amending the Decision of the Governing Board N° 20/2016 laying down rules on the secondment of national experts and national experts in professional training to the Shift2Rail Joint Undertaking

OVERVIEW OF DISCUSSIONS:

INTRODUCTION

The 3rd meeting of the EU-Rail Governing Board was chaired by Mr. Kristian Schmidt (DG MOVE). The Chair welcomed the participants to the Governing Board meeting. The meeting was held in a hybrid form with in-person and digital participation.

The Chair thanked all the participants who came to Brussels. He proposed to conduct a short tour-de-table for the in-person participants.

1. WELCOME FROM THE CHAIR AND ADOPTION OF THE AGENDA

The Chair indicated that all documents relating to the meeting, including the draft GB decisions with Annexes, were distributed in advance to the participants. He presented the Agenda to the Governing Board for adoption. In particular, he requested the participants to assess their risk of Conflict of Interest with regard to the items of the agenda.

The Agenda was adopted without any changes.

1. WELCOME FROM THE CHAIR AND ADOPTION OF THE AGENDA <i>Declarations of conflict of interest based on the Agenda items</i>	9:30
2. INFORMATION FROM THE COMMISSION	
3. REPORT FROM THE EXECUTIVE DIRECTOR	
4. ADOPTION OF THE MINUTES OF THE GB OF 1 MARCH 2022	10:00
ITEMS FOR DECISION OF THE GOVERNING BOARD	
5. DECISION ON THE ADOPTION OF THE JU ANNUAL ACTIVITY REPORT 2021	10:15
6. DECISION ON THE ADOPTION OF THE FINAL ANNUAL ACCOUNTS 2021	10:30
7. APPROVAL OF THE STRUCTURE OF THE SYSTEM PILLAR 2022 - 2023	10:45
8. DECISION ON THE ADOPTION OF THE EUROPE'S RAIL JOINT UNDERTAKING CODE OF CONDUCT	11:00
9. APPROVAL OF THE EUROPE'S RAIL JOINT UNDERTAKING COMMUNICATION AND DISSEMINATION STRATEGY	11:15
10. DECISION ON THE APPLICATION BY ANALOGY OF IMPLEMENTING RULES TO THE STAFF REGULATIONS	11:30
11. DECISION AMENDING DECISION OF THE GOVERNING BOARD N 20/2016 LAYING DOWN RULES ON THE SECONDMENT OF NATIONAL EXPERTS AND NATIONAL EXPERTS IN PROFESSIONAL TRAINING TO THE SHIFT2RAIL JOINT UNDERTAKING	11:45
12. POSITION OF THE GOVERNING BOARD ON THE RECOMMENDATION OF THE EXECUTIVE DIRECTOR ON THE IMPLEMENTATION OF ARTICLE 87(2)	12:00
ITEMS FOR DISCUSSION OF THE GOVERNING BOARD	
13. MANDATE TO THE EXECUTIVE DIRECTOR TO MAKE A PROPOSAL ON THE TYPE OF SCIENTIFIC ADVICE UNDER EUROPE'S RAIL JOINT UNDERTAKING PROGRAMME	12:15
14. GOVERNANCE AND PROCESS HANDBOOK OF EUROPE'S RAIL	
15. INFORMATION ABOUT THE STATUS OF THE CONSORTIUM AGREEMENT	
16. RNE MOU	
17. OFFICE SPACE	
ANY OTHER BUSINESS	
18. AOB	12:45

No conflict of interest was raised by any of the participants to the meeting in relation to the various agenda items.

2. INFORMATION FROM THE COMMISSION

The Chair reminded that the first call for proposals of the Europe's Rail Joint Undertaking had been closed on 23 June 2022. The future projects were expected to contribute to the JU programme, and provide the European network with solutions to improve its performance, competitiveness, and financial efficiency (e.g. in traffic management, signalling and DAC). The Chair stressed the importance of remaining open towards the smaller enterprises and other initiatives taking place around and outside the railway system. He mentioned the cooperation with the ICT and RNE as a good example of bringing new stakeholders with new solutions to the common work. He also underlined the role of technology in monitoring the situation at the border with Ukraine. He expressed the solidarity the Commission shared with Ukraine.

