

Europe's Rail Joint Undertaking (EU-Rail)

1st MEETING OF THE EU-RAIL GOVERNING BOARD

21 December 2021

10h00-12h00

Remote connection

PRESENT:

European Union, represented by the European Commission	SCHMIDT Kristian, DG MOVE	Chair
	VAN DER VLIES Rosalinde, DG RTD	Co-Chair
	CONLON Ian, DG MOVE	Observer
	FIMIN Ana-Maria, DG MOVE	Observer
	FITCH Keir, DG MOVE	Observer
	PERSCHKE Wawrzyniec, DG MOVE	Observer
	CLEUREN John, DG RTD	Observer
ADIF	LÓPEZ RUIZ Luis Fernando	Member
	VILLALMANZO RESUSTA David-Iban	Alternate Member

ALSTOM TRANSPORT SA	CASTRES SAINT-MARTIN Nicolas	Member
	FRENCH Richard	Alternate Member
ANGELRAIL/MER MERC	INZIRILLO Francesco	Member
	SCARNERA Vincenzo	Alternate Member
AZD PRAHA	PAVEL Michal	Alternate Member
CAF	DE CASTRO Jorge	Member
CEIT	MELLENDEZ Juan	Member
CESKE DRAHY	HAJN Kryštof	Member
	LOCHMAN Libor	Alternate Member
	JINDRA Petr	Alternate Member
DEUTSCHE BAHN	MARXEN Ralf	Member
DLR	MEYER ZU HÖRSTE Michael	Alternate Member
eSGR JV	JIMENEZ REDONDO Noemi	Member
	SANZ David	Alternate Member
	HERNANDEZ Jose Solis	Alternate Member
FAIVELEY TRANSPORT SAS	TIONE Roberto	Member

FSI	TUNDO Roberto	Member
	SANTORO Riccardo	Alternate Member
HITACHI RAIL STS	TROMBETTA Antonella	Member
INDRA & TALGO	RUBIO SANCHEZ Jose Miguel	Member
	GONZALEZ MORENO Alfredo	Alternate Member
NOWEGIAN RAIL DIRECTORATE	SAETHRE Preben	Member
	DANIELSEN Pål Midtlien	Alternate Member
KNORR-BREMSE	HILSE Hans-Christian	Member
OBB	TOPAL-GOEKCELI Mark	Member
	LUDWIG Bertram	Alternate Member
PKP	JANCEWICZ Zbigniew	Observer
PRORAIL - NS GROEP	VAN GILS Karel	Member
	FUKKEN Jeroen	Alternate Member
	ABBINK Erwin	Observer
SIEMENS MOBILITY	SCHLAHT Jürgen	Alternate Member
SNCF	CHERON Christophe	Member
	QUESNEL Gilles	Alternate Member

STRUKTON RAIL	DE VRIES Tjark	Member
	SAMSON Henk	Alternate Member
THALES	PARRONDO Alberto	Member
	PERREAL Yves	Alternate Member
TRAFIKVERKET	OLSSON Bo	Member
VOESTALPINE	HOLZFEIND Jochen	Member
	OSSBERGER Uwe	Alternate Member
European Railway Agency	DOPPELBAUER Josef	Observer
	GIGANTINO Anna	Observer
EU-RAIL	BORGHINI Carlo	Executive Director
	TRAVAINI Giorgio	Observer
	DECLERFAYT Vincent	Observer
	GONZALEZ GARCIA Isaac	Observer
	KANIA Magdalena	Observer
	DELACUVELLERIE Fabienne	Observer

LIST OF DECISIONS:

The following decisions were taken by the Board:

- GB n° 01/2021 adopting the Rules of the Procedure of the Governing Board of the Europe's Rail Joint Undertaking
- GB n° 02/2021 approving the list of decisions adopted by the Shift2Rail Joint Undertaking that shall continue to apply for the Europe's Rail Joint Undertaking in accordance with Article 174(12) of Council Regulation (EU)2021/2085 of 19 November 2021

OVERVIEW OF DISCUSSIONS:

INTRODUCTION

The 1st 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 remotely via MS Teams.

The Chair indicated that all documents relating to the meeting, including the draft GB decisions with Annexes, have been distributed in advance to the participants. He briefly discussed the Agenda items.

