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ORGANISATION EUROPÉENNE POUR LA RECHERCHE NUCLÉAIRE
CERN EUROPEAN ORGANIZATION FOR NUCLEAR RESEARCH

COUNCIL

Two hundred-and-third Session
Geneva – 17 and 18 June 2021

RESTRICTED and OPEN COUNCIL

Participation by videoconference

SUMMARY OF CONCLUSIONS

LIST OF PARTICIPANTS

<u>President:</u>	Dr Ursula Bassler	France
<u>Participants:</u>	Dr Robert Müller Professor Jochen Schieck	Austria
	Dr Ir. Véronique Halloin Professor Dirk Ryckbosch	Belgium
	Professor Leandar Litov Professor Dimitar Tonev	Bulgaria
	Mr Branislav Gál Professor Rupert Leitner Mr Ondřej Novák	Czech Republic
	Mr Frej Dichmann Professor Jens Jørgen Gaardhøje	Denmark
	Professor Paula Eerola Mr Ossi Malmberg	Finland
	Mr Damien Brintet Professor Anne-Isabelle Etienvre	France
	Professor Klaus Desch Dr Volkmar Dietz Dr Martin Thomé	Germany
	Professor Konstantinos Fountas	Greece
	Ms Györgyi Juhász Professor Péter Lévai	Hungary
	H.E. Ms Meirav Eilon Shahaar Professor Marek Karliner	Israel
	Professor Cristina Biino Ms Marie-Sol Fulci Professor Antonio Zoccoli	Italy
	Professor Eric Laenen Ms Patricia Vogel	Netherlands
	Dr Liv Furuberg Professor Eivind Osnes	Norway
	Dr Dariusz Drewniak Ms Agnieszka Hardej-Januszek Professor Tadeusz Lesiak	Poland

Ms Ana Luis Nunes Barata Professor Mário Pimenta	Portugal
Dr Florin Buzatu	Romania
Professor Peter Adžić H.E. Mr Dejan Zlatanović	Serbia
Professor Stanislav Tokár	Slovakia
Professor Maria José García Borge Mr Juan Manglano Mr José Juan Sánchez Serrano	Spain
Professor Barbro Åsman Dr Mathias Hamberg Dr Mats Johnsson Professor Kerstin Jon-And	Sweden
Professor Günther Dissertori Dr Gregor Haefliger	Switzerland
Professor Jonathan Butterworth Ms Susie Kitchens Professor Mark Thomson	United Kingdom

Associate Member States in the Pre-stage to Membership:

Professor Panos Razis	Cyprus
Dr Mario Kadastik	Estonia
Professor Danilo Zavrtanik	Slovenia

Associate Member States:

Not represented	Croatia
Mr Sunil Ganju	India
Dr Aurelijus Rinkevicius	Lithuania
Professor Hafeez Hoorani Dr Zafer Yasin	Pakistan
Dr Orkun Hasekioglu Mr Ali Sezgin Isilak Ms Berna Yüksel	Turkey
Professor Borys Grynyov	Ukraine

Invited for Items on HL-LHC matters and on LHC matters

Dr Abid Patwa	Representatives of the USA
Dr Simona Rolli	

Invited for Item on LHC matters

Professor Yasuhiro Okada	Representatives of Japan
Mr Kosuke Terasaka	

Dr Andrey Romanov	Representatives of the Russian Federation
Professor Alexander Skrinsky	
Mr Aleksandr Sumbatian	

OPEN COUNCIL (Friday 18 June)

Above participants and

Ms Lia Karamali	Representative of the European Commission
Dr Nikolai Rusakovich	Representative of JINR
Not represented	UNESCO

Also Present:

Dr Umberto Dosselli	Chair of the Finance Committee
Professor Leonid Rivkin	Chair of the Scientific Policy Committee
Professor Karl Jakobs	Chair of ECFA

CERN Officials:

Dr Fabiola Gianotti	Director-General
Mr Raphaël Bello	Director for Finance and Human Resources
Dr Mike Lamont	Director for Accelerators and Technology
Professor Joachim Mnich	Director for Research and Computing
Ms Charlotte Warakaulle	Director for International Relations

CERN Services:

Ms Kirsten Baxter	Legal Counsel
Ms Lisa Morris	Minute-Writers
Mr John Pym	
Ms Sarah Waller	
Ms Vedrana Zorica	Council Secretariat

RESTRICTED COUNCIL

1. REPORT ON THE CREDENTIALS

(Item 1 of the Agenda)

The Council took note of the report by the Director-General, in her capacity as Secretary of the Council, to the effect that the credentials of all the delegations were in order.

