

Europe's Rail Joint Undertaking (EU-RAIL)

**10th MEETING
OF THE EU-RAIL GOVERNING BOARD**

9 April 2024

09:30 AM – 12:30 PM

Hybrid connection

PRESENT:

European Union, represented by the European Commission	SCHMIDT Kristian, DG MOVE	Chair
	GENTILI Andrea, DG RTD	Co-Chair
	FITCH Keir, DG MOVE	Observer
	WILLIAMS Mihaela, DG MOVE	Observer
	CLEUREN John, DG RTD	Observer
	SANTAMATO Sandro, DG MOVE	Observer (remotely- TMS)
	KRAAK Suzanna, DG RTD	Observer (remotely)
	STROHSCHNEIDER Michaela, DGMOVE	Observer (remotely)
ADIF	VILLALMANZO David-Iván	Alternate
ALSTOM	FRENCH Richard	Representative (remotely)
ANGELRAIL consortium led by MER MEC	INZIRILLO Francesco	Representative (remotely)
AŽD	PAVEL Michal	Alternate (remotely)



Europe's Rail

CAF	DE CASTRO Jorge	Representative
CEIT	MELÉNDEZ Juan	Representative (remotely)
ČESKÉ DRÁHY	ILÍK Jan	Representative (remotely - TMS)
	JINDRA Petr	Alternate (remotely)
DEUTSCHE BAHN	MARXEN Ralf	Representative
DLR	MEYER ZU HÖRSTE Michael	Alternate (remotely)
European Smart Green Rail Joint Venture (eSGR JV)	JIMENEZ Noemi	Representative (remotely)
FAIVELEY TRANSPORT	PAGLIERO Paolo	Representative (remotely)
FSI	PIFFERI Davide	Alternate
HITACHI RAIL	TROMBETTA Antonella	Representative (remotely – TMS)
INDRA TALGO	GONZÁLEZ Alfredo	Alternate (remotely)
JERNBANEDIREKTORATE (Norwegian Rail Directorate)	SAETHRE Preben	Representative (remotely)
KNORR-BREMSE	HILSE Hans-Christian	Representative (remotely)
	ERTL Martin	Alternate (remotely)

ÖBB	TOPAL GOEKCELI Mark	Representative (remotely)
	STROHMEIER Flora	Alternate (remotely)
PKP	JANCEWICZ Zbigniew	Representative (remotely)
NS/PRO RAIL	VOET Tijmen	Alternate (remotely)
SIEMENS MOBILITY	DEITERDING Lars	Alternate (remotely)
	KAMINSKY Ralf	Alternate
SNCF	CHERON Christophe	Representative
THALES	EL SAID Mounir	Alternate (remotely)
TRAFIKVERKET	OLSSON Bo	Representative
	LÖFVING Christer	Alternate (remotely)
VOESTALPINE	HOLZFEIND Jochen	Representative (remotely)
European Union Agency for Railway (ERA)	DOPPELBAUER Josef	Observer (remotely)
Chair of the SRG	HALTUF Miroslav	Observer
Chair of the SSG	DI FEBBRARO Angela	Observer (remotely)
RNE/SP (invited for point 9 of the agenda only)	KONIX Patrick	Observer (remotely – TMS)

SIE/IP	GOßMANN Rolf	Observer (remotely – TMS)
EU-RAIL	TRAVAINI Giorgio	Acting Executive Director
	TORRES Anna Maria	Observer
	GONZÁLEZ Isaac	Observer
	PRESCHER-SPIRIDON Miruna	Observer

LIST OF DECISIONS:

The following decisions were taken by the Board:

- GB Decision n°3/2024 on working time and hybrid working at EU-Rail
- GB Decision n°4/2024 on the request for the Commission's agreement for derogation from implementing rules to the staff regulations - (concerning Commission's Decision C(2023)8630 of 12/12/2023 on the provision of and fight against psychological and sexual harassment)
- GB Decision n°5/2024 approving the Back Office Arrangements (BOA) – information and communication technologies
- GB Decision n°6/2024 approving the list of actions selected for funding under EU-Rail Call for proposals HORIZON-ER-JU-2023-01

OVERVIEW OF DISCUSSIONS:

INTRODUCTION

The 10th meeting of Europe's Rail Governing Board (GB) was chaired by Mr. Kristian Schmidt (DG MOVE). The Chair welcomed the participants to the meeting, which was held in a hybrid form with in-person and digital presentation. 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, were distributed in advance to the participants.

