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ORGANISATION EUROPEENNE POUR LA RECHERCHE NUCLEAIRE
CERN EUROPEAN ORGANIZATION FOR NUCLEAR RESEARCH

HUNDRED AND FIFTY-THIRD SESSION OF COUNCIL
Geneva – 18 December 2009

OPEN SESSION

DRAFT MINUTES

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LIST OF PARTICIPANTS

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| <u>President:</u> | Prof. T. Åkesson | Sweden |
| <u>Participants:</u> | Prof. G. Herten | (Vice-President of Council) Germany |
| | Prof. B. Sitar | (Vice-President of Council) Slovakia |
| | Mr J. Spitzer Dr D. Weselka | Austria |
| | Mrs M. Deneffe Prof. W. Van Doninck | Belgium |
| | Mr V. Bojkov H.E. Amb. G. Ganev | Bulgaria |
| | H.E. Amb. J. Kolin Mr J. Stepanek | Czech Republic |
| | Prof. H. Bøggild | Denmark |
| | Dr P. Pulkkinen Prof. D.O. Riska | Finland |
| | Mrs M-C. Bourguignon Prof. M. Spiro | France |
| | Mr A. Drechsler Dr B. Vierkorn-Rudolph | Germany |
| | Prof. E. Gazis Mr G. Petmezakis | Greece |
| | Prof. G. Vesztergombi | Hungary |
| | Prof. F. Ferrini Prof. R. Petronzio | Italy |
| | Prof. F. Bais Mr C.J. Van Riel | Netherlands |
| | Dr B. Jacobsen Prof. E. Osnes | Norway |

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| Mrs M. Cichucka Prof. M. Turala Prof. M. Waligorski Mrs L. Wiszczor | Poland |
| Prof. G. Barreira Mr J. Guedes de Sousa | Portugal |
| Mr A. Fric | Slovakia |
| Prof. C. Pajares Vales | Spain |
| Prof. B. Åsman Prof. M. Johnsson | Sweden |
| Mr A. Evequo Mr B. Moor Dr J.P. Ruder Prof. U. Straumann | Switzerland |
| Mr P. Williams | United Kingdom |

OBSERVERS

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|---|---|
| Dr L. Karapiperis | Representative of the European Commission |
| Mr P. Kumar | Representative of India |
| Prof. E. Rabinovici | Representative of Israel |
| Mr H. Ishikawa Mr H. Kamiyama Mr K. Saito Mr Y. Takada Prof. K. Tokushuku | Representatives of Japan |
| Mr A. Petrov Prof. A.N. Skrinsky | Representatives of the Russian Federation |
| Mr T. Akbas H.E. Amb. H. Akil H.E. Amb. A. Üzümcü Ms M.S. Sancar | Representatives of Turkey |
| Dr S. Gonzales Dr D. Kovar Dr M. Pripstein | Representatives of the USA |
| Mr L. Tiburcio | Representative of UNESCO |

Also Present:

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|--------------------|---|
| Prof. E. Fernandez | Chairman of the Scientific Policy Committee |
| Prof. T. Nakada | Chairman of ECFA |
| Dr M. Steinacher | Chairman of the Finance Committee |
| Prof. S. Stapnes | Scientific Secretary |

CERN Officials:

| | |
|---------------------|--|
| Prof. R-D. Heuer | Director-General |
| Prof. S. Bertolucci | Director for Research and Computing |
| Mr S. Lettow | Director for Administration and General Infrastructure |
| Dr S. Myers | Director for Accelerators and Technology |
| Prof. F. Pauss | Coordinator for External Relations |

CERN Services:

| | |
|--------------------------|---------------------|
| Dr E.M. Gröniger-Voss | Legal Counsellor |
| Mr E. Friesen | Minute-writers |
| Mr J. Pym | |
| Mrs B. Van der Stichelen | Council Secretariat |

OPEN SESSION

The meeting resumed in Open Session at 9:30 a.m. on Friday, 18 December 2009.

