

**Minutes of Sesar Joint Undertaking  
Administrative Board  
ADB(M)007**

**Thursday, 3<sup>rd</sup> July 2008 (10:00 – 13:00)**

**Minutes of the meeting**  
(Approved by correspondence on 3 September 2008)

Participants:

| Represented Organisations                  | Participants                                                                            |
|--------------------------------------------|-----------------------------------------------------------------------------------------|
| <b>European Commission</b>                 | Mr Daniel Calleja ( <i>Chairman</i> ), (excused)<br>Mr. Luc Tytgat, Mr Marco De Sciscio |
| <b>EUROCONTROL</b>                         | Mr Bo Redeborn ( <i>Deputy Chairman</i> ), Mr Bernard Miaillier                         |
| <b>Military</b>                            | Gen Antonio Pilotto, Gen Jean-Robert Cazarré (excused)                                  |
| <b>Civil users of airspace</b>             | Mr Vincent De Vroey, Mr Pedro Vicente Azua                                              |
| <b>Air Navigation Service Providers</b>    | Ms Marie Desseaux, Mr. Bernard Martens                                                  |
| <b>Equipment manufacturers</b>             | Mr Luigi Iodice, Mr Hugues Subra de Salafa                                              |
| <b>Airports</b>                            | Mr Stuart Condie, Mr Roland Krieg                                                       |
| <b>Staff in the ATM sector</b>             | Mr Marc Baumgartner, Mr Jean-Pierre Etienne                                             |
| <b>Scientific community</b>                | Mr Peter Hecker, Mr Jean-Jacques Favier                                                 |
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| <b>Executive Director</b>                  | Mr Patrick Ky                                                                           |
| <b>Director Administration and Finance</b> | Mr Carlo Borghini                                                                       |
| <b>Secretary</b>                           | Ms Caroline Pouza                                                                       |

The meeting was chaired by Mr. Luc Tytgat.

Working documents:

- Update on the SJU logistics (ref SJU-AB-07-08-DOC-02) sent on 20<sup>th</sup> June 2008;
- Update on the ongoing call for tenders (ref SJU-AB-07-08-DOC-03) sent on 20<sup>th</sup> June 2008;
- Paper on the Long term and innovative Research sent on 20<sup>th</sup> June 2008;
- Last version of the draft Regulation for the amendment of the SJU Statutes sent on 27<sup>th</sup> June 2008;
- Paper on the open points resulting from the SESAR Definition Phase sent on 2<sup>nd</sup> July 2008.

## **AGENDA**

### **1 Introduction & approval of the draft agenda**

- 1.1 Introduction by the Chairman*
- 1.2 Status report on the S.E.S. second package*
- 1.3 Disclosure of potential conflicts of interest on agenda items*

### **2 Administrative and general issues**

- 2.1 Update on SJU logistics*
- 2.2 Update on the ongoing calls for tender*
- 2.3 Information on the contemplated modification of the Statutes of the SJU*

### **3 Presentation of Long term and innovative Research (EUROCONTROL)**

### **4 Membership process**

- 4.1 Update on legal aspects of the accession to membership process*
- 4.2 General update on the discussion progress*

### **5 AOB**

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## **1. Introduction & approval of the draft agenda**

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### **1.1. Introduction by Mr Tytgat**

Mr. Luc Tytgat acted as the Chairman, replacing Mr. Calleja who could not attend this meeting.

The Executive Director proposed that an item on the open issues resulting from the Definition Phase be added as AOB, which the Chairman accepted.

The Executive Director introduced Mr. Carlo Borghini, who joined the SJU as Director of Administration and Finance and will therefore attend the Board meetings.

The Chairman, on behalf of the Board, thanked Mr. Olivier Meert for his professionalism and high commitment for the setup of the SJU and wished him all the best for the future.

#### **➤ Decision:**

- ***The Board approved the draft agenda.***

### **1.2. Status report on the SES second package**

The Chairman informed the Board that, on 26<sup>th</sup> June 2008, the Commission approved the SES second package, composed of the change of the four basic regulations on ATM adopted in 2004, the extension of the EASA competence to ATM and aerodromes, the airport capacity and the SESAR contribution.

A full documentation on this SES second package will be provided to the Board members.

The agenda foreseen under the French EU presidency is the following:

- 1<sup>st</sup> September 2008: informal meeting of the Transport Ministers.
- 9<sup>th</sup> and 10<sup>th</sup> October: adoption of Resolution on the ATM Master plan and the start of Development activities of the SJU.
- 9<sup>th</sup> December: political agreements on expected changes of the SES regulations.

#### **➤ Decision:**

- ***The Board took note of the information provided by the Chairman.***

### **1.3. Disclosure of potential conflicts of interest on agenda items**

Prior to the meeting, one of the representatives of the Equipment Manufacturers sent a declaration to the Chairman, making suggestions for the management of conflict of interests within the Administrative Board. In particular, he mentioned the need to avoid an excess of prudence in the implementation of the rules.

A discussion took place on how to handle conflict of interests. During the discussion, the Board members expressed, on one hand, the need for particular prudence in the management of conflict of interests and, on the other hand, the need to assure operational efficiency of the Board's work. The Chairman reminded that the disclosure of potential or real conflict of interests was meant to protect both the Board members and the SJU especially in highly sensitive areas, such as public procedures for calls for tenders and the SJU membership process.

It is the opinion of the equipment manufacturers that this restriction should also apply to the representatives of stakeholder groups who represent candidate members even if they are not directly employed by the later.

