

DECISION
ADB(D)-02-2011

Allocation of voting rights to Board members

THE ADMINISTRATIVE BOARD OF THE SESAR JOINT UNDERTAKING (SJU),

Having regard to:

1. Article 4.2 of the SJU Statutes, annexed to Council Regulation (EC) No 219/2007 of 27 February 2007, as last modified by Council Regulation (EC) No 1361/2008, establishing the SJU,
2. The Administrative Board decision of 1 December 2008 on "*voting rights at the Administrative Board*",
3. The Administrative Board provisional decision ADB(D)-7-2009 of 26 March 2009 on the award of the membership to the SJU candidate members (item 6b), decision confirmed by the formal adoption of the European Union's position by the European Commission on 28 April 2009, reference C(2009)(3040),
4. The Administrative Board decision ADB(D)-29-2009 of 14 December 2009 on the Report of the Executive Director on the award of the activities in the context of IBAFO2.

Whereas:

1. The contribution of the European Commission at the end of 2010 which amounted to EUR 420.0 million in terms of actual commitments - of which EUR 179.6 million paid - in front of an overall commitment of EUR 700 million,
2. The contribution of Eurocontrol at the end of 2010 which, taking into account the committed cash contribution and the results of IBAFO I and II awards and the results of the initiation phase at that date, amounts to EUR 598.1 million, in front of an overall commitment of EUR 700 million. At the end of 2010, EUR 42.2 million were recorded as contributions and EUR 26.2 million estimated as contributions to be validated,
3. The net contributions of the other SJU Members at the end of 2010 which, taking into account the committed cash and in kind contributions resulting from IBAFO I and II awards and the results of the initiation phase at that date amount to EUR 613.0 million. At the end of 2010, EUR 6.1 million were recorded as contributions and EUR 110.2 million estimated as contributions to be validated,
4. The fact that the value of cash and in kind contributions is subject to the provisions of Article 13 of the Multilateral Framework Agreement.
5. Out of 304 projects awarded through IBAFO I and II, 81% of the Projects entered the execution phase at the end of 2010,
6. As agreed by the Administrative Board in approving the Annual Work Plan 2011, an IBAFO III process will be launched during 2011 and concluded by year end. In preparation of this process the contributions of each Member as per Membership Agreements will be assessed to ensure their consistency with the deliverables to be achieved by the SESAR Programme,
7. Consequently, it appears pre-mature to bring any adjustment to the voting rights to take into account the effective contribution(s) of each member,

In its ordinary meeting of 29 March 2011, HAS DECIDED AS FOLLOWS:

Article 1

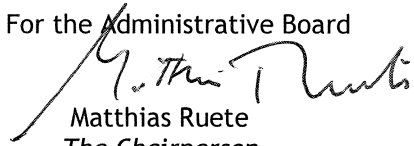
The voting rights allocated to the members of the SJU in accordance with Article 4.2 of SJU Statutes Article 9.2 of the Agreement between Eurocontrol and the SJU of 12 June 2009 and the Membership Agreements between the SJU and its other Members signed on 12 June 2009, are maintained as follows:

<u>Members</u>	<u>Total Net Contribution EUR</u>	<u>Voting rights</u>
European Union	700.000.000	31,12%
Eurocontrol	700.000.000	31,12%
Airspace Users	0	10,00%
AENA	38.229.532	1,70%
AIRBUS	57.135.108	2,54%
ALENIA	20.273.751	0,90%
DFS	37.765.865	1,68%
DSNA	35.365.585	1,57%
ENAV	37.251.347	1,66%
FREQUENTIS	16.443.707	0,73%
HONEYWELL	21.327.194	0,95%
INDRA	71.184.108	3,17%
NATMIG	20.918.226	0,93%
NATS	37.304.399	1,66%
NORACON	33.961.368	1,51%
SEAC	8.802.249	0,39%
SELEX	53.722.711	2,39%
THALES	134.529.876	5,98%
Total	2.024.215.026	100,00%

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

Done in Brussels, 29 March 2011.

For the Administrative Board



Matthias Ruete
The Chairperson