2. MATTERS ARISING FROM THE PREVIOUS MEETING

(Item 2 of the Agenda)

- Report on the participation of CERN and its Member State partners in Horizon 2020 projects

The Council took note of the report submitted by CERN's EU Office and of the additional information provided by the President on other matters arising from the previous meeting.

3. ADOPTION OF THE AGENDA

(Item 3 of the Agenda) (CERN/3567)

The Agenda (CERN/3567) was adopted.

4. APPROVAL OF THE DRAFT MINUTES OF THE TWO-HUNDRED-AND-SECOND SESSION – RESTRICTED COUNCIL

(Item 4 of the Agenda) (CERN/3568/RA/Draft)

The Minutes of the Two-Hundred-and-Second Session of the Council, Restricted Council (CERN/3568/RA/Draft), were approved.

5. PRESIDENT'S REPORT

(Item 5 of the Agenda) (Oral)

- Briefing on CERN for new delegates on 9 April
- Virtual visit of CERN
- President's activities since the last Council Session

The Council took note of the President's report.

6. DIRECTOR-GENERAL'S REPORT

(Item 6 of the Agenda) (Oral)

- CERN and COVID-19
- Participation of CERN and the Member and Associate Member States in Horizon 2020
- Annual CERN-EC meeting
- Meeting with the US Department of Energy (DoE)
- Launch of CERN's Year of Environmental Awareness
- Protocol visits and events

The Council took note of the Director-General's report.

7. DEVELOPMENTS IN THE MEMBER STATES RELEVANT FOR CERN

(Item 7 of the Agenda) (Oral)

The Council took note of the information provided by the French, Israeli, Portuguese, Romanian and United Kingdom delegations.

8. AUDIT COMMITTEE

(Item 8 of the Agenda) (Oral)

- a) Report on the Audit Committee meeting held on 17 May 2021
(CERN/3577/RA)

The Council took note of the information set out in document CERN/3577/RA and of the oral report by Dr Dosselli, in his capacity as Audit Committee Chair, on the Committee's discussions at its meeting on 17 May 2021.

- b) Revised terms of reference of the CERN Audit Committee
(CERN/3561/Rev.)

The Council took note of the information set out in document CERN/3561/Rev. and of the presentation by Professor Ryckbosch in his capacity as a member of the Working Group to review the appropriateness of the Audit Committee's terms of reference, and unanimously decided to approve the revised terms of reference of the Audit Committee, as set out in Annex 1 of the document, for entry into force on 1 July 2021, together with the introduction of standard terms of appointment for the members of the Audit Committee, as set out in Annex 2 of the document.

The Council further took note that the revised terms of reference would cancel and replace the previous terms of reference of the Audit Committee, as set out in document CERN/3296/RA.

c) Questions to the AC

- Financial oversight of experiments hosted by CERN
(CERN/3578/RA)

The Council took note of the information set out in document CERN/3578/RA, of the introductory remarks by the President and of the comments made by delegations during the discussion, in particular that the Audit Committee should be invited to initiate a “critical friend review” of the financial management of the experiments, and decided, by 22 votes in favour with one abstention (Denmark), to request the Audit Committee to address the question set out in the document regarding the financial oversight of experiments hosted by CERN.

- Liability of the Member States in respect of the investment strategy of the CERN Pension Fund, as proposed by the Austrian delegation.
(CERN/3579/RA)

The Council took note of the information set out in document CERN/3579/RA and of the introductory remarks by the Austrian delegate, Professor Schieck, and decided, by 21 votes in favour with two abstentions (Finland, United Kingdom), to request the Audit Committee to address the questions set out in the document regarding the liability of the Member States in respect of the investment strategy of the CERN Pension Fund, as proposed by the Austrian delegation and seconded by the Belgian and Swedish delegations.