The Chair commented on the System Pillar. Referring to the call for tenders, he expressed the expectations of the Commission that the System Pillar would be represented by a wide range of associations, including those cooperating with the JU Members. He pointed to the necessity of openness.

Finally, the Chair commented on DAC. He discussed the issue of migration, with the costs and benefits associated. He stressed out the availability of the Commission's fund. However, it would not cover the full migration costs and the investments from the Members States would be needed. He also mentioned the role of the Europe's Rail in the TSI standardization process.

On behalf of the Co-Chair Rosalinde van der Vlies, Philippe Froissard (DG RTD), provided a short introduction from the DG RTD side. He discussed the preparation of the next work programme under Horizon Europe and briefly updated the Governing Board on the procedures and timeline. As stressed, the interservice consultation on the work programme would be launched in the coming weeks. The final discussion on the work programme 2023-2024 would be expected by November 2022. He also commented on the opportunities for railway sector emerging from the work programme.

Philippe Froissard discussed also the Climate-neutral and Smart Cities Mission launched by the Commission under the Horizon Europe. As informed, the Cities Mission would closely work with other partnerships to support research and innovation activities (e.g. in the scope of shared mobility and in passenger traffic). He mentioned the opportunities for railway sector in this respect.

The EU-Rail was informed about the intention to launch cooperation with the Cities Mission. More detailed information would be provided in the coming weeks.

The representative of Thales, Yves Perreal, asked about the number of proposals received for the first call for proposals under Europe's Rail.

The Executive Director stated that the Europe's Rail was informed about seven proposals received, as indicated on the Funding Portal. By the time of the Governing Board meeting, the proposals were not accessible.

The Executive Director commented on the Smart Cities Mission. He expressed the interest of the Europe's Rail to cooperate within this scope. He also stressed the ongoing cooperation of the Joint Undertaking with the European cities (e.g. Madrid, Toulouse, Milan).

The Governing Board took note of the information from the Commission.

3. REPORT OF THE EXECUTIVE DIRECTOR ON EU-RAIL ACTIVITIES

For additional details, please refer to the presentation.

The Executive Director thanked the Commission for the introduction. He confirmed that the first call for proposals under Europe's Rail JU had been closed on 23 June 2022. He also confirmed that the tender procedure for selection of experts for the System Pillar was also in the process to be completed, with deadline for signature expected on 15 July 2022. The Governing Board was informed that the System Innovation Programme Board would be consulted to discuss the type of needs required.

The Governing Board was informed that in the recent months, the Europe's Rail had conducted a series of institutional meetings with the JU bodies, including the States' Representatives Group, Scientific Committee, and System Pillar Steering Group. In parallel, the meetings of the S2R bodies, IPSteeCOs, took place to monitor the progress of activities under Shift2Rail programme.

In terms of the DAC programme, the Executive Director informed about the ongoing analysis of business case, migration plan, and the European investment plan. He expressed his expectation to deliver major progress in coming years.

The Executive Director informed the Governing Board about the completion of recruitment procedures for the Head of System Pillar unit, with Ian Conlon as a new Head of Unit, and positions of senior programme managers. He also indicated ongoing procedures for selection of the JU Chief Stakeholder and Communication Officer, horizontal programme manager and accounting officer. He mentioned Nina Rekolainen, a S2R Accounting Officer who passed away this year, and her valuable contribution to the work of the JU.

The Chair welcomed the representatives of the DG RTD and invited them to discuss the back office arrangements. As stressed, the establishment of back office arrangements would contribute to lowering operational costs of JUs' functioning as well as it would answer the specificities of the partnerships building on existing synergies.

On behalf of DG RTD, Martina Walter (DG RTD) discussed the back office arrangements, including its legal basis in the Single Basic Act, the overall objectives, and the procedures behind its establishment. She pointed to the efficiency, and opportunities for greater specialization and expertise. She informed that all Governing Boards concerned were informed and invited to discuss the arrangements. She reminded that in accordance with the Single Basic, the back office arrangements should be established within one year after the entry into force of the Single Basic Act.

