

Meeting ADB(M)010

Minutes

(MoM ADB(M)010-final)

Date of the Meeting..... : 12 June 2009

Time : 10:00-14:00

Place : SESAR Joint Undertaking, av. de Cortenberg, 100 - 1040 Brussels

Board members and other participants

SJU Members	Representative	
European Commission (EC)	Mr Daniel Calleja (DCC)	Chairperson
	Mr Luc Tytgat (LT)	Observer
EUROCONTROL (ECTL)	Mr Bo Redeborn (BR)	Deputy Chairperson
AENA	Ms Mariluz De Mateo (MDM)	
Airbus	Mr Hugues Subra-de-Salafa (HSS)	
ALENIA Aeronautica (Alenia)	Mr Ms Alessandra Saroglia (AS)	
DFS	Mr Gerhard Tauss (GT)	Observer
DSNA	Mr Marc Hamy (MH)	
ENAV	Mr Iacopo Prissinotti (IP)	
Frequentis	Mr Johannes Prinz (JP)	
Honeywell	Mr Jean Luc Derouineau (JLD)	
INDRA	Mr Ramón Tarrech Masdeu (RTM)	
NORACON	Mr Thomas Allard (TA)	
NATMIG	Mr Aage Thunem (AT)	
NATS	Mr Ian Hall (IH)	
SELEX S.I. (SELEX)	Mr Antonio Mattogno (AM)	
SEAC	Mr Giovanni Russo (GR)	
Thales	Mr Bertrand De l'Épinois (BDE)	

Stakeholder representatives	Representative	
Military (MIL)	Gp Capt. John Clark (JC)	
Civil users of airspace (CUA)	Mr Vincent De Vroey (VDV)	
Air Navigation Service Providers (ANSP)	Ms Marie Desseaux (MD)	
Equipment manufacturers (EM)	Mr Patrick de Prévaux (PDP)	
Airports (APT)	Mr Philipp Arhens (PA)	
Staff in the ATM sector (STAFF)	Mr Marc Baumgartner (MB)	
	Mr Jen-Pierre Etienne (JPE)	
Scientific community (SC)	Prof. Peter Hecker (PH)	

Other participants		
SJU Executive Director	Mr Patrick Ky (PK)	
SJU Director Admin & Finance	Mr Carlo Borghini (CMB)	
SJU Internal audit	Mr Ross Walton (RW)	
Secretary of the Board	Mr Marco De Sciscio (MDS)	
SJU Legal service	Ms Vicencia Da Silva (VDS)	Observer

Distributed meeting documents

SJU-AB-010-09-DOC-01 - Modified model MA.....	Item 2
SJU-AB-010-09-DOC-02 - Modified MFA	Item 2
SJU-AB-010-09-DOC-03 - Draft Agreement between the SJU and EUORCONTROL	Item 3
SJU-AB-010-09-DOC-04 - Draft Schedule 13 to the MFA	Item 3
SJU-AB-010-09-DOC-05 - Draft decision on the allocation of voting rights	Item 5
SJU-AB-010-09-DOC-06 - Draft decision on the new premises of the SJU.....	Item 6(a)
SJU-AB-010-09-DOC-07 - Draft rules on secondment of staff	Item 6(b)
SJU-AB-010-09-DOC-08 - Draft general implementing provisions on the procedure governing the internal selection to be carried out under Article 2 of Regulation (EC)1361/2008 of 16.12.2008.....	Item 6(c)
SJU-AB-010-09-DOC-09 - Draft Multi-annual staff policy plan 2010-2012	Item 6(d)
SJU-AB-010-09-DOC-10 - Draft SJU financial rules.....	Item 6(e)
SJU-AB-010-09-DOC-11 - Draft arrangements concerning the internal audit function and adoption of the audit charter	Item 6(f)

Item 1 Introduction

1. The **Chairperson** welcomed all the participants in the new premises of the SJU in av. de Cortenberg.
2. In particular he welcomed the representatives of the new SJU members, the new representative of the MIL, **Gp. Capt. John Clark**, and the new alternate representative of the equipment manufacturers, **Mr Patrick de Prévaux**. He also informed the Board that **Mr François Gayet** had been appointed as the new representative of equipment manufacturers.
3. It was noted that **HSS** and **BDE** had been appointed to represent their companies only for this meeting.
4. Both the representative and the alternate of DFS could not be present at the meeting. Therefore, DFS had delegated **MH** (DSNA) to represent them. **GT** participated as observer on behalf of DFS.
5. The **Chairperson** informed the Board that the new members would formally accede to membership once the Executive Director had signed the MAs. Consequently, if a new member had not yet signed their MA, their representative could only sit in as an observer.

