

Europe's Rail Joint Undertaking (EU-RAIL)

7th MEETING OF THE EU-RAIL GOVERNING BOARD

15 March 2023

09:30-12:30 PM

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
	ISAKOVIC SUNI, Milena, DG RTD	Observer
	FIMIN Ana-Maria, DG MOVE	Observer
	CLEUREN John, DG RTD	Observer
ADIF	VILLALMANZO RESUSTA David-Iban	Alternate

ALSTOM	FRENCH Richard	Alternate
ANGELRAIL consortium led by MER MEC	INZIRILLO Francesco	Representative
	SCARNERA Vincenzo	Alternate
AŽD PRAHA	KAMPIK Vladimír	Representative
	PAVEL Mihal	Alternate
CAF	DE CASTRO Jorge	Representative
CEIT	MELLENDEZ Juan	Representative
ČESKÉ DRÁHY	MAREK Zajíc	Alternate
DEUTSCHE BAHN	MARXEN Ralf	Representative
DLR	MEYER ZU HÖRSTE Michael	Alternate
	HAINZ Svenja	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	GONZÁLEZ MORENO Alfredo	Alternate
JERNBANEDIREKTORATET (Norwegian Rail Directorate)	SAETHRE Preben	Representative
KNORR-BREMSE	HILSE Hans-Christian	Representative
	ERTL Martin	Alternate
ÖBB	LUDWIG Bertram	Alternate
PKP	JANCEWICZ Zbigniew	Representative
NS/PRO RAIL	VAN GILS Karel	Representative
SIEMENS MOBILITY	DEITERDING Lars	Alternate
	KAMINSKY Ralf	Alternate
SNCF	CHERON Christophe	Representative
	QUESNEL Gilles	Alternate
STRUKTON	SAMSON Henk	Alternate
THALES	PERREAL Yves	Alternate
TRAFIKVERKET	OLSSON Bo	Representative

VOESTALPINE	HOLZFEIND Jochen	Representative
European Railway Agency	GIGANTINO Anna	Observer
Acting Chair of the SRG	HALTUF Miroslav	Observer
Chair of the Scientific Committee	DI FEBBRARO Angela	Observer
ERRAC	MOSER Roland	Observer
ERRAC	GARCIA Marta	Observer
EU-RAIL	TRAVAINI Giorgio	Executive Director a.i.,
	DECLERFAYT Vincent	Observer
	LORGÉ Valerie	Observer
	CIECZKO Catherine	Observer
	GONZALEZ GARCIA Isaac	Observer
	PAVLOVIC Martin	Observer
	CONLON Ian	Observer

LIST OF DECISIONS:

The following decisions were taken by the Board:

- GB Decision n° 05/2023 approving the list of actions selected for funding under the Europe's Rail call for proposals HORIZON-ER-JU-2022-02
- GB Decision n° 06/2023 on the launch of the call for expression of interest for the selection of the members of the Europe's Rail Scientific Steering Group

OVERVIEW OF DISCUSSIONS:

INTRODUCTION

The 7th Meeting of Europe's Rail Governing Board was chaired by Mr. Kristian Schmidt (DG MOVE). The Chair expressed full support to Mr Giorgio Travaini as Executive Director *ad interim* (ED a.i.). He 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.

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 regarding the items of the agenda, with particular attention to agenda item 5. He underlined that the ED Report on the call had been provided to the representatives of the EU-RAIL Governing Board under the provisions established in Articles 11 on Confidentiality and 12 on Conflict of interest of the Governing Board Rules of Procedures¹, as well as according to Governing Board Decision n°07/2022 on the Governing Board Code of Conduct². This Code of Conduct shall be read and interpreted together with Governing Board Decision n° 02/20212 approving the list of decisions adopted by the Shift2Rail Joint Undertaking that will continue to apply for the Europe's Rail Joint Undertaking, and includes, *inter alia*, the rules on the prevention and management of conflicts of interests applicable to the EU-RAIL bodies.