The Executive Director discussed the opportunities for synergies between joint undertakings in certain areas (e.g. HR, anti-fraud, accounting). He informed that the Europe's Rail Joint Undertaking, supported by new contractual agents, would take a leading role in accounting services within the framework of back office arrangements. Together with SESAR and Clean Aviation, the Europe's Rail would act as an accounting provider for other JUs, the accounting beneficiaries. He also pointed to other potential areas where Europe's Rail could offer its services (e.g. cloud computing, DPO).

The Executive Directors commented on the communication activities of Europe's Rail since the last Governing Board meeting in March 2022. He thanked the Communication Team of the JU for their successful organization of the Europe's Rail presence at WCRR in Birmingham. He also thanked the Commission and the Members for their presence and promotion of the Europe's Rail work. He mentioned the incoming Connecting Europe Days and the signature of an MoU on the study on the socio-economic benefits of a European High Speed Rail network; the MoU would be signed with CER, ALLRAIL and UNIFE.

The Executive Director briefly commented on the upcoming events, in particular Connecting Europe Days 2022 in Lyon.

The Governing Board took note of the report of the Executive Director.

4. ADOPTION OF THE MINUTES OF THE GB OF 1 MARCH 2022

The Chair invited the participants to present their comments to the minutes of the 2nd Europe's Rail Governing Board meeting, if there were any.

The Europe's Rail Governing Board adopted the minutes of its 2nd meeting without changes.

ITEMS FOR DECISION OF THE GOVERNING BOARD

5. DECISION ON THE APPROVAL OF THE CONSOLIDATED ANNUAL ACTIVITY REPORT 2021

The Chair introduced the Consolidated Annual Activity Report 2021 as an item for decision for the Governing Board. He informed the Governing Board that the Commission had provided the Europe's Rail with its comments to the Report which were implemented in the text.

The Executive Director presented the Consolidated Annual Activity Report 2021. He indicated that most of the activities covered in the Report concerned the S2R programme, as the Europe's Rail had only started working in December 2021. As underlined, the Covid-19 pandemics impacted the activities under the S2R programme. The situation was monitored by the Joint Undertaking in order to avoid cascading effects. The Executive Director informed the Governing Board that the committed resources were used according to the plans. He also informed that the Europe's Rail would launch a reconciliation exercise for the former Shift2Rail Members to start the phase out of the S2R programme.

The Governing Board was informed that the States' Representatives Group and the Scientific Committee did not provide any comments to the Report.

The Consolidated Annual Activity Report would be delivered to the accounting authority by 1 July 2022 in accordance with legal procedures.

Decision

The Governing Board adopted Decision n° 05/2022 on the approval of the Consolidated Annual Activity Report 2021

6. OPINION ON THE FINAL ACCOUNTS, INCLUDING THE BUDGETARY IMPLEMENTATION REPORT 2021

The Executive Director introduced the Final Accounts 2021 that represented the state of finances of the Joint Undertaking. He presented the figures on level of contribution, pointing to the successful achievement of targeted IKAA.

The representative of ÖBB, Mark Topal, requested clarification if the Europe's Rail Members who were not Members of the Shift2Rail should abstain from voting.

The Executive Director explained that in accordance with the Single Basic Act, the Europe's Rail was a legal and universal successor of Shift2Rail JU, therefore the Europe's Rail Members were responsible

for the programmes of the Joint Undertaking. The Members of Europe's Rail Joint Undertaking have voting rights, regardless their memberships in Shift2Rail JU.

Decision

The Governing Board approved the Opinion n° 06/2022 on the Final Accounts, including the Budgetary Implementation Report 2021

7. APPROVAL OF THE STRUCTURE OF THE SYSTEM PILLAR 2022 - 2023

The Executive Director presented the structure of the System Pillar. He underlined that the current structure would be in operation for the next 18 months, subject to revision by the end 2023. The Governing Board was informed that the structure was endorsed by the System Pillar Steering Group by consensus.

