

Europe's Rail Joint Undertaking (EU-RAIL)

6th EXTRAORDINARY MEETING OF THE EU-RAIL GOVERNING BOARD

30 January 2023, 11:30 AM-1:00 PM

Hybrid Meeting

PRESENT:

European Union, represented by the European Commission	SCHMIDT Kristian, DG MOVE	Chair
	FROISSARD Philippe, DG RTD	Co-Chair
	FITCH Keir, DG MOVE	Observer
	CLEUREN John, DG RTD	Observer
	FIMIN Ana-Maria, DG MOVE	Observer
ADIF	VILLALMANZO RESUSTA David-Ibán	Alternate
ALSTOM	CASTRES-SAINT MARTIN Nicolas	Representative
ALSTOM	FRENCH Richard	Alternate

ANGELRAIL consortium led by MER MEC	SCARNERA Vincenzo	Alternate
AŽD PRAHA	KAMPIK Vladimir	Representative
	PAVEL Michal	Alternate
CAF	DE CASTRO Jorge	Representative
CEIT	MELLENDEZ Juan	Representative
ČESKÉ DRÁHY	KUNERTOVA Tereza	Representative
	JINDRA Petr	Observer
	ZAJIC Marek	Observer
DEUTSCHE BAHN	MARXEN Ralf	Representative
DLR	MEYER ZU HORSTE Michael	Alternate
European Smart Green Rail Joint Venture (eSGR JV), represented by CEMOSA	REDONDO JIMENEZ Noemi	Representative
	HERNANDEZ Jose Solis	Alternate
	SANZ GARCIA David	Alternate

FAIVELEY TRANSPORT	TIONE Roberto	Representative
FSI	SANTORO Riccardo	Alternate
HITACHI RAIL	TROMBETTA Antonella	Representative
INDRA/TALGO	GONZALEZ MORENO Alfredo	Alternate
JERNBANEDIREKTO RATE (Norwegian Rail Directorate)	SAETHRE Preben	Representative
KNORR-BREMSE	HILSE Hans-Christian	Representative
	ERTL Martin	Alternate
ÖBB	TOPAL GOEKCELI Mark	Representative
	LUDWIG Bertram	Alternate
PKP	JANCEWICZ Zbigniew	Representative
PRO RAIL/NS	FUKKEN Jeroen	Representative
	VAN GILS Karel	Alternate
SIEMENS MOBILITY	DEITERDING Lars	Alternate

	KAMINSKY Ralf	Observer
SNCF	CHERON Christophe	Representative
STRUKTON RAIL	DE VRIES Tjark	Representative
	SAMSON Henk	Alternate
THALES	PARRONDO Alberto	Representative
	PERREAL Yves	Alternate
TRAFIKVERKET	OLSSON Bo	Representative
VOESTALPINE	HOLZFEIND Jochen	Representative
European Railway Agency	TOURNIER Ny Tiana	Observer
European Railway Agency	DOPPELBAUER Josef	Observer
ERRAC	MOSER Roland	Observer
ERRAC	GARCIA Marta	Observer

Vice-Chairperson of the States Representative Group	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
	BAGNAROL Raphael	Observer
	LORGE Valerie	Observer
	GONZALEZ GARCIA Isaac	Observer
	CIECZKO Catherine	Observer
	LITVINA Zanda	Observer

LIST OF DECISIONS:

The following decisions were taken by the Board:

- GB Decision N°1/2023 on the confirmation of early retirement of the Executive Director of the Europe's Rail Joint Undertaking
- GB Decision N°2/2023 appointing the Executive Director ad interim of the Europe's Rail Joint Undertaking

OVERVIEW OF DISCUSSIONS:

INTRODUCTION

The 6th Extraordinary Meeting of Europe's 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.

1. WELCOME FROM THE CHAIR AND ADOPTION OF THE AGENDA

The Chair indicated that the aim of the meeting was to ensure business continuity for the Europe's Rail Joint Undertaking. All documents relating to the meeting, including the draft GB decisions with Annexes, were distributed in advance to the participants. The Chair presented the Agenda to the Governing Board for adoption. 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>	11:30-11:35
ITEMS FOR DECISION OF THE GOVERNING BOARD	
2. DECISION ON THE END OF SERVICE OF THE EXECUTIVE DIRECTOR • Application for authorisation to engage in an occupation after leaving EU-RAIL	11:35-11:45
3. DECISION ON THE APPOINTMENT OF THE AD INTERIM EXECUTIVE DIRECTOR	11:45-12:00
ITEMS FOR DISCUSSION	
4. INFORMATION FROM THE EUROPEAN COMMISSION ON THE RECRUTMENT PROCESS OF THE NEW EXECUTIVE DIRECTOR	12:00-12:30
ANY OTHER BUSINESS	
5. AOB - IAS NOTE ON THE ANNUAL INTERNAL AUDIT PLAN 2023: CONSULTATION OF THE GB - FURTHER USE OF PROCEDURE UNDER ARTICLE 10 OF GB DECISION 07/2019 - ANNUAL COI MISSING	12:30-13:00