All representatives having participated to the call 2022-02 declared their conflict of interest in relation to agenda item 5.

Consequently, the Chair asked for the declarations on conflict of interest to be submitted and requested members in conflict of interest to abstain themselves from the point of decision.

The agenda was adopted without any changes.

¹ GB Decision 01/2021 adopting the Rules of the Procedure of the Governing Board of the Europe's Rail Joint Undertaking

² GB Decision 07/2022 adopting the Code of Conduct for the Governing Board

1. WELCOME FROM THE CHAIR AND ADOPTION OF THE AGENDA <i>Declarations of conflict of interest based on the <u>Agenda</u> items</i>	9:30-10:10
2. INFORMATION FROM THE COMMISSION	
3. REPORT FROM THE EXECUTIVE DIRECTOR <i>ad interim</i>	
4. ADOPTION OF THE MINUTES OF THE GB MEETING OF 30 NOVEMBER 2022 AND OF THE EXTRAORDINARY GB MEETING OF 30 JANUARY 2023	10:10-10:15
ITEMS FOR DECISION OF THE GOVERNING BOARD	
5. DECISION APPROVING THE LIST OF INNOVATION ACTIONS SELECTED FOR FUNDING UNDER THE EUROPE'S RAIL CALL FOR PROPOSALS (HORIZON-ER-JU-2022-02) <i>Considering the confidential nature of the topic, on the basis of Article 4.3 of the Rules of Procedure of the Governing Board, the report underpinning the Governing Board Decision will be provided not later than 10 March 2023</i> <i>The Governing Board representatives of the Private Founding Members are invited to consider this Governing Board Decision as a risk of Conflict of Interest, where their own entity would be a participant to a consortium which has submitted a proposal that will be subject to the Governing Board Decision.</i>	10:15-11:15
6. APPOINTMENT OF THE INDUSTRY MEMBER FOR THE SELECTION PROCESS OF THE EXECUTIVE DIRECTOR OF THE EU-RAIL JOINT UNDERTAKING	11:15-11:30
7. DECISION TO LAUNCH THE CALL FOR EXPRESSION OF INTEREST FOR THE SELECTION OF THE MEMBERS OF THE EU-RAIL SCIENTIFIC STEERING GROUP (Art. 21.4 of the SBA) <i>Endorsement of proposed approach and timeline and delegation to Executive Director <i>ad interim</i> to set-up the panel</i>	11:30-11:45
ANY OTHER BUSINESS	
8. AOB	11:45-12:00

2. INFORMATION FROM THE COMMISSION

The Chair recalled that on 28 February the worst rail accident in a decade happened in Greece. He highlighted issues related to infringement procedures, safety culture and slow roll-out of innovations. In response to a question from the FSI representative, the Chair indicated that four investigations are ongoing with regard to this accident: a judicial investigation; a national investigation by experts; a national investigation on the accident with added EU-expertise; and lastly, the EC has asked ERA to conduct an in-depth report on compliance with safety and interoperability. Moreover, the amount of EU funding going into modernizing Greek rail infrastructures is being scrutinized.

The Chair expressed recognition for the work conducted under the EU-DAC Delivery Programme. He stated next steps on implementation and funding should be considered. He stressed there should be a

top-down plan for this roll-out. The benefits but also the costs are significant. A discussion on substance within the GB will be tabled under AOB.

In terms of legislation, he indicated that the EC is preparing a number of initiatives: a proposal for a Directive on rail capacity management, and a revision to the train drivers' Directive to strengthen the single European railway area.

The Co-Chair raised the point on the update of the revision of the strategic plan of Horizon Europe. This does not cover JUs but will have an impact on other partnerships. A number of elements will be introduced linked to recent developments, inter alia: in relation to the raw materials act, the acceleration of the green transition with specific emphasis on affordability, and the reduction of dependency on critical materials. In parallel to this revision, the strategic research agendas of the partnerships are being revised, inter alia the section on synergies. This is an opportunity to reinforce possible collaboration with these partnerships under HE. Moreover, he indicated that collaboration should be reinforced with the objectives of the Cities' Mission.