The PRESIDENT welcomed the observers: Dr L. Karapiperis of the European Commission, Mr P. Kumar of India, Professor E. Rabinovici of Israel, Professor K. Tokusyuku, Mr H. Kamiyama, Mr Y. Takada, Mr H. Ishikawa and Mr K. Saito of Japan, Professor A. Skrinsky and Mr Petrov of the Russian Federation, H.E. A. Üzümcü, H.E. H. Akil, Mr T. Akbas and Ms S. Sancar of Turkey, Dr D. Kovar, Dr S. Gonzalez and Dr M. Pripstein of the United States, and Mr L. Tiburcio of UNESCO. Apologies had been received from Minister A. Fursenko of the Russian Federation, Mr R.-J. Smits of the European Commission, H.E. H.A. Rao of India, and Ms I. Bukova and Mr Erdelen of UNESCO.

The PRESIDENT explained that, in place of the LHC status report that usually figured on the agenda of the Open Session, detailed public presentations on the LHC machine and experiments would be made in the auditorium after the meeting.

1. STATUS REPORT BY THE DIRECTOR-GENERAL

(Item 1 of the Agenda)

The DIRECTOR-GENERAL presented his report on the main events at CERN over the last six months.

- The highlight of the year was the successful restart of the LHC, the fruit of the extensive repair, consolidation and commissioning work carried out over the preceding fifteen months. The machine achieved a centre-of-mass energy of 2.36 TeV in only three weeks, exceeding all expectations. The smooth functioning of the experiments is gratifying to observe.
- Before increasing the cms energy to 7 TeV, a technical stop until approximately mid-February 2010 will be used to effect certain hardware repairs required for the machine and one of the experiments, and to complete adaptation and commissioning of the extensively revamped main quench protection system.
- Fixed-target physics had a successful year, with nTOF, CNGS and COMPASS, in particular, benefiting from receiving a larger number of protons on target than CERN had promised at the outset. Encouraged by this, the experiments have submitted

significantly higher requests for protons in 2010, which CERN will be unable to meet. Talks are being held to determine realistic targets.

- On 3-4 December 2009 CERN organised a symposium to mark 50 years of Proton Synchrotron operation. The list of eminent speakers included thirteen Nobel laureates. The symposium served to review many of the highlights in the Laboratory's history, and provided an excellent opportunity for attracting numerous young researchers.
- CERN is pursuing its activities in the realm of physics training and education, cooperating closely with UNESCO to extend these opportunities to teachers in Africa, in particular. A teachers' workshop in Portuguese has been held, with keen participation from Mozambique and Brazil. Participants from Rwanda had joined a workshop on digital libraries.
- Public awareness of CERN received a boost from the press coverage of the resumption of LHC operations. Thus, a surge in applications via the electronic recruitment page has been observed following major events at the collider. Among the applicants, the physicists are outnumbered by engineers, polytechnic graduates and technicians, confirming that CERN is viewed as a major centre for innovation as well as a bastion of research. CERN's new Graduate Engineer Training Programme, modelled on the Fellowship Programme, positions the Organization well to capitalise on this development and enhance its status in the engineering world.
- In September 2009, the working group set up by the Council to study the expansion of CERN's scientific and geographic scope met with representatives of eight important non-Member States. CERN followed up that meeting with individual consultations, the outcome of which confirmed that there would be significant interest in Associate Membership, in particular, if the balance of rights versus obligations could be made more favourable.
- The Organization's next Medium-Term Plan, for 2011-2015, will be elaborated over the coming five months, with the intention of presenting a draft MTP to the Scientific Policy Committee at its May meeting. The MTP will cover CERN's ongoing objectives and new initiatives, the foremost priority being to ensure that the benefits of LHC operation, expressed in terms of usable integrated luminosity, are maximised during that time for the benefit of physics.

In closing, the DIRECTOR-GENERAL observed that the halt in LHC operations coincided with the World Economic Forum, scheduled to take place in Davos, Switzerland during that period. It was an excellent and unique opportunity to acquaint an influential

audience with the Laboratory, and he invited delegations to communicate CERN's readiness to conduct visits to the LHC's underground facilities for WEF participants from their countries.

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

2. REPORT ON THE DECISIONS TAKEN AT RESTRICTED AND CLOSED SESSIONS

(Item 2 of the Agenda) (President – Oral)

The PRESIDENT presented his report¹ on the decisions taken at the Council's Restricted, Closed and European Strategy Sessions in September and its Restricted and Closed Sessions in December 2009, including the election of the new Council President, Professor Michel Spiro, who would take up his office on 1 January 2010.