1. WELCOME FROM THE CHAIR AND ADOPTION OF THE AGENDA

The Chair presented the Agenda to the Governing Board for adoption. The Agenda has been 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>	
2. INFORMATION FROM THE COMMISSION	10:00
3. INFORMATION FROM THE EXECUTIVE DIRECTOR	
4. STATEMENTS BY THE FOUNDING MEMBERS	
ITEMS FOR DECISION OF THE GOVERNING BOARD	
5. DECISION ON THE ADOPTION OF THE GOVERNING BOARD RULES OF PROCEDURE	10:45
6. DECISION APPROVING THE LIST OF DECISIONS ADOPTED BY THE SHIFT2RAIL JOINT UNDERTAKING THAT SHALL CONTINUE TO APPLY FOR THE EUROPE'S RAIL JOINT UNDERTAKING (THE EU-RAIL OMNIBUS DECISION), ARTICLE 174(12) OF THE SBA	11:00
ITEMS FOR DISCUSSION OF THE GOVERNING BOARD	
7. ORGANIZATION CHART OF EUROPE'S RAIL JOINT UNDERTAKING	11:15
8. ASSOCIATED MEMBERS – ARTICLE 87(2)	
9. EUROPE'S RAIL "IMAGE AND LOGO"	
10. TERMINATION OF DG BUDG ACCOUNTING OFFICER SERVICES	
ANY OTHER BUSINESS	
11. AOB	12:00
- INDICATIVE LIST OF DOCUMENTS TO BE ADOPTED BY WRITTEN PROCEDURE OR AT THE NEXT BOARD MEETING	
- INDICATIVE DATES OF THE NEXT JU MEETING(S)	

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

2. INFORMATION FROM THE COMMISSION

The Chair, Mr Kristian Schmidt, thanked all the parties for their engagement in the preparation process leading to the establishment of the Europe's Rail Joint Undertaking, including the European Commission, the JU staff, and the industry members. He underlined that the Founding Members have been participating in the decision-making process for the establishment of the JU from the start, which remains a privileged position, and from now on, they will be carrying out, with the support of the JU staff and the European Commission, all necessary activities to deliver the programme of the Europe's Rail Joint Undertaking. He stressed out the ambitious objectives of programme in terms of digitalization, freight railway, or development of other than main lines. As underlined, the activities of the EU-Rail were expected to contribute to the European Green Deal agenda, the FitFor55 Package, and enhance the collaboration between different actors and stakeholders to achieve the global competitiveness of the European Union. In terms of the next steps, the Chair referred to the Master Plan and the Multiannual Work Programme and the procedure towards their adoption. He also referred to launch of the call that would be expected in March 2022 with activities to be performed until the end of the 2022. He also informed the participants to the Governing Board of Europe's Rail Joint Undertaking that the new acronym for the Joint Undertaking is EU-Rail.

The co-Chair, Ms Rosalinde van der Vlies, thanked all the participants for their engagement in the work preceding the establishment of the Europe's Rail Joint Undertaking. She stressed out that there has been a lot of expectation from research and innovation activities, and the railway sector itself, to contribute to the objective of climate change. She expressed her hopes that with the new partnership, the members would bring about the change in technological progress of the railway system for the European Union and for the next generations. She underlined the opportunities to collaborate with other EU partnerships established under Horizon Europe. She stressed that the collaboration and synergies to maximize the impact of activities have been a key focus of the new framework programme. She also referred to other programmes, including Digital Europe Programme, that could contribute to the objectives of the EU-Rail programme. She thanked all the parties engaged in the drafting of the Master Plan and the Multiannual Work Programme. She pointed that the documents would provide an incentive for further collaboration with other partnerships and stakeholders.

3. INFORMATION FROM THE EXECUTIVE DIRECTOR

The Executive Director welcomed the participants and thanked for their efforts and work in the recent months to contribute establishing the EU-Rail partnership. He informed the Governing Board that the Europe's Rail Joint Undertaking had received and verified 24 Letter of Commitments of 25 Candidate Founding Members listed in the Annex II to the Single Basic Act. He informed that delivery of the last letter of commitment from PKP SA had been postponed due to the administrative issues and would be expected in the next couple of days; hence the PKP representative attends as observer. He informed the Governing Board that the Joint Undertaking had received most of the annual and general conflict of interest declarations from the members. In case of any missing documents, the EU-Rail would liaise bilaterally with the Founding Members.