Milena Isakovic Suni from unit G2 DG RTD presented the process for the mid-term review of partnerships and in particular of EU-Rail (*please refer to the presentation*). Five external evaluation studies are being conducted for HE, divided into five thematic areas. The EU-RAIL JU is under the green transition. Data collection will take place between April and June. The first interim report is expected beginning of July, the second interim report in September. The draft final report is scheduled in November. Based on this, the EC will draft the Staff Working Document on the Commission's mid-term evaluation of Horizon Europe. Coordination with other initiatives was explained, i.e. JU annual reports, HE interim evaluation, Expert Group on monitoring of partnerships, Commission review and HE evaluation.

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

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

The Executive Director *ad interim* thanked the Commission for the introduction and presented the status of on-going activities (*for additional details, please refer to the presentation*).

He provided an update on S2R programme status, with 44 projects to close (with Reporting and Payment) or ending their technical activities in 2023.

Furthermore, he provided an update on the EU-RAIL integrated Programme. Under the System Pillar, the Standardisation and TSI Input Plan document setting out the expected R&I outputs to TSIs & the standardisation process has been put for comments to the Members. An agreement is sought on the

approach to Future radio - for alignment of scope of V2 specifications, and on Absolute Safe Train Positioning - for architectural choice and requirement for EUSPA services.

In the Innovation pillar, the ED a.i. stated that the Grant Agreements for six flagship projects were signed in December 2022. FP5 already started part of its activities in July 2022. He indicated that FP5 is in partial yellow status, with focus on the finalisation of operational requirements, architectural specs for “Full Digital Freight Train Operation”, demo plan and impact of added standardization of internal DAC interfaces. For FP1-Motional, he underlined it is overall in green status, with a point for attention on the alignment with RNE activities, following SP works. Flagship projects are now visible with dedicated pages on the EU-RAIL website. A fixed reporting template has been agreed for each flagship project every three months. Alignment meetings between flagship projects, and between flagship projects and SP have been agreed. The tender for the provision of a toolset for Model-Based System Engineering, Conceptual Data Model and Federated Dataspace was cancelled and a new process is under investigation. Preparations for the first maturity checkpoints are ongoing.

Under the deployment group, the ED a.i. reported that preparations have started on a first concept of the Deployment Group’s possible areas of action, scope, legal setup, and resources. ED-SIPB endorsement was validated on 10 March. He stated that the next steps will involve exchanges with the European Commission and other institutional actors - e.g. SRG, the development of the first concept paper, the presentation to the ED-SIPB, and presentation (decision) to the EU-Rail Governing Board.

Concerning the call Q4 2023, the ED a.i. highlighted that the GB date for the Work Programme 2023-2024 amendment decision will either be at the 8th GB meeting on 26 June or via written procedure in September. This will mainly depend on the following elements: Contributions from SC, SRG and ERRAC (expected for end of March); Future radio- inclusion of certain activities linked to potential testing and validation of the V2 FRMCS specifications; and FA5 possible anticipation need and discussion with Sesar JU on a joint call.

Moreover, the ED a.i. provided members with an update on EDDP/DAC, indicating that the CTO Council agreed on the need to set-up a deployment manager structure. A statement will be delivered under the supervision of the CTO Council and EDDP, reaching large consensus, signed by RUs and possibly with involvement from the rail freight sector. Moreover, he stated that on 1 March, the European Parliament asked the European Commission and the JU to report to the TRAN committee on DAC.

The ED a.i. provided participants with an update on the outcomes of the EU-RAIL SRG meeting held on 2 March, namely the SRG interest to contribute to the Deployment Group; the importance to integrate users in R&I (and start-ups); the agreement on the process for SRG reporting to the GB of national activities & synergies. He stated that following a proposal from CZ, an SRG sub-group will provide a proposal for DAC tests validation. Furthermore, the election of the Chair and Vice Chair is scheduled at the next SRG meeting in June.