He presented the draft Agenda to the GB for adoption and asked for the declarations on confidentiality and conflict of interest to be submitted and requested members in conflict of interest to abstain themselves from the concerned points of decision.

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>	9.30-10.25
2. INFORMATION FROM THE COMMISSION	
3. REPORT FROM THE ACTING EXECUTIVE DIRECTOR	
4. ADOPTION OF THE MINUTES OF THE GB MEETING OF 5 DECEMBER 2023	10.25-10.30
ITEMS FOR DECISION OF THE GOVERNING BOARD	
5. DECISION ON THE AWARD CALL 2023	10.30-10.45
6. DECISION ON THE HYBRID WORKING ARRANGEMENTS	10.45-10.55
7. DECISION ON THE REQUEST FOR THE COMMISSION AGREEMENT FOR DEROGATION FROM IMPLEMENTING RULES TO THE STAFF REGULATIONS- Commission Decision C(2023) 8630 of 12 December 2023 on the prevention of and fight against psychological and sexual harassment	11.05-11.15
8. DECISION ON THE BACK-OFFICE ARRANGEMENTS FOR ICT (BOA ICT)	11.15-11.25
ITEMS FOR DISCUSSION OF THE GOVERNING BOARD	
9. DISCUSSION ON CONTENT: TRAFFIC MANAGEMENT SYSTEM (TMS)	11.25-12.25
ANY OTHER BUSINESS	
10. AOB <ul style="list-style-type: none"> • NOMINATION OF REPORTING OFFICER FOR EU-RAIL ED • INDICATIVE LIST OF DOCUMENTS TO BE ADOPTED BY WRITTEN PROCEDURE OR AT THE NEXT BOARD MEETING • DATE OF THE NEXT GB MEETING: 21 JUNE 2024 	12.25-12.30

2. INFORMATION FROM THE COMMISSION

The Chair started by referring to the Connecting Europe Days 2024, the Europe's mobility flagship event that took place on 2-5 April in Brussels. With a high participation, the topics discussed included concrete measures and exchange of good practices on creating a sustainable, smart and resilient, transport and mobility network in Europe. There were fruitful discussions on the future of rail freight in the context of a side event organised by the European DAC Delivery Programme, enabled by Europe' Rail JU. These discussions were completed by a breakout session on the introduction of new technologies in the rail sector, such as ATO, DAC and FRMCS as well as their expected impact.

Further, the Chair provided a short report on his visit to Ukraine in March.

The Co-Chair provided Members with an update on the recent research topics and upcoming events. He referred in particular to the Transport Research Arena (TRA 2024) event to be held in the week after in Dublin; to the preparation of the Horizon Europe Working Programme for 2025; and to the ongoing preparation of the next research framework programme (FP10). For this latter, the Commission created an expert group of 15 people to provide input on the future programme. This group already met twice, and it is supposed to deliver a report by October. Another expert group on energy and transport is expected to deliver by Summer and the GB members could provide input to the group. A first draft of the FP10 from the Commission side will be presented around mid-2025.

3. REPORT FROM THE ACTING EXECUTIVE DIRECTOR

The Acting Executive Director (ED) presented an overview on the on-going EU-Rail JU activities, which gave rise to a debate between participants on the key issues.

He provided an update on the System Pillar of the EU-Rail integrated Programme, mentioning in particular the meeting of the SP-STG meeting held on 18/03, in which the approach on different issues was presented: on Traffic Management System, Harmonised Diagnostics, Cybersecurity and the response to CER/EIM paper on Railway System Architecture. Regarding on-going actions, he referred to the standardisation and TSI Input Plan, for which a first version is targeted for adoption in May.