The Executive Director informed the Governing Board that the States' Representatives Group had expressed their willingness to be more involved in the System Pillar activities. The Europe's Rail would discuss with the States' Representatives Group the possible solutions and arrangements.

The representative of Deutsche Bahn, Ralf Marxen, endorsed the presented System Pillar structure, in particular a separate task for the DAC and freight. He asked if the presented structure reflected the same structure as the one presented to the System Innovation Programme Board at its last meeting. He also asked about the next steps and timeline related to them.

The representative of ÖBB, Mark Topal, endorsed the structure and pointed to its importance in activities of the Europe's Rail Joint Undertaking.

The Executive Director confirmed that the structure had been also presented to the System Innovation Pillar. He explained that according to planning, signing of contracts was planned by 15 July 2022. Given the successful signature by this date, the Europe's Rail would launch a request for services in order to establish the System Pillar Core Group (expected in early September 2022). The Executive Director stressed that this timeline would also depend on the capacity of contractors. The Europe's Rail would also consider a phasing approach in case of any potential delays with delivery of the names of experts.

The representative of FSI, Riccardo Santoro, asked about synchronization of presented timeline with the tender procedure for TT tooling. He pointed out that the goal was to provide a common set of tooling to be used in the System Pillar, Innovation Pillar, and by other stakeholders if relevant (e.g. ERA for standardization).

The Executive Director informed about ongoing discussions to make use of the existing tooling in certain contract services, at least in the ramp up phase. In parallel, the Europe's Rail would launch a procurement procedure as discussed. The Founding Members would be informed accordingly.

Decision

The Governing Board endorsed the structure of the System Pillar 2022-2023

8. DECISION ADOPTING THE CODE OF CONDUCT FOR THE GOVERNING BOARD

The Chairperson informed the Governing Board that the Commission had not had any comments to the Code of Conduct.

The Executive Director added that the Code of Conduct would complement other legal provisions (e.g. on whistleblowing and anti-fraud) with a final goal of delivering the Europe's Rail programme with high ethical standards and credibility. He encouraged the Governing Board Members to consult the document regularly.

Decision

The Governing Board adopted Decision n° 07/2022 on the Code of Conduct for the Governing Board

9. APPROVAL OF THE EUROPE'S RAIL JOINT UNDERTAKING COMMUNICATION AND DISSEMINATION STRATEGY

The Executive Director thanked Catherine Cieczko, the JU Chief Stakeholder Relations and Dissemination a.i. and the Europe's Rail Communication Team for their contribution to the development of strategy. He briefly introduced the strategy and discussed its main objectives clustered around three concepts: stakeholder relations, communication, and dissemination. The Governing Board was informed that the presented strategy was a living document, subject to change based on the programme evolution.

The representative of FSI, Riccardo Santoro, asked if the private Founding Members could also contribute to the communication and dissemination with additional activities.

The representative of Thales, Yves Perreal, endorsed the strategy on behalf of the private Founding Members. He pointed to the necessity of clear dissemination and communication to raise awareness about the Europe's Rail programme. He also asked the Executive Director to inform regularly the private Founding Members about the communication and dissemination activities (e.g. in a form of a fixed point in Agenda).

The representative of ÖBB, Mark Topal, stressed the necessity to align the Europe's Rail communication and dissemination strategy with private Founding Members' strategies. He invited the private Founding Members to consider such alignments in order to present a common vision.

On behalf of the States' Representatives Group, Sarah Bitnner-Krautsack, indicated that communication of the project results would be also important for the Member States. She stressed that there should be more communication on migration, transition, and implementation of projects.

On behalf of the Commission, the Chair endorsed the strategy. He added that the strategy should be also focused on value and common and collective efforts linked to specific activities.

Answering to the questions, the Executive Director informed that the Europe's Rail would use for communication any unspent budget stemming from the JU running costs. He agreed that the communication should be focused on results and values. He also welcomed additional initiatives to be provided by the private Founding Members. As informed, during the grant preparation phase, the Europe's Rail staff would analyse the communication and dissemination plans and decide on the alignment between the projects. The alignment would also take place under the coordination of the Chief Stakeholder Relations and Dissemination of Europe's Rail who would cooperate with the communication officers from the private Members. The Executive Director also endorsed the proposal to provide a regular update on the communication and dissemination activities at the SIPB meetings.