9. PROPOSED AMENDMENTS TO THE 11TH EDITION OF THE STAFF RULES AND REGULATIONS

(Item 9 of the Agenda) (CERN/FC/6498-CERN/3573)

- Staff Rule S VI 1.07 – Settlement of Disputes and Discipline

The Council took note of the information set out in document CERN/FC/6498-CERN/3573, of the presentation by the Head of the Human Resources department, Mr Purvis, and of the report by the Finance Committee Chair, Dr Dosselli, and, on the recommendation of the Finance Committee, unanimously decided to approve the proposed amendment to Staff Rule S VI 1.07, as set out in the document, for entry into force on 1 July 2021.

- Gender-inclusive language (English)

The Council further took note of the editorial changes made to the English version of the Staff Rules and Regulations to render the language used therein fully gender-inclusive, and that the updated version to be published on 1 July 2021 would include those changes.

10. MEDIUM-TERM PLAN FOR THE PERIOD 2022-2026 AND DRAFT BUDGET OF THE ORGANIZATION FOR THE SIXTY-EIGHTH FINANCIAL YEAR 2022

(Item 10 of the Agenda) (CERN/SPC/1158/Rev.-CERN/FC/6491/Rev.-CERN/3575)

- a) Comments from the Scientific Policy Committee
(CERN/3580/RA)
- b) Comments from the Finance Committee
(CERN/3581/RA)

The Council took note of documents CERN/SPC/1158/Rev.-CERN/FC/6491/Rev.-CERN/3575, CERN/3580/RA and CERN/3581/RA, of the presentation by the Director-General, and of the comments by the Chairs of the Scientific Policy Committee and the Finance Committee, Professor Rivkin and Dr Dosselli respectively, and, on the recommendation of the two committees, unanimously decided to:

- approve the overall strategy for the reference period as outlined in Chapter I of the document and elaborated upon in the Appendices (Chapter IV.1);
- approve the 2022 Draft Budget in 2021 prices, as set out in Chapter III.

The Council further took note of the resources plan for the years 2022 to 2026, as set out in Chapter II.

11. 2022 SCALE OF CONTRIBUTIONS BY THE MEMBER AND ASSOCIATE MEMBER STATES

(Item 11 of the Agenda) (CERN/FC/6502-CERN/3576)

The Council took note of document CERN/FC/6502-CERN/3576, of the introductory remarks by the Director for Finance and Human Resources, Mr Bello, and of the report by the Finance Committee Chair, Dr Dosselli, and, on the recommendation of the Finance Committee, unanimously decided to approve the percentage scale of contributions for 2022, as set out in Table 1 of the document, to be applied to the final Budget for 2022 in 2021 prices.

The Council further took note that the call-up of contributions would be sent out on 13 December 2021 to enable the Member and Associate Member States to make the necessary

arrangements for the settlement of the first instalment of their 2022 contributions by 10 February 2022 and the second instalment by 10 June 2022.

12. MAIN DELIVERABLES AND TIMELINE OF THE FCC FEASIBILITY STUDY

(Item 12 of the Agenda) (CERN/SPC/1161/RA-CERN/3588/RA)

The Council took note of the information set out in the document CERN/SPC/1161/RA-CERN/3588/RA, of the report by the leader of the FCC Feasibility Study, Dr Benedikt, and of the comments made by delegations during the discussion.

13. ORGANISATIONAL STRUCTURE OF THE FCC FEASIBILITY STUDY

(Item 13 of the Agenda) (CERN/SPC/1155/RA/Rev.-CERN/3566/RA/Rev.)

The Council took note of document CERN/SPC/1155/RA/Rev.-CERN/3566/RA/Rev., of the presentation by the Director for International Relations, Ms Warakulle, of the report by the Chair of the Scientific Policy Committee, Professor Rivkin, and of the comments by delegations during the discussion.

On the proposal of the Danish delegation, seconded by the Norwegian and Dutch delegations, that the steering committee be enlarged to include the President of the Council “in the capacity of an ex officio member with observer status”, the Council decided, by 15 votes in favour and 5 against (Germany, Greece, Italy, Slovakia, Switzerland), with 3 abstentions (France, Romania, United Kingdom), to amend the document accordingly.

The Council unanimously decided to approve the proposed organisational structure for the Feasibility Study of the Future Circular Collider, set out in document CERN/SPC/1155/RA/Rev.-CERN/3566/RA/Rev., as amended.