Furthermore, the ED a.i. reported on upcoming internal processes, *inter alia*, the imminent launch of the GAP call 2022-02 (including KPIs support with JRC), the launch of the CEI for the establishment of the Scientific Steering Group, the call for tender for users and unions coordinated input into R&I of the integrated Programme, and the initial preparation for the call for Associated Members (scheduled launch in the first half of 2024).

Regarding the Consolidated Annual Activity Report (CAAR) 2022 and Annual Accounts 2022, the ED a.i. indicated that the draft CAAR will be sent for comments beginning of May, and the final CAAR 2022 will be proposed for adoption during the GB of June. The Provisional Accounts 2022 were transmitted by the EU-Rail Accounting Officer to ECA, DG Budget and the external auditors, and sent to the GB on 28 February for information and comments no later than end of April. He clarified that the Final Accounts will be proposed for adoption together with the CAAR during the GB of June.

The ED a.i. provided a status on the Back Office Arrangements (BOA) and on the communication/dissemination/stakeholder relations.

He stressed the point on information on the internal control system and its assessment will be presented at the next GB meeting.

Following this, the DLR representatives presented an overview on the analysis of Academic Involvement in FA1 – FA6, FA7-01 and -02 (*please refer to the presentation*).

In answer to a question, the DLR representative indicated that the level of academics' involvement is fair, even though there is room for improvement in terms of geographical distribution. The FSI representative commented on the correlation between high TRL level and lower academic involvement.

The DB representative recommended the JU be present in the "Transport logistic" fair in Munich in May and use this as an opportunity to showcase JU activities, in particular on the FP5.

The MOVE representative highlighted that the substance of the S2R projects and lessons learned should be assessed for the next steps in future Work Programmes.

The acting SRG Chair indicated that military universities' potential involvement was mentioned in the DLR presentation, but their status does not allow them to be involved in Horizon Europe funded activities and this should be investigated.

The Chair emphasized that academics involvement is viewed from an ecosystem of expertise point of view. He stressed, following a discussion with the ED a.i., more topical discussions on suitable topics of substance should be held in the GB meetings to project results in terms of implementation. He recommended starting with DAC in June, and then with the System Pillar. The ÖBB representative underlined that the questions of when, how, where to implement solutions are indeed crucial.

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

4. *ADOPTION OF THE MINUTES OF THE GB OF 30 NOVEMBER 2022 AND OF THE EXTRAORDINARY GB MEETING OF 30 JANUARY 2023*

The Chair invited the participants to present their comments to the minutes of the Governing Board meetings. The Europe's Rail Governing Board adopted the minutes without changes.

ITEMS FOR DECISION OF THE GOVERNING BOARD

5. *DECISION APPROVING THE LIST OF INNOVATION ACTIONS SELECTED FOR FUNDING UNDER THE EUROPE RAIL'S CALL FOR PROPOSALS HORIZON-ER-JU-2022-02*

The members in conflict were invited to stay but remain silent.

The Executive Director presented the call for proposals HORIZON-ER-JU-2022-02. He indicated that on 13 September 2022, the EU-RAIL published the call for proposals, with a deadline of 14 December 2022. An evaluation was carried out according to the *rules on proposal submission and evaluation* laid down in the EU-RAIL Work Programme 2022-2024. The Call Evaluation Report (Annex 1) contains the results of the evaluations, including statistics related to the proposals submitted, results of the technical evaluation, the proposed call ranked list(s) based on independent experts ranking, as well as those proposals which are below the threshold.

The Executive Director a.i. underlined that according to Article 19.4(j) of the SBA, the Executive Director shall "*submit for approval to the Governing Board the list of actions to be selected for funding by the joint undertaking*", and according to Article 17.2(u) of the SBA, the Governing Board shall "[...] *approve the list of actions selected for funding*".