The Acting ED provided an update on the different flagship projects as well as on the on-going work for the preparation of the Call for expression of interest to become EU-Rail Associated Members (AM) and the revised Multi-Annual Work Programme (MAWP).

The Chair also emphasized for the MAWP update the importance of the work on 'Climate adaptation'.

The representative from ADIF commented agreeing and providing further suggestion of the research areas elements that could be covered under this heading.

The representative from DB asked clarifications on the process for selection of the potential new EU-Rail Associated Members. The Acting ED clarified on the process that will end with a GB decision and an EC endorsement, in accordance with the SBA Article 7 of the Council Regulation (EU) No 2021/2085 on establishing the Horizon Europe joint undertakings (hereafter "the Single Basic Act").

The Acting ED presented the status of drafting for the 2023 Annual Activity Report (AAR) and Provisional Annual Accounts. The Provisional Annual Accounts were provided to the GB on 7/03 for comments until the end of April. The AAR will be sent to the GB in May and proposed for adoption at the GB meeting of June, together with the Final Accounts.

He added that the last certification of in-kind contributions related to the S2R Programme is foreseen to take place in 2024. The last audit certificates are expected to be provided by the S2R Members before the end of April. The draft update on S2R Members' In-kind contributions and overview of certification will be further integrated into the AAR.

He informed the members on the IKAA and IKOP figures and presented the JU reconciliation actions done and to be continued.

With regard to the Internal Control Framework (ICF), the Acting ED explained that the final results of the self-assessment will be summarised in the 2023 AAR. No major or critical deficiencies have been at this stage identified in the JU's initial internal controls. He nevertheless exhorted the JU Members that had not yet provided their annual declarations of interest for 2024 to promptly do so.

The Chair intervened to say that the European Parliament and the European Court of Auditors pay special attention to this and encouraged Members to complete it if not done yet.

The Acting ED informed the Members of several positive aspects, such as the closure of the remaining last year's audit recommendations; the cumulative error rate for the H2020 actual cost grants below the desired threshold, and the introduction of a comprehensive HE Control Strategy for Grants covering both ex-ante and ex-post risk-based control activities.

The Acting ED updated Members on the recent meetings held by the Scientific Steering Group (SSG) and States representatives' Group (SRG) and on-going work. Both bodies were requested to provide feedback on the draft Work Programme 2025-2026, including their possible contribution to the future calls, in view of its adoption by the GB foreseen in November, amongst other files.

The Chair of the SRG informed that, with the aim of extending the scope of action, the Western Balkans association would be invited to the next SRG meeting of May as an observer.

The Acting ED also informed of the finalisation of the setting up of the EU-Rail's Deployment Group (DpG), pending the European Commission's selection of the members following the proposal provided by the JU, after a selection procedure, on a possible list of pre-selected candidates. In agreement with the Chair, the new DpG will hold a first informal meeting during the ERTMS conference on 25 April in Valenciennes.

He also informed on the next steps and calendar regarding the call for tenders on "Passengers and railway workers perspective in rail transformation".

Finally, regarding the numerous communication and dissemination activities, the Acting ED highlighted in particular the annual Summit of the International Transport Forum (ITF), as well as InnoTrans 2024 in September in Berlin, including a dedicated innovation train, supported by many EU-Rail private Members and with a service enabled by DB, that will gather the rail community and main EU stakeholders in a trip from Brussels to Berlin on 23/09.

4. ADOPTION OF THE MINUTES OF THE GB OF 5 December 2023

The Chair invited the participants to comment on the draft minutes of the last GB meeting. The Europe's Rail Governing Board adopted the minutes without changes.

ITEMS FOR DECISION OF THE GOVERNING BOARD

5. DECISION ON THE AWARD CALL 2023

The private Members in conflict were invited to stay but remain silent.

The Acting ED presented the call for proposals HORIZON-ER-JU-2023-01. He indicated that on 4 October 2023 the EU-Rail published the call for proposals, with a deadline of 7 February 2024. An evaluation was carried out according to the rules on proposal submission and evaluation laid down in the EU-Rail Work Programme 2023-2024.