Verification of the voting quorum

6. The voting members for items 2 & 3 of the agenda were: EC, ECTL and CUA. However, on item 3, ECLT was required to withdraw from the meeting because of a conflict of interest on this item. The quorum was reviewed after the signing of the MAs for items 5 and onwards.
- ▷ 7. The **Chairperson** noted that the meeting had the required quorum for items 2 & 3.

Adoption of the agenda

8. The **Chairperson** proposed to include 2 additional points on the agenda;
 - a. Under item 8: the formal adoption of the European ATM Master plan by the Board in accordance with Article 5.1(a) of the Statutes.
 - b. Under AOB: a point on “Tracking aircraft and air traffic management over remote areas, such as oceanic and desert regions”.
9. **HSS** proposed to include an additional point under AOB on “Adjustments to points

in the MA & MFA”.

- ▷ 10. The Board adopted the agenda with the inclusion of the 3 new points mentioned above.

Disclosure of conflicts of interests

11. Board members and participants were required to sign 2 declarations in accordance with Articles 2.2 & 2.4 of the Board’s decision in independence, confidentiality and conflict of interest.
12. In accordance with Article 9.4 of the Statutes, ECTL agreed to withdraw from the meeting during the discussion and vote on item 3, as it concerns their own agreement with the SJU.
13. RW declared to have a conflict of interest on item 6(f) and therefore withdrew from the meeting on that item.
- ▷ 14. The Chairperson noted that no other participants had declared a conflict of interest on any agenda item and that all participants had completed the declarations on independence, confidentiality and conflict of interest.

General information

15. On behalf of EC, the Chairperson informed the Board that:
- On 30.03.2009 the Council of the European Union adopted the European ATM Master Plan and Resolution relating to the SESAR programme in general.
 - In reaction to the Council’s request to achieve the highest level of interoperability between SESAR and NextGen, on 8 June 2009, the Commission adopted a recommendation to the Council for issuing a negotiation mandate in view of concluding a Memorandum of Cooperation with the FAA. The Council is expected to issue the mandate under the Swedish Presidency after the summer.
16. PK gave a short presentation on the current organisation chart, highlighting that the recourse to secondment of experts from members will allow recruiting more easily qualified technical staff at a lower cost for the SJU. He also highlighted that, although the transition to the statute of a Community body will generate significant savings for the SJU, on the other hand it is accompanied by an increase of administrative tasks, which are inherent to a Community body and its reporting obligations. This entails the need to envisage reinforcing the administrative staff of the SJU.

Distribution of the Board’s meeting documents

17. The Board took note that, in order to facilitate the distribution of meeting documents, in the future these documents will be made available on a secured SJU website accessible to Board members.

▷ Conclusions on the distribution of meeting documents **Decision ADB(D)19-2009**

18. In order to rationalise the distribution of meeting documents until the secured website is available, the Board agreed that meeting documents shall be sent to only to the Members’ representatives or, upon request, to their alternate, and to the permanent participants (alternates of the CUA and STAFF). The recipients of the documents shall be responsible for their distribution within their organisations, as appropriate.

1. The MA and MFA models approved by the Board at its last meeting of 26.03.2009 have undergone a linguistic review, which has resulted in some minor editorial changes.



Conclusions on item 2

Decision ADB(D)8-2009

2. The Board approved the modified MA & MFA models in accordance with documents SJU-AB-010-09-DOC-01 and SJU-AB-010-09-DOC-02.

Item 3 Approval of the draft agreement between ECTL and the SJU (Article 9.2 of the Statutes) and the draft Schedule 13 of the MFA

1. BR withdrew from the meeting on this item.
2. The draft agreement between the SJU and ECTL has been approved by ECTL's provisional Council and provisional Commission on 7 May 2009.
3. BDE stated that Thales had expressed concern that the wording of the paragraph on "Eurocontrol IPR" in Schedule 13 could lead to confusion in terms of hierarchy of this provision with respect to Article 15 of the MFA, which should have precedence.
4. CMB clarified that Schedule 13 should be interpreted in the light of Article 15 of the MFA. Furthermore, the MFA states that the Articles of the MFA have precedence over Schedules, Annexes and any other documents referred to in it.



Conclusions on item 3

Decision ADB(D)9-2009

5. The Board approved the agreement between the SJU and ECTL and Schedule 13 of the MFA in accordance with documents SJU-AB-010-09-DOC-03 and SJU-AB-010-09-DOC-04.

Item 4 Signing of the Eurocontrol/SJU agreement (Article 9.2 of the Statutes)

1. The Executive Director countersigned the agreement with ECTL.
2. He proceeded to sign the MAs of Airbus, Alenia, DFS, DSNA, ENAV, Frequentis, Honeywell, Indra, Natmig, Noracon, NATS, SEAC, SELEX and Thales.
3. AENA had not yet provided their signed copy of the MA, as their internal procedure was still on going.