Dr KARAPIPERIS delivered a statement² from the European Commission, complimenting the President on his successful conduct of the Council's business over the past three years and congratulating Professor Spiro on his election.

H.E. Mr AKIL delivered a statement in which he noted the decision taken by the Council on the status of the pending applications for membership, which included Turkey's. His country had been hoping for a more precise roadmap and timetable for the application process following its submission of 16 March 2009. For nearly 50 years, Turkey and CERN had enjoyed an excellent partnership, developing extensive collaboration networks between CERN and Turkish universities and industry. His country was grateful for the tributes and acknowledgements it had received for the work of the numerous Turkish scientists and engineers working on CERN experiments and projects, including ATLAS, CMS and ALICE. He expressed his confidence that the successful history of that cooperation would culminate in full membership for his country in the near future.

¹ See Annex 1

² See Annex 2

3. REPORT BY THE CHAIRMAN OF THE FINANCE COMMITTEE

(Item 3 of the Agenda) (Oral)

Dr STEINACHER reported on the Finance Committee's meetings on 16 September, 11 November and 16 December 2009, confining his remarks to issues not covered by other items of the agenda.

- Member State contributions: The situation with outstanding Member State contributions for 2009 had not improved significantly since the last report to the Open Session. Some 35.1 MCHF remained to be paid, and Member States were urged to pay the amounts in arrears before the end of the year.
- TREF: The Committee had heard a report from the Chairman of TREF on that body's 21-22 October meeting.
- Pension Fund: The Finance Committee had received the White Paper prepared by the Pension Fund Governing Board on funding principles and policy and measures to restore full funding, and taken note of the update provided by the General Manager on the Fund's financial situation in 2009. The Committee had also taken note of the report from the Chairman of the Governing Board on the Board's activities in 2009 and its workplan for 2010, which included the three-yearly actuarial review of the Fund's position.
- Purchasing matters: At the three meetings in question, the Finance Committee had approved a total of sixteen contracts.
- LHC matters: The Committee had taken note of an update provided by the Director for Administration and General Infrastructure for the consolidated LHC repair costs, amounting to some 43 MCHF, comprising direct repair costs, replenishment of spare parts and consolidation undertaken in response to the September 2008 accident (including the improved quench protection system and pressure relief valves). The Committee had taken note of presentations on the LHC repairs, initial operations and data taking, expressing its approval and appreciation for the major efforts that had been made since the 2008 incident.
- Calculation of scale of contributions: The ongoing discussions of this subject throughout 2009 led to the Committee's adoption in December of "Option B" and extensive discussion of two implementation scenarios, one with and one without transition arrangements. As the Committee was unable to reach agreement on either of the two scenarios, it recommended the Council to implement Option B for 2013 at the

latest, and to continue efforts to find consensus on the implementation for the interim period.

- CERN audits: Having studied the proposal to revise the terms of reference of the CERN Audit Committee and change its name to Standing Advisory Committee on Audits, the Committee recommended the Council to change the name and remit of the CAC.

He ended by thanking the Council members, and in particular the outgoing Council President, for their unfailing support and for the confidence shown in electing him to chair the Committee for an additional year in 2010.

The Council took note of the report by the Chairman of the Finance Committee.

4. 2010 BUDGET – SCALE OF CONTRIBUTIONS

(Item 4 of the Agenda) (CERN/FC/5382–CERN/2875)

Introducing document CERN/FC/5382–CERN/2875, Mr LETTOW, the Director for Administration and General Infrastructure, explained that the scale of contributions in Table 1 had been calculated for 2010 following the existing method.

Dr STEINACHER reported that the Finance Committee at its September meeting had unanimously decided to recommend the Council to approve the use of the existing method for calculating the scale of contributions for 2010, and in November had decided, by a vote of seventeen to one, to recommend the Council to approve the scale of contributions in Table 1 of the document.