ITEMS FOR DECISION OF THE GOVERNING BOARD

2. DECISION ON THE END OF SERVICE OF THE EXECUTIVE DIRECTOR

On 9 January 2023, Mr. Carlo Borghini, the Executive Director of the Europe's Rail Joint Undertaking, requested to retire as of 1 March 2023 at the age of fifty-eight. The Chair indicated that the Governing Board of the Europe's Rail Joint Undertaking exercises the powers conferred by the Staff Regulations of Officials of the European Union laid down in the Staff Regulations on the Appointing Authority and by the CEOS on the Authority Empowered to Conclude a Contract of Employment.

The Chair indicated that GB Decision N°1/2023 on the confirmation of early retirement of the Executive Director of the Europe's Rail Joint Undertaking is fully in line with the Staff Regulations of Officials ('Staff Regulations') and the Conditions of Employment of Other Servants (the 'CEOS') of the European Union.

To complement this, The ED indicated he also sent to the GB his application for authorisation to engage in an occupation after leaving EU-RAIL in accordance with Article 16 of the Staff Regulations, in order to take up the role of Assistant Secretary General in NATO. This new role is in relation to the functioning of the organisation (NATO 2030, Executive Management of the organization - including HR, ICT, Facilities, Procurement and Budget related to the overall organization at global level). He emphasized there was no conflict of interest.

The Chair congratulated the Executive Director on this important assignment.

Neither the European Commission nor the Private Founding Members formulated comments on the ED application or on risks of conflict of interest between the current ED position and his future role in NATO.

Decision

The Governing Board accepted the request of retirement of Mr. Carlo Borghini with effect as from 1 March 2023. His last working day at EU-RAIL will be 28 February 2023. The Governing Board adopted GB Decision N°1/2023 on the confirmation of early retirement of the Executive Director of the Europe's Rail Joint Undertaking and expressed the opinion that there is no conflict of interest for the Executive Director to take up the duties in NATO, in accordance with his request, as from 1 March.

3. *DECISION ON THE APPOINTMENT OF THE AD INTERIM EXECUTIVE DIRECTOR*

The Chair indicated that in order to ensure continuity of operations of EU-RAIL during the transition period between 1 March 2023 and the date of the appointment of the new Executive Director, there is a need to appoint an Executive Director ad interim.

He highlighted that the Executive Director ad interim should ensure the stability and the continuity of EU-RAIL activities and a continued smooth connection between EU-RAIL, its Governing Board and its Founding Members. Moreover, he should perform the tasks defined in Article 19 of the Council Regulation (EU) No 2021/2085 and should report to the EU-RAIL Governing Board on the implementation of these tasks.

The Chair stated that in agreement with the Co-Chair, and after having considered different alternatives and profiles, the candidature of Mr Giorgio Travaini is proposed to the GB, taking into consideration the following elements: established staff member as temporary agent of EU-RAIL; experience as EU-RAIL Head of Programme; and independence from any EU-RAIL Founding Members.

He indicated that in agreement with the HR rules, the decision by the board confers these powers for one year maximum. He expressed full trust Giorgio Travaini will be able to successfully continue rolling-out the programme.

He highlighted the revised GB Decision had been sent by the GB secretariat containing the amendments of the legal service.

The DB representative enquired on how to proceed if long-term decisions are needed. The Chair answered that in the performance of these tasks, the Executive Director ad interim may exercise the powers conferred to the Executive Director within the limits required by ensuring business continuity in the operation and the day-to-day management of EU-RAIL, refraining from taking strategic decisions with a longer-term impact (e.g. no restructuring, reprogramming nor relocation of premises). Should issues of long-term impact arise, the ad interim ED can refer back to the GB for the necessary agreement and follow up.