Item 5 Decision on the allocation of voting rights

Verification of the voting quorum

1. The voting quorum was re-checked after the signing of the MAs. Representatives from EC, ECTL, Airbus, Alenia, DFS (represented by DSNA), DSNA, , ENAV, Frequentis, Honeywell, Indra, Natmig, Noracon, NATS, SEAC, SELEX, Thales and the CUA were present. AENA was present as observer.



2. The Chairperson noted that the voting quorum was attained.



Conclusions on item 5

Decision ADB(D)10-2009

3. The Board approved the allocation of voting rights to the SJU Members in accordance with document SJU-AB-010-09-DOC-05.

Item 6 Approval of administrative decisions



Conclusions on item 6

1. The Board approved the following decisions:
 - 6(a) Approval of the “Rules on secondment of staff” (Doc. SJU-AB-010-09-DOC-07), **subject to:**
 - i. the correction of Article 6.6.6 in which the references to Articles 5.6.1 & 5.6.2 should read 6.6.1 & 6.6.2.
 - ii. the inclusion of provisions related to eligibility criteria and to the selection procedure.
 - 6(b) **Provisional adoption** of the General implementing provisions on the procedure governing the internal selection to be carried out under Article 2 of Regulation (EC)1361/2008 of 16.12.2008 (Doc. SJU-AB-010-09-DOC-08) **subject to the confirmation of the formal adoption of the provisions by the Commission** (Article 8.1 of the Board’s rules of procedure).
 - 6(c) Approval of the Multi-annual staff policy plan 2010-2012 (Doc. SJU-AB-010-09-DOC-09).
 - 6(d) **Approval in principle** of the SJU financial rules (Doc. SJU-AB-010-09-DOC-10). The Commission’s internal procedure for the adoption of these rules is still on-going. The Board shall formally adopt the financial rules through written procedure in accordance with Article 9 of the Board’s rules of procedure, with a reduced response time of 7 days. If there are any changes to the text as a result of the Commission’s internal consultation process, the Board will be informed in the written procedure.
 - 6(f) Approval of the “arrangements concerning the internal audit function and adoption of the audit charter” (Doc. SJU-AB-010-09-DOC-11), **subject however, to the deletion of the words: “on an annual or exceptional basis” in the 3rd whereas of the text. (RW withdrew from the meeting for this point)**

Item 7 Information on the launch of the unallocated activities of the first IBAFO and of the WPs C, 7, 11, 13 and 16

1. PK informed the Board that the second invitation to submit a best and final binding offer (IBAFO) will be issued during the first week of July 2009. It will cover WPs 7, 13, 16, C as well as re-opened Projects resulting from unallocated activities from the first IBAFO.
2. The deadline for submission of offers will be first week of October 2009. The selection report will be submitted to the Board during the first week of November in view of seeking the endorsement of the results of the evaluation and the relevant changes in the MAs in its December meeting. The objective is to launch the projects in January 2010.
3. The definition of the re-opened projects shall take into account the comments and recommendations from the Proposal Analysis Board on the results of the first IBAFO and the technical needs of the programme.



Conclusions on item 7

1. The Board took note of the information provided by the Executive Director to launch a second IBAFO on the pending work packages and the unallocated activities and the related timetable.

Item 8 Formal adoption of the European ATM Master plan and discussions on the updates of the European ATM Master plan

1. The formal adoption of the European ATM Master plan by the Board was added to this item.
2. PK indicated that the SJU would do its best to respond to the Council's request to submit to the Board, by March 2010, a proposal for a first update of the ATM Master plan. However, he drew the attention of the Board to the fact that WP C (Work package dedicated to the maintenance of the Master plan) will only be launched in January 2010. Therefore, March 2010 seems to be too early to envisage the adoption of an update of the Master plan.
3. It was underlined that the ATM Master plan was developed through a partnership with industry and the same logic should be followed for updating it, assuring that Master plan stays under the control of the PPP.
4. PK proposed to present by end of March 2010 a proposal to the Board, which would open the process consisting in the necessary consultations and formal procedures at various levels that will lead to the formal adoption of the update towards October 2010.
5. Board members shared the opinion that the March target seemed to appear too early to benefit from the results of the initial stage of work to prepare a detailed update of the Master plan. For this purpose it is essential to clearly define the scope of the first update, which at this stage does not necessarily imply a substantial change of the plan. The update could address issues such as the definition of IP1 and other relevant topics (such as resulting from item 9 below).
6. The proposal for the first update needed to be discussed within the SESAR partnership, and the SJU would anticipate on the launch of WPC in order to define and agree with its partners on the content of this update.
7. It was also highlighted that the Master plan constitutes a framework rather than a set of detailed actions to be carried out. It therefore requires adequate flexibility, but nevertheless also needs a certain degree of stability and should not be subject to frequent modifications.