The Council took note of the information set out in document CERN/FC/5382 - CERN/2875, of the presentation by the Director for Administration and General Infrastructure, Mr Lettow, and of the report by the Chairman of the Finance Committee, Dr Steinacher, and, on the recommendation of the Finance Committee, decided, by seventeen votes in favour with two abstentions (Slovakia, Spain)³, to approve the scale of contributions for 2010 set out in Table 1 of the document.

³ Hungary was not represented at the meeting.

5. THE COST-VARIATION INDEX FOR 2010

(Item 5 of the Agenda) (CERN/FC/5345/Rev.2 - CERN/2877)

Mr LETTOW, in presenting document CERN/FC/5345/Rev.2 - CERN/2877, confirmed that the cost-variation indices for 2010 had been calculated using the method approved in 2006.

Dr STEINACHER reported that in September the Finance Committee had received a preliminary update on CVI developments, consisting essentially of a 0.8% rise in electricity spending. At its November meeting the Committee had examined the 2010 indices set out in the present document, noted that the effect of the overall CVI, at 1.16%, was well within the 0%-2% corridor approved by the Council in June 2009 for the 2010-2012 period, and recommended those indices to the Council for its approval.

The Council took note of the information set out in document CERN/FC/5345/Rev.2 - CERN/2877, of the presentation by the Director for Administration and General Infrastructure, and of the report by the Chairman of the Finance Committee, and, on the recommendation of the Finance Committee, decided, by eighteen votes in favour with one abstention (Czech Republic), to approve for 2010:

- a basic salary and stipend index of 1.6% and a subsistence allowances and benefits index of 0.0% (bringing the overall personnel cost variation index to 1.38%);
- a materials cost variation index of 0.96%.

On the recommendation of the Finance Committee, the Council further decided, by unanimous vote of the delegations present, to approve for 2010:

- an overall cost variation index of 1.16%;
- indexation of Member State contributions of 1.16%.

6. BUDGET OF THE ORGANIZATION FOR THE FIFTY-SIXTH FINANCIAL YEAR 2010

(Item 6 of the Agenda) (CERN/FC/5397 - CERN/2879)

Mr LETTOW introduced document CERN/FC/5397 - CERN/2879, giving the updated figures for the Organization's 2010 Budget which the Council had approved, in 2009 figures, at its June session. The tabled revised version took account of the adjustment to 2010 prices, the decision under the previous item to index Member States' contributions by

1.16%, and the carry-forwards from 2009 to 2010, in line with the Financial Rules. The information concerning the new computing centre and the new auditorium, which could only be financed with external loans, would be updated by the March 2010 Council session. The staffing ceiling of 2250 positions would be strictly respected in 2010. Turning to the 2009 Budget, he noted that the 43 MCHF provision that had been made in the 2009 Budget for LHC repairs had stood the Organization in good stead, covering approximately one half of the additional costs incurred in that year. The probable out-turn for the year was in line with the estimates presented to the Council at its June and September sessions.

Dr STEINACHER reported that the Finance Committee had taken note of the updated budget and of the explanations provided by the Director for Administration and General Infrastructure of the modifications made with respect to the draft Budget.

The Council took note of the Budget of the Organization for the fifty-sixth financial year 2010, adjusted to 2010 prices, as set out in document CERN/FC/5397 - CERN/2879, of the presentation by the Director of Administration and General Infrastructure, and of the report by the Chairman of the Finance Committee.

7. ADJUSTMENT OF PENSIONS FOR 2010

(Item 7 of the Agenda) (CERN/FC/5384 - CERN/2878)

Professor FERRINI, speaking in his capacity as Chairman of the Governing Board of the Pension Fund, said that the tabled document contained the Board's recommendation to have a 0% adjustment to pensions, fixed benefits and allowances in 2010. He explained that the effect that such an adjustment in a period of deflation would have on purchasing power would be taken into account in the calculation of the accumulated loss of purchasing power pursuant to paragraph (b) of Annex C of the Pension Fund Rules and Regulations.

Dr STEINACHER reported that the Finance Committee had taken note of the explanation provided by the Governing Board and had unanimously agreed to the proposal to have a zero adjustment for 2010 on that basis.

The Council took note of the information set out in document CERN/FC/5384 - CERN/2878 and of the report by the Chairman of the Finance Committee.