The representative of Siemens, Jürgen Schlaht, thanked the Executive Director and the Europe's Rail team for their activities in terms of communication. He pointed to the visibility of Europe's Rail's work through different channels. The representative of eSGR JV, Noemi Jimenez Redondo, also thanked the Executive Director for his efforts in communication and dissemination.

Decision

The Governing Board approved the stakeholder relations, communication, and dissemination strategy of the Europe's Rail Joint Undertaking.

10. DECISION ON THE APPLICATION BY ANALOGY OF IMPLEMENTING RULES TO THE STAFF REGULATIONS

The Executive Director explained that the Commission had notified the Europe's Rail about the necessity to adopt its decisions on the following issues:

- Working time and hybrid working
- Home leave for officials, temporary staff and contract staff serving in a third country

- On the payment of the education allowance to staff members for the duration of temporary assignment to the seat of the institution or any other place of employment in the Union

As informed, the following decisions shall apply by analogy to Agencies and other bodies either after nine months after the dates of their adoptions or by decision of the Governing Board.

The Executive Director stressed that the Commission's decision on home leave for officials, temporary staff and contract staff serving in a third country would not apply to the Europe's Rail Joint Undertaking. However, for procedural and administrative purposes, it would be more efficient to adopt such decision together with others.

The Chair informed that the Commission did not have comments to the decision. He supported the approach of adopting the whole catalogue of rules.

Decision

The Governing Board adopted Decision n° 08/2022 on the application by analogy of Implementing Rules to the Staff Regulations

11. DECISION AMENDING THE DECISION OF THE GOVERNING BOARD N° 20/2016 LAYING DOWN RULES ON THE SECONDMENT OF NATIONAL EXPERTS AND NATIONAL EXPERTS IN PROFESSIONAL TRAINING TO THE SHIFT2RAIL JOINT UNDERTAKING

The Executive Director introduced the amendment to the decision. He informed that the previous decision had referred to up to 6 months of training for the so-called National Experts in Professional Training. Based on the requests received from the Members, the Europe's Rail decided to extend the duration of professional training up to 12 months, with one extension for another 12 months. On exceptional basis another 12 months would be allowed.

The Executive Director briefly discussed the differences between the Seconded National Experts and National Experts in Professional Training. He pointed to the benefits of extension.

Decision

The Governing Board adopted Decision n° 09/2022 amending the Decision of the Governing Board N° 20/2016 laying down rules on the secondment of national experts and national experts in professional training to the Shift2Rail Joint Undertaking

12. POSITION OF THE GOVERNING BOARD ON THE RECOMMENDATION OF THE EXECUTIVE DIRECTOR ON THE IMPLEMENTATION OF ARTICLE 87(2)

The Executive Director reminded about the mandate given to him by the Governing Board to explore the possibilities of triggering Article 87(2) of the Single Basic Act, in particular in relation to the request by Tubitak Rute. He indicated that the Governing Board had received report on his mission that took place in March 2022.

Taking into consideration the elements discussed, the Executive Director recommended to the Governing Board not to avail itself of the use of 87(2) of the Single Basic Act and plan the launch of a call for associated members by the end of 2023.

Decision

The Governing Board took note of and agreed to the recommendation of the Executive Director on the implementation of Article 87(2) of the SBA.

ITEMS FOR DISCUSSION OF THE GOVERNING BOARD

13. MANDATE TO THE EXECUTIVE DIRECTOR TO MAKE A PROPOSAL ON THE TYPE OF SCIENTIFIC ADVICE UNDER EUROPE'S RAIL JOINT UNDERTAKING PROGRAMME

The Executive Director provided an overview of the scientific advice under the Europe's Rail programme. As reminded, the Governing Board of Europe's Rail had adopted GB decision N° 02/2021 approving the list of decision adopted by the Shift2Rail Joint Undertaking that will continue to apply for the Europe's Rail Joint Undertaking, including the decisions concerning the Scientific Committee. Such extension was necessary to ensure the functioning of the Europe's Rail, as the opinions of scientific experts were requested to launch activities of the Joint Undertaking (e.g. opinion on work programme). The Executive Director thanked Professor Angela di Febraro, the Chairperson of the Scientific Committee for the work of experts and their availability to continue in this key phase. He invited the current Scientific Committee to support in the revision of the scientific advice for the new JU programme.