The Executive Director informed the Governing Board that the Commission had launched a procedure to establish the States' Representatives Group of Europe's Rail Joint Undertaking. Some of the Member States have not yet delivered the nomination letters, therefore, the States' Representative Group of Europe's Rail Joint Undertaking has not been established. The Executive Director reminded that according to the Single Basic Act the opinion of the States' Representatives Group has to be requested before the adoption of the Master Plan and the Multiannual Work Programme.

In terms of indicative investments, the Executive Director informed the Governing Board that the Founding Members have reached and exceeded the target of 600 000 000 EUR contributions.

In terms of the strategic documents needed to set-up Europe's Rail, the Executive Director confirmed that the work would focus on the finalization of the Master Plan and the Multiannual Work Programme to be adopted by the Governing Board on 1 March 2022. He underlined that the launch of the call for proposals have been initially scheduled for 10 March 2022. He also thanked again the Commission, the Joint Undertaking staff, and the industry members for their ongoing engagement. On behalf of the Joint Undertaking, he expressed his strong commitment to deliver the programme and support the members in their future activities.

4. STATEMENTS BY THE FOUNDING MEMBERS

The Chair welcomed the new parties in the Europe's Rail Joint Undertaking. He proposed to perform a tour-the-table for individual presentations. Each representative of the Founding Members introduced themselves and provided a short summary of their professional backgrounds. Individually, they thanked the Commission, the Joint Undertaking staff and the industry partners for the cooperation and engagement in the past months to achieve the partnership. They welcomed the future collaboration between themselves and future beneficiaries resulting from open calls, they expressed their willingness

to deliver impact-driven results and a strong commitment to achieve the ambitious programme of the Europe's Rail Joint Undertaking.

ITEMS FOR DECISION OF THE GOVERNING BOARD

5. DECISION ON THE ADOPTION OF THE GOVERNING BOARD RULES OF PROCEDURE

The Executive Director introduced the Governing Board Rules of Procedures. He informed the Governing Board that the draft decision had been distributed among the Candidate Founding Members in advance of the meeting.

The Executive Director informed that during the interservice service consultation the Commission had identified and proposed minor corrections to the text of the decision to improve the legal quality of the document. As underlined, the proposed corrections were related to the clarification of some terminology in the decision and clarification of some references to the Single Basic Act. The Executive Director informed that the changes would not impact the content of the Rules of Procedure, therefore, the Governing Board should be in the position to vote and adopt the decision.

Decision

The Governing Board adopted Decision n° 01/2021 on the Rules of the Procedure of the Governing Board of the Europe's Rail Joint Undertaking

6. DECISION APPROVING THE LIST OF DECISIONS ADOPTED BY THE SHIFT2RAIL JOINT UNDERTAKING THAT SHALL CONTINUE TO APPLY FOR THE EUROPE'S RAIL JOINT UNDERTAKING (THE EU-RAIL OMNIBUS DECISION), ARTICLE 174(12) OF THE SBA

The Executive Director introduced the decision to re-adopt the previous decisions adopted by the Governing Board of the former Shift2Rail Joint Undertaking, in accordance with Article 174(12) of the Single Basic Act. He presented the Governing Board members with the list of decisions that were adopted by the S2R GB and are relevant for EU-Rail, in particular to ensure continuity of operations. He underlined that the list of decisions had been distributed in advance of the meeting among the Candidate Founding Members, and the corresponding decisions have been available on the Shift2Rail website as public documents.

In terms of the content, the Executive Director explained that the Shift2Rail Governing Board decisions had been divided into four categories: governance; human resources; finance, audit, and internal control; and legal. He briefly commented on the scope of each category. He brought the attention of the GB on the Decision concerning the extension of the mandate of the Executive Director, indicating that he would have been able to leave the meeting to allow a discussion between GB members; nobody requested the floor and the meeting continuer. He also stressed, the readoption of the decisions on the establishment and selection of the Scientific Committee that would allow the current Scientific Committee to continue under the Europe's Rail Joint Undertaking, till such a time the GB would be in the position to take a new decision in accordance with Article 91(2) of the SBA.

