

Governing Board

DECISION GB(D)09-2026

Amending Decision GB(D)03-2021 on the rules on confidentiality, prevention, avoidance and management of conflicts of interest of the SESAR 3 Joint Undertaking

THE GOVERNING BOARD OF THE SESAR 3 JOINT UNDERTAKING (“SESAR 3 JU”),

Having regard to:

- Council Regulation (EU) 2021/2085 of 19 November 2021 establishing the Joint Undertakings under Horizon Europe and repealing Regulations (EC) No 219/2007, (EU) No 557/2014, (EU) No 558/2014, (EU) No 559/2014, (EU) No 560/2014, (EU) No 561/2014 and (EU) No 642/2014¹ as last amended by Council Regulation 2023/1782 of 25 July 2023 (“Single Basic Act” or “SBA”), and in particular Articles 2 (14), 42 and 154 therein,
- Regulation (EU, Euratom) 2024/2509 of the European Parliament and of the Council of 23 September 2024 on the financial rules applicable to the general budget of the Union (recast) (“Financial Regulation”),
- Decision GB(D)03-2021 on the rules on confidentiality, prevention, avoidance and management of conflicts of interest of the SESAR 3 Joint Undertaking,
- Decision SC(D)01-2022 on the Rules of the Procedure of the Scientific Committee and, in particular, Articles 4 and 12 therein,

Whereas:

- (1) Article 2(14) of the SBA defines conflict of interest as any situation where the impartial and objective exercise of functions is compromised for reasons involving family, emotional life, political or national affinity, economic interest or any other direct or indirect personal interest.
- (2) Article 42 of the SBA requires the SESAR 3 JU to adopt rules on the prevention and management of conflicts of interest for the members of its bodies, including the Scientific Committee.
- (3) Article 61 of the Financial Regulation promotes a proportionate and risk-based approach to conflicts of interest, based on the identification, declaration, assessment and mitigation of conflicts of interest rather than a system of automatic exclusion.
- (4) The Scientific Committee’s role is strictly advisory. In accordance with Article 154(4) of the SBA, it does not participate in the evaluation, selection, or individual award of projects funded by the Joint Undertaking.
- (5) SESAR 3 JU operates in highly specialised sector with a limited pool of qualified experts whose active participation in funded research is inherent to the profile required for

¹ OJ L 427, 30.11.2021, p. 17

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being members of the Scientific Committee. Rules that may unnecessarily restrict access to this expertise should be reviewed in the light of the proportionality principle.

- (6) Experience in the application of the existing rules has demonstrated the need to clarify and strengthen the practical arrangements for the prevention, declaration and management of conflicts of interest within the Scientific Committee, in order to ensure that these arrangements are both effective and proportionate to the mission entrusted to this Committee.
- (7) Appropriate safeguards and mitigating measures remain in place to ensure impartiality, transparency and integrity.
- (8) Reinforced procedural safeguards are introduced, in particular through a standing agenda item at the opening of each Scientific Committee meeting and through the renewal of declarations upon each appointment or reappointment to the Scientific Committee.

HAS DECIDED AS FOLLOWS:

Article 1

Section 3.2 of Decision GB(D)03-2021 is hereby replaced in its entirety by the following provisions:

"3.2 Scientific Committee

The rules related to confidentiality and conflict of interest related to Scientific Committee are set out in Article 12 of the rules of procedure of the Scientific Committee².

The following measures are applicable:

- 1. Members of the Scientific Committee are required to refrain from divulging information acquired through their work in the Scientific Committee. Any such information should not be disseminated, unless authorised by the Executive Director, the Chairperson or unless unequivocally known to be in the public domain.*
- 2. Members and observers of the Scientific Committee shall sign a declaration confirming the commitment to keep confidentiality and the absence of conflict of interest prior to their first attendance to Scientific Committee meetings and upon renewal of their appointment for an additional term, a template is provided in annex of GB(D)03-2021.*
- 3. The declaration confirming the absence of conflict of interest shall be updated before subsequent attendances to Scientific Committee meetings, whenever relevant. Additionally, at the beginning of each meeting, a standing agenda point on conflicts of interest shall be included. Under this agenda point, the Chairperson shall invite members to declare whether any changes have occurred since the submission of their declaration of absence of conflict of interest upon appointment or upon renewal of their appointment for an additional term, and whether any situation relevant to the agenda items of the meeting may give rise to an actual, potential or perceived conflict of interest.*

² Ref. SC(D)01-2022 dated 10 November 2022

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4. *Members and observers of the Scientific Committee must not seek or act in any way to take undue advantage of, or exercise undue influence on, the implementation of the Scientific Committee activities. Therefore, members and observers of the SESAR 3 JU Scientific Committee should not be involved in any way in the evaluation or selection of proposals for funding under the SESAR 3 JU.*
5. *Members and observers of the Scientific Committee must inform the SESAR 3 JU of all interests, not explicitly stated above, which could be considered prejudicial to their independence.*
6. *During a meeting any attendee whose participation in the work of the Scientific Committee leads or may lead to a conflict of interest with regard to a particular agenda item shall inform the Chairperson without delay who shall in turn without delay and before any discussion is initiated, decide on any specific measure in this respect in consultation with the Executive Director of the SESAR 3 JU.*
7. *Upon proposal by the Chairperson, the Scientific Committee may decide to examine such an item without the presence of the concerned attendee.*
8. *When a member or observer of the Scientific Committee is in breach of the requirements set out above, he/she will be considered as no longer being in a position to remain a member or observer of the body.*
9. *The decisions and minutes of the meetings of the SESAR 3 JU Scientific Committee shall be subject to the provisions of professional secrecy, as per Article 21 (3) of the Single Basic Act and the confidentiality measures described in these rules.*
10. *The secretariat of the Scientific Committee, under the responsibility of the Chairperson and the Executive Director, shall undertake:*
 - *to monitor regularly declarations and preliminary appraisal of compatibility of interests declared with the tasks of the individuals concerned;*
 - *to initiate and facilitate handling of issues in close liaison with the meeting Chairperson; and*
 - *to store the declarations in either paper or electronic format.**If the declarations of the SESAR 3 JU Scientific Committee Members cannot be collected on paper because the meeting takes place by audio conference, video conference or other means of communication, the Secretariat will invite Scientific Committee Members to submit the relevant declarations in an electronic format.*

Declarations made at meetings and the outcome of discussions related to declarations of interest shall be duly recorded in the minutes of the meeting."

All other provisions of Decision GB(D)03-2021 remain unchanged and continue to apply.

Article 2

Upon the extension or renewal of the Scientific Committee, all Members shall sign a new declaration of conflict of interest. This obligation applies, in particular, at the renewal of the Scientific Committee scheduled for October 2026.

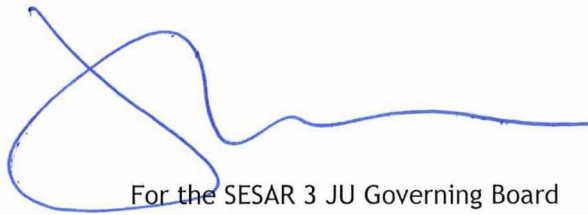
The declaration shall be submitted to the Secretariat prior to the first meeting of the renewed Scientific Committee.

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Article 3

This decision shall enter into force on the day of its adoption.

Done in Brussels, 29 June 2026.

A handwritten signature in blue ink, consisting of a large loop followed by a series of smaller, connected loops and a long horizontal stroke.

For the SESAR 3 JU Governing Board

Filip Cornelis
The Chairperson