In accordance with Single Basic Act, the joint undertakings should set up an advisory body with a scientific advisory function to provide independent scientific advice and support to the joint undertakings (cf. recital 33 of the Single Basic Act). For this reason, the Executive Director asked for giving him mandate to explore possible ways forward. He briefly described the goal to establish types

of scientific advice in which the experts would be more collectively engaged in shaping of future programme. The Executive Director would discuss the solutions with the Scientific Committee experts and would report to the Governing Board in November 2022.

The Chair asked about the procedure of selection in terms of scope of expertise required and number of experts involved.

The Executive Director agreed that the expertise within the scientific advice should be diversified, with knowledgeable experts representing various sectors. As stressed, under the current Scientific Committee the experts represented diversified portfolios, e.g. transport, railway, telecommunication, logistics. In terms of procedures, the Executive Director explained that the selection of experts would be conducted through the call for expression of interest to become an expert. He also mentioned the possibility to engage in the scientific advice the representatives of associations of scientific community and ERRAC community. As stressed, the experts should demonstrate knowledge, independence, and active presence.

The representative of the European Commission's DG MOVE, Keir Fitch, asked about the potential links between the scientific advice and information about the national research programmes. He discussed the benefits of having an oversight of the national programmes.

The Executive Director agreed that monitoring of national research programmes would be important. He pointed to the role of the States' Representatives Group in this respect and pointed to the coordination between the various Europe's Rail bodies.

The Vice-Chairperson of the States' Representatives Group, Miroslav Haltuf, commented on the role of the States' Representatives Group. He underlined that the body could cover specific demands on scientific advice through the experts available at national level.

The representative of FS, Riccardo Santoro, warned against combining the functions of the Scientific Committee and the States' Representatives Group. He stressed that the scientific advice should remain objective and independent from the national perspectives. He also acknowledged the importance of the monitoring of national research programmes and strategies and pointed to the role of the States' Representatives Group.

The Chairperson of the States' Representatives Group, Sarah Bittner-Krautsack informed the Governing Board that the representatives of the Member States performed an exercise to identify the Member States' priorities and expectations towards the Europe's Rail, as well as collected information about the national research programmes linked to railway, transport, and mobility. She also pointed to the

awareness among the Member States of the necessity to link national programmes with the European initiatives.

The representative of the European Commission's DG RTD, Philippe Froissard, asked for clarification in terms of profile of experts expected. He mentioned that the Commission had worked before with two profiles of experts – more active participants in the scientific bodies and experts representing associations – and the work was successful. He also indicated that the number of experts representing associations should be reduced under such scenario.

The Chairperson of the Scientific Committee, Angela di Febraro, agreed that the responsibilities of the Scientific Committee should be separated from the States' Representatives Group. She pointed to the necessary connection with the States' Representatives Group, however, expressed her favor towards objective and independent scientific advice. She also informed the Governing Board about the meeting of the Europe's Rail Scientific Committee scheduled for 8 July 2022.

The representative of CAF, Jorge de Castro, acknowledged the importance of the expertise coming from the scientific advice. He raised a concern that the expertise should be received in proper time in order to ensure that it would have a necessary impact on the work of Europe's Rail.

The Executive Director agreed that the experts should be involved in the planning in order to demonstrate impact of scientific advice on the programme. He pointed to the opinion of the Scientific Committee on work programmes and other relevant documents. He also pointed to the necessity of collective assessment of the members of the Scientific Committee, a way forward from the individual reviews.

The Governing Board took note of the discussion. The Executive Director was given a mandate to explore the types of scientific advice for the Europe's Rail programme. The Executive Director would report to the Governing Board with a proposal at its meeting in November 2022.