The Call Evaluation Report 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 Acting ED underlined that according to Article 19.4(j) of the Single Basic Act, the Executive Director shall “*submit for approval to the Governing Board or to the Public Authorities Board as appropriate the list of actions to be selected for funding by the joint undertaking*”, and Article 17.2(u) establishes the Governing Board shall “[...] *approve the list of actions selected for funding*”.

He indicated that the total budget for the call is of 21 200 000 EUR. The number of proposals received increased by 50%: 24 proposals of which, after the evaluation, resulted in 7 proposals selected. All topics were covered.

A total of 25 countries participated in the call, of which 21 from EU Member States, 2 Associated Country (Norway and Ukraine), UK and one Third Country (Switzerland). The Acting ED highlighted that for the first time Ukraine is included.

The Acting ED indicated that the evaluation of proposals was carried out between 9 February 2024 and 14 March 2024. The evaluation committee/panel was composed of 17 external experts, 1 expert and 4 external experts contracted as recorders (one per panel). In addition, 3 external ethics experts 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, 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 Chair commented that it is a good result and geographical coverage, but there is still scope for moving east.

Decision

The Governing Board adopted Decision n° 6/2024 approving the list of innovation actions selected for funding under the Europe Rail's call for proposals HORIZON-ER-JU-2023-01, in line with the panel ranked list proposed by the evaluators.

The Acting ED reminded participants that the GB Decision was under embargo until the Evaluation Result Notification letters were sent to the applicants.

6. DECISION ON THE HYBRID WORKING ARRANGEMENTS

The Acting ED presented the draft GB Decision n°3/2024 on the hybrid working arrangements for EU-Rail staff, which is based on a model decision adapted to the JUs. This Decision shall apply to all EU-Rail staff covered by the EU Staff Regulations, including seconded national experts.

Its adoption will imply that Commission Decision C(2022)1788 on working time and hybrid working no longer applies by analogy at EU-Rail.

Decision

The GB adopted the GB Decision n°3/2024 on the hybrid working arrangements for EU-Rail staff.

7. DECISION ON THE REQUEST FOR THE COMMISSION AGREEMENT FOR DEROGATION FROM IMPLEMENTING RULES TO THE STAFF REGULATIONS - Commission Decision C(2023) 8630 of 12 December 2023 on the prevention of and fight against psychological and sexual harassment.

The Acting ED presented the draft GB Decision n°4/2024 on requesting a derogation from the Commission from the application of Decision C(2023)8630 on the prevention of a fight against psychological and sexual harassment.

The reason of this derogation is that the Commission Decision is not suitable for application by analogy in EU-Rail. A derogation is therefore requested, prior to the adoption of specific rules for EU-Rail by the GB in due course, which would ensure the same level of protection for EU-Rail staff.

The Chair underlined that the purpose of derogation is not to have a lower level of requirements.

Decision

The GB adopted the GB Decision n°4/2024 on requesting a derogation from the Commission from the application of Decision C(2023) on the prevention of a fight against psychological and sexual harassment.

8. DECISION ON THE BACK-OFFICE ARRANGEMENTS FOR ICT (BOA ICT)

The Acting ED presented the draft GB Decision n° 5/2024 approving the back-office arrangements – Information and Communication Technologies (ICT). This Decision will allow the JU to sign a Service Level Agreement (SLA) with the other JUs to share IT infrastructure and strategies, e.g., in the field of cybersecurity.

The Chair maintained that BOAs should ensure the best use of resources.

Decision

The GB adopted the GB Decision n°5/2024 approving the back-office arrangements – Information and Communication Technologies (ICT).

ITEMS FOR DISCUSSION OF THE GOVERNING BOARD

9. DISCUSSION ON CONTENT: TRAFFIC MANAGEMENT SYSTEM (TMS)

There were three presentations on this topic, which were followed by a discussion on the next steps.

Mr. Sandro Santamato (DG MOVE) presented the European Commission proposal for a Regulation on rail infrastructure capacity management.