The Chair gave the floor to the ad interim Executive Director. The ad interim Executive Director thanked everyone for their support and confidence. He expressed his eagerness and determination to further make the partnership a success, relying on the JU team and building upon the excellent collaboration with the GB, SRG and SC. He assured participants that he committed to driving the JU with professionalism and efficiency, ready to discuss with the GB member any topics and to operationalise

any decision taken by the GB. He thanked Carlo M. Borghini for having brought the JU where it stands today, and he underlined that the remaining work to be done to make this partnership a flagship.

The acting Chairperson of the SRG thanked Carlo M. Borghini for the excellent leadership and cooperation throughout the years. He expressed the wish the ad interim ED will continue the fruitful cooperation between all JU governance bodies.

The Co-Chair congratulated Carlo M. Borghini on the excellent job in managing the partnership and congratulated the ad interim as a promising excellent ED.

The Strukton Rail representative stated that Carlo M. Borghini made the JU welcome for all. He congratulated the ad interim Executive Director, expressing hopes he will continue in the same spirit of openness.

Decision

The Governing Board adopted GB Decision N°2/2023 appointing the Executive Director ad interim of the Europe's Rail Joint Undertaking, thereby appointing Mr Giorgio Travaini as the EU-RAIL Executive Director ad interim as from 1 March 2023, until the appointment of the new Executive Director, in order to perform the tasks defined in Article 19 of the Council Regulation (EU) No 2021/2085.

ITEMS FOR DISCUSSION OF THE GOVERNING BOARD

4. INFORMATION FROM THE EUROPEAN COMMISSION ON THE RECRUITMENT PROCESS OF THE NEW EXECUTIVE DIRECTOR

The DG Move representative indicated that the recruitment process is foreseen to be lengthy and rigorous. The starting point of the process is the publication of the vacancy notice, managed by the European Commission. As it is a senior management position, it will require solid management skills, financial and HR skills, international environment negotiation skills, specialist knowledge of EU and rail/transport and research fields, with minimum 5 years of high-level management experience and knowledge of EN/FR. The publication is expected shortly.

He highlighted this is a multi-step process. For the pre-selection phase, one member nominated by GB (non-EC member) will be part of the pre-selection committee. This nomination will need to be acted upon at the GB meeting of 15 March, if not earlier.

For the assessment panel stage, the nomination of a non-EC member by the GB will also be needed.

He highlighted that the decision on appointment comes back to GB. Indeed, if possible, preferably minimum three candidates should be sent to the GB for decision.

He stated the Mr Schmidt will be nominated as point of contact in the vacancy notice and an HR specialist will be nominated as point of contact for more procedural issues.

The ÖBB representative enquired about the possibility of conflict of interest arising in the chief of the non-EC member appointed by the GB depending on who the candidates are. The Chairperson agreed and assured that proper mitigation measures will be put in place.

The GB took note of the information provided by the EC on the recruitment process

AOB

- IAS NOTE ON THE INTERNAL AUDIT PLAN: CONSULTATION OF THE GB

The ED indicated that the internal audit plan was shared with the GB. The GB representatives did not express objections and the management supported the approach.

- FURTHER USE OF PROCEDURE UNDER ARTICLE 10 OF GB DECISION 07/2019

The ED informed the GB that the procedure has been launched in accordance with Staff Regulations for the reclassification procedure performed under Art. 10 (reclassification of a staff member CA FG I, II, III to CA FG II, III, IV with assessment of available posts). The ED emphasized that should the procedure not be concluded before his departure, the ad interim ED will finalize the procedure. He shared this information for the sake of full transparency, indicating it would not pertain to strategic decision-making but to day-to-day management.

- ANNUAL COI MISSING

The ED reminded the GB members to send their annual Conflict of Interest declaration, as they need to be published on the JU website. Around twenty are currently missing.

- NEXT GB AND TRANSITION

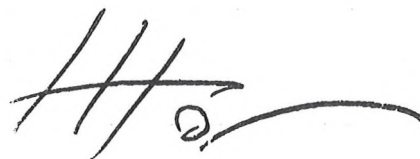
Finally, the ED indicated that the GB scheduled on 3 March will be cancelled, as the decision on the award of the call 2022-02 will be taken during the GB meeting scheduled on 15 March, as well as the

appointment of the industry member for the ED selection process. He informed the representatives that on 14 March, as part of the GB of 15 March, a farewell event will be organized (17:00 – 20:00).

In order to ensure a proper transition, a new mail address has been created executive.director@rail-research.europa.eu.

The Chairperson concluded the meeting.

Done in Brussels on 30 January 2023.



Signed:

Henrik HOLOLEI

Chairman of the Governing Board