He indicated that the total budget for the call is EUR 14,700,000.00. The call covers the ten topics and types of actions. All were covered except for Explr-05, lessons should be drawn out of it including on the level of participation, in view of the next call. A total of 22 Countries participated, of which 18 from EU Member States, 3 Associated Countries (Norway, Serbia, Turkey), UK as well as two other third countries (Switzerland and the United States).

The ED a.i. indicated that the evaluation of proposals was carried out between 16 December and 31 January. The evaluation committee/panel was composed of 14 external experts and an additional 3 external experts were contracted as recorders (one per panel). A total of 17 external experts were involved in the evaluation, in addition to the 3 external ethics experts who performed the ethics evaluation.

Based on the ranking by the evaluation committee/panel and the budgetary constraints, the responsible authorising officer drew up the EU call ranked lists (see Annex 1), with:

- a main list of proposals (to be invited to grant preparation)
- a reserve list of proposals (if any) and
- the list of proposals that cannot be funded because below available budget.

A second list contains the proposals that failed one (or more) of the thresholds (below-threshold proposals).

The ED a.i. recalled that the ED Recommendation sent on 28/02 to the GB members with annexes in *draft* mode suggested a possible justified deviation from the panel ranked list for policy reasons, i.e. strategic objective of the Programme, to finance the proposal HYPERLUTION (proposal ID: 101121845), submitted under the topic HORIZON-ER-JU-2022- FA7-03 (“Hyperloop Industrial Roadmap and pilots”) with an amount of EUR 2,299,989.91.

The Executive Director a.i. concluded by summarizing the ED recommendations to the GB sent on 28/02.

The Chair proposed the GB adopt the panel ranked list decided by the independent evaluators, i.e. in full compliance the opinion issued by the European Commission’s Legal Service on 8 March 2023 (Ares(2023)1743541), and therefore not to proceed with the suggested deviation from panel ranked list for policy reasons proposed in the previous ED report on 28 February 2023 (Ares(2023)1467787), i.e. not to finance any activity in the call topic HORIZON-ER-JU-2022-FA7-03 due to the lack of above-threshold proposals.

He opened the floor to comments.

The ERA representative, as observer in the GB, shared the following comments: ERA was observer in this call and evaluator for a panel. ERA will send proposals for the elaboration of the Grant Agreements and enquired until when their input is welcome. In relation to ERA's role as observer, suggestions will be put forward, whilst taking into account the report of the independent observer. The ED a.i. indicated that subject to the decision of the GB on the award, the letters for the GAP phase are targeted to be sent next week and the GAP phase will last within 3 months, therefore ERA input is welcome as soon as possible.

Decision

The Governing Board adopted Decision n° 5/2023 approving the list of innovation actions selected for funding under the Europe Rail's call for proposals HORIZON-ER-JU-2022-02, in line with the panel ranked list proposed by the evaluators and therefore without the suggested deviation from panel ranked list for policy reasons proposed in the previous ED report on 28 February 2023 (Ares(2023)1467787), i.e. without financing any activity in the call topic HORIZON-ER-JU-2022-FA7-03 due to the lack of above-threshold proposals.

The ED a.i. reminded participants that the GB Decision is under embargo before the Evaluation Result Notification letters are issued.

6. APPOINTMENT OF THE INDUSTRY MEMBER FOR THE SELECTION PROCESS OF THE EXECUTIVE DIRECTOR OF THE EU-RAIL JOINT UNDERTAKING

The Chair highlighted that in accordance with Article 18 (1) of the SBA, “the Commission shall propose a list of candidates, preferably at least three, for executive director after consultation with the members other than the Union of the joint undertaking. For the purpose of such consultation, each type of members other than the Union of the joint undertaking shall appoint one representative as well as one observer on behalf of the governing board.”