14. CERN PENSION FUND

(Item 14 of the Agenda)

- Report by the Chair of the Pension Fund Governing Board (PFGB)
(Oral)

The Council took note of the oral report by the Chair of the PFGB, Mr Malmberg, on the items discussed by the Governing Board at its meetings on 15 April and 27 May 2021.

15. MANDATE OF THE LABORATORY DIRECTORS GROUP (LDG)

(Item 15 of the Agenda) (CERN/3557/RA/Rev.)

The Council took note of document CERN/3557/RA/Rev. and of the presentation by the Chair of the Large Particle Physics Laboratory Directors Group (LDG), Professor Newbold, and unanimously decided to approve the mandate of the LDG, for entry into force on 1 July 2021.

16. REPORT ON NON-LHC EXPERIMENTS

(Item 16 of the Agenda) (Oral)

The Council took note of the presentation by the Director for Research and Computing, Professor Mnich, on the non-LHC experiments, covering the status of the LBNF/DUNE cryostats to be provided by CERN, the conclusions of the technical and financial review of the cryostats, activities at the Neutrino Platform, the schedule for the non-LHC experimental programme and the invitation to CERN to become an associate member of the Nuclear Physics European Collaboration Committee (NuPECC).

17. HL-LHC MATTERS

(Item 17 of the Agenda)

a) Report on the LIU and HL-LHC projects and EVM

(Oral)

The Council took note of the presentation by the Director for Accelerators and Technology, Dr Lamont, on progress with the work packages for the High-Luminosity LHC (HL-LHC) project, and on the project's earned-value management (EVM) status, notably a negative schedule variance of 3.8 months, mainly linked to the COVID-19 pandemic, with approximately 52% of the cost to completion remaining to be committed.

b) Status report on Phase II upgrades

(Oral)

The Council took note of the status report on the Phase II upgrades of the ATLAS and CMS detectors, presented by the Director for Research and Computing, Professor Mnich, and in particular of his conclusion that it was currently too early to assess the full impact of the COVID-19 pandemic on the upgrade schedules, which would be reviewed at dedicated meetings throughout the second half of 2021.

18. LHC MATTERS

(Item 18 of the Agenda)

a) Status of the accelerator complex

(Oral)

The Council took note of the presentation by the Director for Accelerators and Technology, Dr Lamont, on the accelerator complex, in particular the impressive ramp-up of the injectors following the LHC Injectors Upgrades (LIU) and the progressive restart of physics, the status of the LHC cool-down and dipole magnet training and the decision to reduce the target beam energy to 6.8 TeV, and the latest LHC schedule, providing for beam tests in October 2021 and full recommissioning from 21 February 2022.

b) Status Report on the LHC Experiments and Computing

(Oral)

The Council took note of the presentation by the Director for Research and Computing, Professor Mnich, covering selected physics highlights, the status of preparations for Run 3, the installation of two new experiments, FASERnu and SND@LHC, and the status of LHC computing, in particular the impact of the ongoing worldwide shortage of silicon semiconductors.

The Council further took note of the oral reports by the Chair of the Scientific Policy Committee, Professor Rivkin, and the Chair of the Finance Committee, Dr Dosselli, on the committees' discussions of LHC matters at their meetings earlier in the week.

The Council congratulated all the teams involved in the work on the accelerator complex and the experiment upgrades on the impressive progress achieved.

OPEN COUNCIL

19. APPROVAL OF THE DRAFT MINUTES OF THE TWO-HUNDRED-AND-FIRST SESSION ON 11 DECEMBER 2020 – OPEN COUNCIL

(Item 19 of the Agenda) (CERN/3582/Corr./Draft)

The Minutes of the Two-Hundred-and-First Session of the Council, Open Council (CERN/3582/Corr./Draft), were approved.

20. REPORT BY THE CHAIR OF THE SCIENTIFIC POLICY COMMITTEE

(Item 20 of the Agenda)

The Council took note of the report by the Scientific Committee Chair, Professor Rivkin, on matters discussed at the June meeting of the Scientific Policy Committee not addressed under other items of the Agenda.

21. REPORT BY THE CHAIR OF THE FINANCE COMMITTEE

(Item 21 of the Agenda) (Oral)

The Council took note of the report by the Finance Committee Chair, Dr Dosselli, on matters discussed at the June meeting of the Finance Committee not addressed under other items of the Agenda.