14. GOVERNANCE AND PROCESS HANDBOOK OF EUROPE'S RAIL

The Executive Director briefly introduced the Governance and Process Handbook of Europe's Rail, pointing to its objectives and content. He stressed that upon request from the private Founding Members of the Europe's Rail, two Annexes – Annex F and Annex G – were added to reflect the projects' governance setup. The Governing Board was informed that the Handbook and Annexes were discussed at the System Innovation Programme Board meeting on 14 June 2022. At the meeting, the private Founding Members accepted the Annexes. In terms of main body of the Handbook, the private Members were requested to deliver their comments, if any, to the Joint Undertaking. The Executive Director

stressed that the Handbook would be a living document, subject to changes given the evolution of the programme.

The representative of Knorr-Bremse, Hans-Christian Hilse, informed the Governing Board that the wording of the Annexes was harmonized with the wording of the model Consortium Agreement. He requested the private Founding Members not to provide further changes to the model Consortium Agreement that would contradict the Annexes.

The representative of SNCF, Christophe Cheron, asked about the Annex concerning System Pillar and the recent version of the Handbook.

The Executive Director confirmed that the Handbook would be considered as an integrated document with all Annexes, including the Annex on the System Pillar governance structure.

15. INFORMATION ABOUT THE STATUS OF THE CONSORTIUM AGREEMENT

The Executive Director updated the Governing Board on the progress in finalization of the model Consortium Agreement. He acknowledged the work done by the legal representatives of the companies under the coordination of the Europe's Rail Chief Legal Officer, Isaac Gonzalez Garcia. He reminded that the model Consortium Agreement was based on the Horizon Europe DESCA model, with adjustments to the specificity of the Joint Undertaking. He also thanked the Knorr-Bremse and other partners for their work on harmonization.

The Executive Director briefly discussed the points that remained open after the discussions between the legal officers. He proposed to have a final discussion at the System Innovation Programme Board level and reach agreement at political level. He stressed the necessity to conclude the negotiation over model Consortium Agreement in light of the grant preparation phase.

The representative of SNCF, Christophe Cheron informed that the private Founding Members discussed between themselves agreements to be concluded by consortia. First, he noted that the collaboration agreement would be of no use for the consortia and pointed to the unsuccessful work on the MCCOLLA in Shift2Rail JU. Second, he underlined that the private Founding Members acknowledged the work of the legal officers on the model Consortium Agreement. On behalf of the private Founding Members, he requested the Europe's Rail to share the text with all the Members in order to establish a commonly accepted version by the end of July 2022.

The Executive Director confirmed that the collaboration agreement was not obligatory under the call for proposals' conditions. For the model Consortium Agreement, the Europe's Rail would provide the private Founding Members with the current text after the Governing Board meeting in order to collect their comments.

The Chairperson asked if the model Consortium Agreement would be published on the Europe's Rail website. The Executive Director confirmed that the accepted version would be available to any consortia via the website.

16. RNU MOU

The Executive Director introduced the topic of Memorandum of Understanding with RNE, the text of which was distributed to the Governing Board Members in advance of the meeting. He pointed to the role of RNE in areas that were of the Europe's Rail interest (e.g. FA1 and FA2), and the collaboration of the private Founding Members with the RNE. He discussed the benefits of such cooperation, pointing to synergies and alignment of activities.

The representative of FS, Riccardo Santoro, asked about the necessity to include in the text of memorandum the reference to the existing solutions. He discussed the risks associated with such approach.

The Vice-Chair of the States' Representatives Group, Miroslav Haltuf, commented on the RNE. He pointed out that the approach of the RNE to certain aspects could be conservative (e.g. interoperability).

The Chairperson reminded that the memorandum would not constitute a contract between the Europe's Rail and the RNE, but it would provide a framework for exchange of information on certain aspects (e.g. traffic management). He endorsed the proposal to have another round of comments from the private Founding Members.

The text of memorandum would be distributed to the System Innovation Programme Board with request to deliver their comments. If no final comments would be received, the memorandum would be proceeded under non-objection procedure.