The DG MOVE HR representative provided an update on the process. She indicated that the internal approval procedure for the publication of the vacancy notice is still on-going. It will be published in the Official Journal of the EU by mid-April. Candidates will have four weeks to apply. The pre-selection panel will be chaired by the Director-Ge

neral or Deputy Director-General of DG Move, as well as a Director from DG MOVE. A pre-selection panel member should be designated by the private members of the GB. A rapporteur from Commission services will ensure the pre-selection panel carries out its work correctly. There is also an option for the

GB to designate an observer, who should then participate in the interviews of the pre-selected candidates. The appointment of the pre-selection panel member and of an observer should be formalized by the GB.

The SNCF representative is supported by the GB private members to be the pre-selection panel member.

The SRG acting Chair asked if a role from Member States is expected in this process. The Chair indicated that there is no role for Member States in the appointment.

The appointment of the observer will be implemented at a later stage.

7. *DECISION TO LAUNCH THE CALL FOR EXPRESSION OF INTEREST FOR THE SELECTION OF THE MEMBERS OF THE EU-RAIL SCIENTIFIC STEERING GROUP (Art. 21.4 of the SBA)*

The ED a.i. indicated that according to Art 91(2) of the SBA, the JU may set up a scientific steering group or seek scientific advice from independent academic experts or shared scientific advisory bodies. The JU adopted transitional measures for scientific experts' involvement, with GB decision N° 02/2021 approving the list of decisions adopted by S2R JU that will continue to apply for Europe's Rail, including the decisions concerning the SC. The ED a.i. highlighted that the first draft of the CEI was distributed to the Governing Board for comments from 23/01 until 14/02.

In terms of scope, the proposal is to move the scientific advice from individual evaluation of projects towards more collective knowledge, with the potential involvement of the scientific experts in the full cycle of programme (e.g. input to the work programme, periodical evaluation).

He indicated GB Decision n°06/2023 foresees the launch of the Call for Expression of Interest to establish the Scientific Steering Group. Following adoption of the GB Decision on 15/03, the CEI will be published.

He stated that in accordance with Article 21(4) of the SBA, the GB shall take into consideration the potential candidates proposed by the SRG – i.e. candidates supported by the SRG as a group. The SRG will be invited to communicate to EU-RAIL, through its Chair, a list of proposed candidates, who submitted their application in answer to the CEI. They will submit a list of candidates by 8 June. These candidates should also fulfil all requested criteria.

The ED a.i. stated that the Scientific Steering Group will be composed of 12 members.

He presented the timeline for the CEI, with submission of candidacies by end June, evaluation until November, and decision on the selection of the members of the EU-RAIL Scientific Steering Group at the GB meeting of 5 December 2023. Earlier written procedure is also a possibility. In both cases the aim would be to start the first meeting of the new Scientific Steering Group in December.

The ADIF representative indicated military mobility as a possible skill to be looked at has been removed from the initial draft, following initial comments by a member requesting to focus on rail matters. However, he underlined this represents useful expertise and recommended it to be reintroduced as a possible skill to be considered. The Chair indicated he would welcome its inclusion and asked for reactions from the private members. The GB members agreed to the re-inclusion of this skill.

8. ANY OTHER BUSINESS

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

The ED a.i. indicated that two documents will be launched for adoption: The amendment of the Work Programme 2023-2024 and Budget (possibly by written procedure) and the Consolidated Annual Activity Report (CAAR) 2022 and Final accounts.

- INDICATIVE DATES OF THE NEXT JU MEETING:
 - 26/06/2023 ordinary meeting
 - 05/12/2023 ordinary meeting - General Assembly in the PM

The ED a.i. reminded GB members to wait for the Evaluation Results Letters to be sent out before publicising the results on the award of the call.

The Chair and the Executive Director a.i. thanked the participants for their attendance.

Done in Brussels on 15 March 2023.

Signed:

Henrik HOLOLEI

Approved on 23 June 2023 by:



Maja BAKRAN

Chairperson of the Governing Board