22. ANNUAL PROGRESS REPORT FOR 2020

(Item 22 of the Agenda) (CERN/SPC/1152/Rev.-CERN/FC/6472/Rev.-CERN/3553/Rev.)

The Council took note of:

- the information set out in document CERN/SPC/1152/Rev.-CERN/FC/6472/Rev.-CERN/3553/Rev. and of the presentation by the Director for Finance and Human Resources, Mr Bello;
- the oral reports by Professor Rivkin, Chair of the Scientific Policy Committee, and by Dr Dosselli in his capacities as Chair of the Finance Committee and Chair of the Audit Committee, on the outcome of those committees' examination of the 2021 Annual Progress Report at their meetings in May and June 2021;

and, on the recommendation of the Finance Committee, unanimously decided to approve the 2020 Annual Progress Report, as set out in document CERN/SPC/1152/Rev.-CERN/FC/6472/Rev.-CERN/3553/Rev.

23. FINANCIAL STATEMENTS OF CERN

(Item 23 of the Agenda)

- a) Financial Statements for 2020
(CERN/FC/6494-CERN/3569)

- b) Opinion and report from the External Auditors on the Financial Statements of CERN for the year ended 31 December 2020 and comments from the CERN Management
(CERN/FC/6495-CERN/3570)

The Council took note of:

- documents CERN/FC/6494-CERN/3569 and CERN/FC/6495-CERN/3570;

- the presentations by Mr Bello, Director for Finance and Human Resources, by Ms Laurila from the National Audit Office of Finland on the External Auditors' opinion and report on the Financial Statements of CERN for the year ended 31 December 2020, and by Dr Dosselli, in his capacities as Chair of the Finance Committee and Chair of the Audit Committee, on the outcome of those committees' examination of CERN's 2020 Annual Report and Financial Statements at their meetings in May and June 2021;

and, on the recommendation of the Finance Committee, unanimously decided:

- to approve the Financial Statements of CERN for the 2020 financial year, as set out in document CERN/FC/6494-CERN/3569; and

- to grant discharge to the Director-General.

24. ANNUAL REPORT AND FINANCIAL STATEMENTS OF THE CERN PENSION FUND

(Item 24 of the Agenda)

- a) Annual Report and Financial Statements for the Year Ended 31 December 2020
(CERN/FC/6496-CERN/3571)

- b) Opinion and Report from the External Auditors on the Financial Statements of the Pension Fund for the Year Ended 31 December 2020 and Comments from the CERN Pension Fund Management
(CERN/FC/6497-CERN/3572)

The Council took note of:

- documents CERN/FC/6496-CERN/3571 and CERN/FC/6497-CERN/3572;
- the presentations by the acting Chief Executive Officer of the Pension Fund, Dr Manola-Bonthond, by Ms Laurila from the National Audit Office of Finland on the External Auditors' opinion and report on the Annual Report and Financial Statements of the Pension Fund for the year ended 31 December 2020, and by Dr Dosselli, in his capacities as Chair of the Finance Committee and Chair of the Audit Committee, on the outcome of those committees' examination of the Fund's 2020 Annual Report and Financial Statements at their meetings in May and June 2021;

and, on the recommendation of the Finance Committee, unanimously decided:

- to approve the Annual Report and Financial Statements of the CERN Pension Fund for the 2020 financial year, as set out in document CERN/FC/6496-CERN/3571; and
- to grant discharge to the Chief Executive Officer.

25. CONFIRMATION OF THE ACCESS STATUS OF THE DOCUMENTS ON THE AGENDA

(Item 25 of the Agenda)

The Council unanimously decided to remove the restricted access status of documents:

- CERN/3588/RA (FCC Feasibility Study: Main Deliverables and Milestones);
- CERN/3566/RA/Rev. (FCC Feasibility Study: Proposed Organisational Structure), as amended on the present occasion;
- CERN/3557/RA/Rev. (Mandate of the Large Particle Physics Laboratory Directors Group);

and thus make them “public”, pursuant to Rule 10 (b) of the Council Rules of Procedure, and to confirm the access status of the other documents as shown on the Agenda.

26. OTHER BUSINESS

(Item 26 of the Agenda)

- Thanks and farewell to departing Council delegates and other participants
- Invitation to the Science Gateway First-Stone Ceremony on 21 June 2021

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