The Chair posed a question about the changes in the functioning of the Joint Undertaking introduced in the Single Basic Act and their impact on the decisions. The Executive Director explained that major changes introduced in the Single Basic Act were related to the governance and the establishment of new institutional bodies in the Joint Undertaking. He also underlined that in terms of programme, the Single Basic Act has emphasized the impact-driven approach to European partnership. He referred to the large-scale demonstrators expected under Europe's Rail Joint Undertaking programme and necessary resources in this respect. As underlined, the governance and programme management in Europe's Rail Joint Undertaking would be adapted to the changes introduced in comparison to Shift2Rail JU.

Decision

The Governing Board adopted Decision n° 01/2021 approving the list of decisions adopted by the Shift2Rail Joint Undertaking that shall continue to apply for the Europe's Rail Joint Undertaking in accordance with Article 174(12) of Council Regulation (EU)2021/2085 of 19 November 2021

ITEMS FOR DISCUSSION OF THE GOVERNING BOARD

7. ORGANIZATION CHART OF EUROPE'S RAIL JOINT UNDERTAKING

For additional details, please refer to the presentation.

The Executive Director presented the organizational charts of Europe's Joint Undertaking both in terms of governance and internal structure. He briefly explained the future functioning of the Europe's Rail Joint Undertaking in terms of relations between different bodies. He underlined that the Governing Board is a decision-making body in the Europe's Rail Joint Undertaking. The System Pillar Steering Group, in accordance with the Single Basic Act, will be responsible for providing advice on the System Pillar issues to the Executive Director and Governing Board in the areas listed in the Single Basic Act.

As stressed, the System Pillar Steering Group would provide the recommendations to the Governing Board. If no consensus is achieved in the System Pillar Steering Group, the Executive Director will present a report to the Governing Board with the common and deriving points. The Executive Director briefly commented on the Deployment Group that would be established based on a decision of the Governing Board.

In terms of the internal structure, the Executive Director presented the units of the Europe's Rail Joint Undertaking. He discussed the human resources that would contribute to the programme office with distinction to the Head of Programme, Innovation Pillar Unit, System Pillar Unit, Corporate Services, and staff directly under the Executive Director. The Executive Director underlined that the Europe's Rail Joint Undertaking would contribute to the work of the common back office arrangements.

The Chair posed a question about the interaction between the Europe's Rail Joint Undertaking and the European Railway Agency. The Executive Director confirmed the importance of the future cooperation and pointed to the EU-Rail ambition to contribute to the development of the new regulatory framework and standards, if and as needed. He mentioned the role of the European Railway Agency, as a ERTMS system authority, in harmonization and interoperability aspects.

The Executive Director of European Railway Agency, Mr. Josef Doppelbauer, commented on the future cooperation. He mentioned the role of the System Pillar as a step forward in the work on interoperability. He expressed his hopes that due to the work of the Europe's Rail Joint Undertaking the sector would manage to integrate innovation and technological development that would result in the benefits for the railway sector.

The representative of the Ferrovie dello Stato Italiane S.p.A. (FSI), Riccardo Santoro, asked about the resources for the System Pillar activities. The Executive Director informed that the resources for the System Pillar will be acquired via a procurement procedure that would allow the JU to avail itself with the necessary expertise; a pre-information notice on the procurement procedure is under preparation. With regard to the internal organization of the System Pillar, the Executive Director informed the GB that a new unit will be established, and the head of unit will be recruited from an existing reserve list.

The representative of the SNCF, Christophe Cheron, asked about the common back office. The Executive Director confirmed that the joint undertakings have been required to establish common back-office arrangements as stipulated in the Single Basic Act. He also confirmed that the Europe's Rail Joint Undertaking would contribute to the CBO, seeking for a cost-efficient approach.



8. ASSOCIATED MEMBERS – ARTICLE 87(2)

The Chair introduced the issue of the associated members under the Article 87(2) of the Single Basic Act. According to the Article

In addition to Article 7(1), the Governing Board may, during the first six months following the establishment of the Europe's Rail Joint Undertaking, select associated members from a list drawn up after an open call for expression of interest launched by the Commission prior to its establishment. The conditions of Article 7(2) shall apply mutatis mutandis.