The Chair reminded Members of the distinction between a Directive and a Regulation, adding that for the Commission this Regulation is strategic for the realisation of the Single European Railway Area (SERA).

The Chair of the SRG commented that this Regulation will be an important step forward but, from his point of view, something is missing, which is the capacity of stations, because cross border freight needs higher capacity. High capacity is available but blocked because of changing drivers and not having a common language. There is still no agreement on the common language process, which is crucial so that rail can go cross border without limitations. He therefore asked for reopening the topic of the common language. He reminded that a S2R project demonstrated the possible use of IT systems to help the drivers to understand the foreign language.

The Chair informed that the revision of the Train Drivers Directive is on the EC's to-do list for the next mandate of the Commission. Mr. Patrick Konix (RNE) presented the status of TMSs in Europe and the work done on capacity management and TMS in the EU-Rail SP.

The representative from OBB thanked Mr. Konix for his presentation and commented that a common approach on TMS in Europe is needed, otherwise the benefits will never come up. Mr. Konix agreed, but he added that the project does not go as fast as wanted, and that there is still need for more investments. He also recognised that the current situation gives a lot of inefficiency.

A European Commission representative added that national systems for the future should be looking at harmonisation and ensuring systems are sufficiently integrated to get automatization.

The representative from ERA added that all the technical interfaces need to be prepared for TMSs to be able to operate in an integrated European network.

The representative from SNCF informed the GB of the difficulties to upgrade existing systems. However, encountering difficulties should not be a justification for doing nothing.

The Chair underlined that we cannot repeat the mistake of having national systems operating in parallel.

Mr. Goosmann (SIEMENS) presented on the R&I works already done in S2R on TMS and approach of R&I in Flagship Project 1.

The Governing Board members followed the presentations by a discussion on the possible future R&I activities to be undertaken by EU-Rail.

The Chair added that exchanges of information should be increased in view of an alignment with the objectives as well of the possible new legislation. The Chair concluded the debate by saying that even without decision taken, the discussion held by the GB had been very useful.

10. ANY OTHER BUSINESS

- NOMINATION OF REPORTING OFFICER FOR EU-RAIL ED

The Chair proposed that Magda Kopczynska would be the Reporting Officer for the appraisal of the EU-Rail ED, which was agreed by all Members.

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

The Acting ED informed Members on an indicative list of documents/decisions to be adopted by the GB either by written procedure or at the next meeting, namely:

- Award Call 2024
- Launch of call for expression of interest for Associated Members (AM)
- Update of Multi-Annual Work Programme (MAWP)
- Adoption of Annual Activity Report (AAR) 2023
- Opinion on Final Accounts 2023
- Application by analogy of Commission Decision C(2024) 1038 of 21 February 2024 amending Decision C(2011)1278 final on the GIPs for Articles 11 and 12 of Annex VIII SR on the transfer of pension rights

Representatives from the private Members asked to the Acting ED for a postponement of the deadline of the Call 2024, to give more time for preparing high-quality project proposals in this call that was launched just after the end of the previous call 2023. A couple of representatives expressed their concern that a delay could affect the work on DAC.

The Acting ED took note of the request and informed that by analogy with the Horizon Europe Annual Work Plan 2023-2024 call conditions, the EU-Rail Executive Director may decide to delay the deadline(s) by up to two months, in accordance with the adopted EU-Rail Work Programme 2024. Should the members agree with this request and based on the presented elements, the ED in agreement with the Chair will take the necessary implementing measures.

- SELECTION PROCEDURE FOR EU-RAIL ED

The Chair announced the names of the three shortlisted candidates to be interviewed by the Governing Board in an extraordinary meeting on 26 April.

- INDICATIVE DATES OF THE NEXT GB MEETING

The next GB (ordinary) meeting will be held on 21 June 2024.

The Chair and the Acting ED thanked the participants for their attendance.

Done in Brussels, on 9 April 2024.



Signed:

Magda KOPCZYNSKA

Chairperson of the Governing Board