17. OFFICE SPACE

The Executive Director informed the Governing Board that the contract with White Atrium's owners would come to an end in Dec 2024. The next contract would have to be negotiated and procured. He also mentioned that the overall number of joint undertakings increased, and the current building could be insufficient for all joint undertakings.

The Executive Director informed that the SESAR Joint Undertaking would transfer to other buildings and leave its offices at Cortenbergh. This would provide an opportunity for Europe's Rail to transfer to the current SESAR's buildings. As stressed, such proposal came directly from the senior management at DG MOVE and would allow to reduce costs in relation to the early termination of the Sesar contract. If approved by the Governing Board, the Europe's Rail Joint Undertaking would move to the new premises for the years 2023-2024. By the end of this period, the joint undertakings would take a common decision on their future location.

The Chair asked the Governing Board to give a mandate to the Executive Director to explore the possibilities of new office spaces for the Europe's Rail Joint Undertaking.

The Governing Board gave a mandate to the Executive Director to explore different solutions.

18. ANY OTHER BUSINESS

The representative of ÖBB, Mark Topal, proposed to analyse the role of railways in the potential energy crisis that the European countries may face in the coming months and years. He stressed that the mobility and transport hugely relied on energy.

The representative of Trafiverket, Bo Olsson, asked if due to the importance of decisions, the Governing Board meeting in August could be conducted in a hybrid form.

The Chair proposed that the Governing Board in November 2022 would also cover discussion on the substance, meaning topical discussion on activities and operations of the Europe's Rail Joint Undertaking. He invited Members to share their ideas on how to include more substantial discussions.

The Executive Director endorsed the proposal. He suggested to invite the coordinators of the future Flagship Projects to present them and in particular their critical points. As stressed, this would provide a good start for discussion.

The representative of Deutsche Bahn, Ralf Marxen proposed to regularly discuss activities in the System Pillar and to have a regular exchange with the System Pillar representatives. He stressed the importance of such interaction to achieve progress in the Innovation Pillar.

The representative of FS, Riccardo Santoro, proposed to engage the scientific community in the discussion at the Governing Board level. He suggested to discuss the scientific perspective on the novelties in technologies and how to embed them in the JU programme.

The Vice-Chair of the States' Representatives Group, Miroslav Haltuf, informed the Governing Board on the upcoming Czech Presidency in the Council. He pointed to the conference IRFC organized in Prague as part of the Presidency's events, which would include a session on research and innovation.

The representative of the European Commission's DG MOVE, Keir Fitch suggested to also discuss the results of the projects under the Shift2Rail programme. As underlined, such discussions would allow to

share lessons-learned in terms of technical outcomes and governance aspects.

The Chair invited the Governing Board to share their ideas on potential topics for discussion with the Europe's Rail and the Commission. He thanked the participants for fruitful discussion and the successful meeting of the Governing Board.

18.1.INDICATIVE LIST OF DOCUMENTS TO BE ADOPTED BY WRITTEN PROCEDURE OR AT THE NEXT BOARD MEETING

The Governing Board was informed that following documents would be consider for adoption either by written procedure or at the next Governing Board meeting

- Non-objection procedure on conclusion of the Memorandum of Understanding with the RNE
- Decision on award of the Call 2022-1
- Amendment of the Work Programme 2022-2024 to include the Call 2022-2 and any other relevant activities


18.2.INDICATIVE DATES OF THE NEXT MEETING(S):

The Executive Director presented the dates of the next Governing Board meetings. According to the provision of Article 16(5) of the Single Basic Act, the Governing Board shall hold ordinary meetings at least twice a year and extraordinary meetings can be convened if necessary. The indicative dates of the Governing Board meetings in 2022 are as following

- 3 August 2022 (hybrid presence)
- 30 November 2022 including General Assembly (physical presence).

In accordance with the provision of Article 93(5) of the Single Basic Act, the Governing Board shall meet once a year in the form of a General Assembly with the participants to the R&I activities.

Done in Brussels on 24 June 2022.

Signed: 

Henrik HOLOLEI

Chairman of the Governing Board