Conclusions on item 8

Decision ADB(D)17-2009

8. The Board adopted the European ATM Master plan endorsed by the Council of the EU on 30 March 2009.
9. The Board requested the Executive Director to present a proposal for the first update of the ATM Master plan to the Board in order to open, by the end of March 2010, the procedure for its formal adoption.

Item 9 AOB

9(a) Tracking aircraft & air traffic management over remote areas such as oceanic and desert regions

1. After the tragic accident of the Air France Airbus, spotlights are now pointed on SESAR and its role in modernizing the ATM system so that it can assure positioning, tracking and management of flights over remote regions.
2. The EC proposes that the SJU make an assessment of this issue, taking into account existing technologies, and that it explores the possibilities to set up, as soon as possible, trial flights on this subject also relying on the experience of the SJU

Members.

3. The Board supported the request from the EC.



Conclusions on item 9(a)

Decision ADB(D)18-2009

4. The Board requested the Executive Director to make an assessment on “tracking aircraft and air transport management over remote areas”.
5. The Board also requested the Executive Director SJU to explore the possibilities of improving the current situation, based on existing technology, and to identify the necessary measures to take and to report back to the Board.

9(b) Adjustments to points in the MA & MFA

1. HSS stated that some points in the MA and MFS would have to be reviewed to align them to the operational work programme.
2. PK suggested that the nature of adjustments needs to be assessed and ultimately decided by the Board in the light of the experience and progress achieved in the first stage of activities.



Conclusions on item 9(b)

3. The Board took note of the Executive Director’s suggestion to address this issue in December after the evaluation of the second IBAFO.

Closing of the meeting

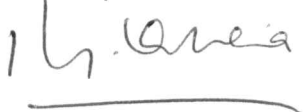
The next meetings of the Board are scheduled for **24 September 2009** and **17 December 2009**.

Annexes

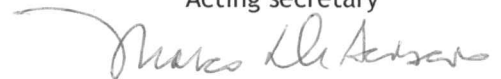
Annex 1 Board members attendance list
Annex 2 Declarations on conflicts of interest

Done in Brussels, 7.07.2009

Chairperson



Acting secretary



**Annex 1
Attendance list**





Board meeting ADB(M)010 of 12 June 2009

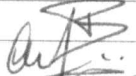
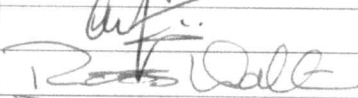

Attendance list
(updated 9.6.2009)

Members	Representative	Signature
European Community	Mr Daniel Calleja - <i>Chairperson</i>	<i>D. Calleja</i>
EUROCONTROL	Mr Bo Redeborn - <i>Deputy Chairperson</i>	<i>Bo Redeborn</i>
AENA	Ms Mariluz De Mateo	<i>Mariluz De Mateo</i>
Airbus	Mr Hugues Subra-de-Salafa	<i>Hugues Subra-de-Salafa</i>
ALENIA Aeronautica	for Mr Nazario Cauceglia <i>ALESSANDRA SAROGUJA</i>	<i>Alessandra Saroguja</i>
DFS	Mr Gerhard Tauss	<i>Gerhard Tauss</i>
DSNA	Mr Marc Hamy	<i>Marc Hamy</i>
ENAV	Mr Iacopo Prissinotti	<i>Iacopo Prissinotti</i>
Frequentis	Mr Johannes Prinz	<i>Johannes Prinz</i>
Honeywell	Mr Jean Luc Derouineau	<i>Jean Luc Derouineau</i>
INDRA	Mr Rafael Gallego Carbonell <i>Mr Ramon TARRECH MASDEU</i>	<i>Rafael Gallego Carbonell</i>
NATMIG AS	Mr Aage Thunem	<i>Aage Thunem</i>
NORACON	Mr Niclas Gustavsson	<i>Niclas Gustavsson</i>
NATS	Mr Ian R. Hall	<i>Ian R. Hall</i>
SEAC	Mr Giovanni Russo	<i>Giovanni Russo</i>
SELEX S.I.	Mr Antonio Mattogno	<i>Antonio Mattogno</i>
Thales Group	Mr Bertrand De l'Epinois	<i>Bertrand De l'Epinois</i>



Stakeholder representatives	Representative	Signature
Military	^{of CAP} Gen. John Clark	
Civil users of airspace	Mr Vincent De Vroey	
Air Navigation Service Providers	Ms Marie Desseaux	
Equipment manufacturers	Mr Patrick de Prevaux	
Airports	Mr Philipp Ahrens	
Staff in the ATM sector	Mr Marc Baumgartner	
	Mr Jean-Pierre Etienne	
Scientific community	Prof. Peter Hecker	

Permanent participants

SJU Executive Director	Mr Patrick Ky	
SJU Director Admin & Finance	Mr Carlo Borghini	
SJU Internal audit	Mr Ross Walton	
Secretary of the Board	Mr Marco De Sciscio	