The Chair stressed out that there are three entities that would fulfil the criteria given the association agreements between the European Union and the respective governments would be finalized – Network Rail (United Kingdom), SBB (Switzerland), and Tubitak (Turkey). The Executive Director underlined that the Governing Board would be expected to take a decision on triggering or not Article 87(2) by the end of May 2022. He informed that the decision should be taken, in principle, at a next Governing Board meeting in March or by written procedure.

Answering to the request for clarification, the Executive Director explained the difference between the provision of Article 7 (obligation to launch a call for associated members), and the provision of Article 87(2) (provision allowing selection of associated members based on the list drawn up after the call for expression to become Candidate Founding Member). He also underlined that the calls for proposal under the Europe's Rail Joint Undertaking would be open calls, therefore, any interested party may compete. He highlighted no obligation to become an associate member in order to submit a proposal or join a consortium.

The representative of ADIF, David Iban Villalmanzo Resusta, asked about the incorporation of associated members to the governance structures. The Executive Director confirmed that the association would require assessment from the Governing Board. He underlined that the decision on the procedure would be in hands of the Governing Board, including any amendments to the existing decisions.

The Governing Board will discuss the issue of associated members during the next meeting in March 2022 or by written procedure.

9. EUROPE'S RAIL "IMAGE AND LOGO"

The Executive Director reminded the participants that the Europe's Rail Joint Undertaking had distributed the invitation to contribute to development of the visual identity of Europe's Rail Joint Undertaking. The interested Founding Members are invited to register for the competition [under the link](#) or contact the Joint Undertaking directly (the communication team). The Executive Director indicated

that the prize will be sent, on behalf of the winner, to the charity of their choice. The deadline has been established on 20 January 2022.

10. TERMINATION OF DG BUDG ACCOUNTING OFFICER SERVICES

For additional details, please refer to the presentation.

The Executive Director informed the Governing Board about the note received from the DG BUDG on the termination of DG Budget's accounting services to Joint Undertakings. He briefly commented on the services associated with the position of accounting officer, mentioning that the Europe's Rail Joint Undertaking is staffed with a person fulfilling the requirements.

The Executive Director informed that the Shift2Rail Governing Board gave him a mandate to explore different solutions and alternatives to the DG BUDG's services. He proposed to extend the mandate and provided the Governing Board with proposed approach (e.g. accounting services embedded in the JU; support for training; additional positions for contractual agents). He informed that the Europe's Rail Joint Undertaking has launched negotiations with the DG BUDG and other joint undertakings on this matter.

11. ANY OTHER BUSINESS

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

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

- Master Plan
- Multiannual Work Programme
- Annual Work Programme 2022

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

- 1 March 2022 (adoption MP, MAWP, AWP2022)
- 24 June 2022 (adoption of the AAR 2021 and Final Annual Accounts 2022)
- **3 August 2022** (extraordinary meeting for Call 2022 award)
- 30 November 2022 (adoption AWP2023) and General Assembly

The Executive Director informed the Governing Board that 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. He underlined that such invitation would be extended once the projects would be launched and running.

The representative of Knorr-Bremse, Hans-Christian Hilde, asked about the release of the Multiannual Work Programme. The Executive Director indicated that the last letter of commitment would be expected by the end of the day. The Joint Undertaking will verify the figures in the letter, and based on the positive assessment, the Multiannual Work Programme will be published on website of the Europe's Rail Joint Undertaking.

The representative of the Ferrovie dello Stato Italiane S.p.A. (FSI), Riccardo Santoro, asked about the roadmap of other joint undertakings. The Executive Director confirmed ongoing discussions with other partnerships. He indicated that some of the joint undertakings had planned to launch activities not before 2023. He also confirmed an ongoing discussion with the Clean Hydrogen Joint Undertaking on common initiatives to be developed in synergy with the Europe's Rail Joint Undertaking.

The Chair, Co-Chair and the Executive Director thanked the participants for their attendance. They wished all the participants all the best for the Christmas time and for the New Year and welcomed the upcoming cooperation.

Done in Brussels on 21 December 2021.

A handwritten signature in black ink, appearing to be "H. Hilde", written in a cursive style.

Signed:

Henrik HOLOLEI

Chairman of the Governing Board