After having examined the issue, with the spirit to manage rigorously but efficiently the treatment of conflict of interests, the board adopted the following decision.

➤ **Decision:**

- ***The Audit panel is requested to provide the Board with guidelines on the management of the conflict of interest.***
- ***The SJU shall to send more detailed agenda to allow for better identification of the situation that may raise conflict of interests and indicate, before the meetings, the possible conflict of interests that may arise from the agenda.***
- ***Minutes of the Board will be published on the SJU website as from now.***

## **2. Administrative and general issues**

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### **2.1 Update on SJU logistics**

The choice of the current premises has proven to be a good one having enabled the SJU to rapidly start up its activities. Nevertheless, in the light of the future evolution of the SJU, the current surface is inadequate to host the estimated number of SJU and PSO staff and possible consultants on an ad hoc basis (around 60 persons) who will be working directly in the programme. Furthermore, although the infrastructure allows the SJU to function in this initial phase, it is 10 years old (telephone system, wiring for video conferences, etc) and would need a substantial investment to be updated in order for the SJU to operate efficiently.

Moreover, the SJU being a partnership, meetings with 30 to 50 participants are frequently held and currently take place in rented premises, which has resulted to be expensive.

The Board members were provided in advance with a possible alternative solution to the current premises, based on informal discussions with the different counterparts involved. The Board members, after having been provided information with regard to the detailed forecast costs of the operation, were requested to endorse the principle of a change of premises, in accordance with the financial estimations presented by the SJU, to allow the SJU to start negotiations.

➤ **Decision:**

- ***The Board mandates the Executive Director to negotiate the most advantageous conditions and conclude a contract for new premises provided that the associated costs do not exceed the overall envelope presented to the Board.***

## **2.2 Update on the ongoing calls for tender**

There are currently 3 ongoing calls for tenders, on which the Executive Director provided information on the process:

- Industrial Support
  - 20<sup>th</sup> June, 2008: a letter was sent to all the bidders to inform them on the outcome of the results.
  - 15<sup>th</sup> July, 2008: the results should appear in the Official Journal of the EC.

- AIRE

The call specifications have been published on the SJU website. An information day will take place on the 16<sup>th</sup> July, 2008 on this call.

- Call for expression of interest for the constitution of database of independent experts

This call was launched on 23<sup>rd</sup> June 2008. The objective is to constitute a data base of individual experts who will be hired on ad hoc basis, to carry out determined and punctual tasks of audits.

➤ **Action**

- ***Board members are requested to publicise, to the maximum extent, the call for expressions of interest for independent experts.***

**Conclusion:**

- ***The Board took note of the information provided by the Executive Director.***

## **2.3 Information on the contemplated modification of the Statutes of the SJU**

The Chairman informed the Board concerning the Adoption procedure of the Regulation governing the new Statute of the SJU. The final version of the modified Regulation sent to the Board members is expected to be adopted by the Commission in the next weeks and will be submitted to the Council, the European Parliament and the European Social and Economic Committee afterwards. The target is to implement the new Regulation no later than January 1<sup>st</sup>, 2009.

ECTRL requested a trilateral meeting (EC, ECTRL, SJU) in order to be assured that the proposed changes do not effect its participation and contribution to the SJU so to avoid having to return to its PC for a new decision.

**Conclusion:**

- ***The Board took note of the information provided by the Chairman.***

### **3. Presentation of Long term and innovative Research (EUROCONTROL)**

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A framework (for which a presentation had already been sent to the candidate members at the Negotiations Steering Group) was proposed to the Board to carry out the Work Package on long term and innovative research, including the financial principles therefore.

➤ **Decision:**

- ***The Board agreed that Long term and innovative Research should remain within SESAR and be managed by the SJU. The Board requested further clarification and discussions between the stakeholders before endorsing the orientations proposed.***
- ***The Board members also agreed to make constructive proposals and provide comments and suggestions in writing to the SJU to allow for a decision at the next meeting.***

### **4. Membership process**

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#### **4.1 Update on legal aspects of the accession to membership process**

A status report on the legal aspects of the accession to membership process was made by the SJU and discussed by the Board members. The Board was informed of the progress on IPRs, contributions, and liabilities, and the programme governance.

#### **4.2 General update on the discussion progress**

In the light of the discussion of conflict of interests, the Chairman invited the representatives of the ANSPs, Equipment Manufacturers and Airports to step out of the meeting on this point. A status report on the discussion progress with the candidate members was made by the SJU and discussed by the other Board members.

### **6. AOB**

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#### **Open issues resulting from the Definition Phase**

During the previous Board meeting, the representative of the Staff in the ATM sector requested that a paper be provided by the SJU to the Board members on the SJU's point of view regarding the open issues resulting from the Definition Phase.

These open issues mostly related to architectural, organisational, financial and standardisation aspects, were presented by the Executive Director. The Board members had a short exchange of views on the subject, in particular with regard to the "oceanic airspace" and expressed appreciation for the presentation.

➤ **Decision:**

- ***The Board members agreed on the principle that SESAR should extend its scope to the "oceanic airspace" as defined by ICAO.***
- ***The SJU shall draft a roadmap indicating who is responsible for and the type of actions to be undertaken to solve the aforementioned pending issues.***

**SESAR event on 8 December 2008**

The Executive Director informed the Board of the event planned on the 8 December 2008 which does constitute the formal event of the launch of activities of the SJU as well as the planned initialling of the membership agreements and of the multilateral framework agreement.

**Next meeting of the Administrative Board: confirmed for 30<sup>th</sup> October 2008.**