Noting the considerations set out in the document and in particular the Governing Board's affirmation that the effective increase of 0.8% in pensioners' purchasing power resulting from application of the proposed 0% adjustment would be included in the Pension Fund's calculation of the accumulated loss of purchasing power provided for under

paragraph (b) of Annex C of the Pension Fund Rules and Regulations, the Council decided, by unanimous vote of the delegations present, to approve the Governing Board's proposal set out in the document to adjust pensions, fixed benefits and allowances by 0% with effect from 1 January 2010.

8. REPORT BY THE CHAIRMAN OF THE SCIENTIFIC POLICY COMMITTEE
(Item 8 of the Agenda) (Oral)

Professor FERNANDEZ, speaking in his capacity as Chairman of the Scientific Policy Committee, reported on the items that had dominated the Committee's work in 2009⁴. Thus, the SPC had heard regular reports on the status of the LHC machine and experiments, with the aim of giving the Council an independent assessment. The Management's work on the Medium-Term Plan and on the Annual Progress Report had been reviewed at the SPC's March and June meetings, with the findings reported to the Council in June. Two reports from the neutrino panel had been heard, and a preliminary draft reply to the question that the Council had addressed to the SPC on the subject had been formulated. The SPC had also heard reports on the further prospects for non-LHC particle physics at CERN and examined plans for future linear collider construction and research and for TIARA, a proposed Europe-wide network for cooperation on accelerator R&D. The SPC had provided opinions on projects being proposed for recognition under the European Strategy for Particle Physics, and reviewed the recognition process itself. An opinion had also been formulated on the scientific and geographical enlargement process. Finally, the SPC had conducted the annual exercise of identifying, vetting and recommending candidates for SPC membership to replace outgoing members. He concluded his report by thanking the Council members, in particular the departing delegates and the Council President, for the highly productive and collegial working environment they had fostered.

The Council took note of the oral report by the Chairman of the Scientific Policy Committee.

⁴ See Annex 3

9. REPORT BY THE SCIENTIFIC SECRETARY

(Item 9 of the Agenda) (Oral)

Professor STAPNES, speaking in his capacity as Scientific Secretary, reported on the activities of the European Strategy Session of Council and the work of the Strategy Secretariat in the past year and indicated how they fitted into the European Strategy for Particle Physics.⁵ He provided an outlook on the work programme for 2010, dominated by the expectation of important new research results that could be achieved before the end of the year, from LHC operations and neutrino experiments. The detailed timeline for the first regular update of the European Strategy for Particle Physics should be discussed at the Council's March 2010 session, but it seemed clear already that it would be premature to strive for the update to be completed in 2011. Given that the physics work at the LHC would just be getting under way in 2010, and that it would be necessary to convene the full strategy group at least one year in advance of the update, it would be more prudent to envisage the update in 2012. That would still be in line with the Council's decision to perform updates at intervals of five years or more. Finally, he wished to pay tribute to the enormous contribution that Professor Åkesson, as one of the co-chairmen of the Strategy Group, had made to the elaboration of the European Strategy for Particle Physics, and, as President of the first eight European Strategy Sessions of the Council in 2008 and 2009, to the implementation of that Strategy.

The Council took note of the oral report by the Scientific Secretary.

10. REPORT BY THE CHAIRMAN OF ECFA

(Item 10 of the Agenda) (Oral)

Professor NAKADA presented his oral report on ECFA's activities in 2009.⁶

The Council took note of the oral report by the Chairman of ECFA.

11. OTHER BUSINESS

(Item 11 of the Agenda)

- Departure of two Council delegates

⁵ See Annex 4

⁶ See Annex 5

The PRESIDENT announced that two Council delegates, Dr J.-P. Ruder from the Swiss delegation and Professor G. Herten from the German delegation, would be leaving the Council at the end of the present session. He expressed his appreciation for the extensive and thoughtful contributions made by Dr Ruder in the course of the 50 Council sessions he had attended as delegate from Switzerland. In particular, he had performed valuable service as a member of the working group on the review of the tasks and working methods of CERN's governing bodies and committees and, more recently, the working group on the scientific and geographical enlargement of CERN. Professor Herten, who was attending his 30th session, had earned broad appreciation for the expertise he had brought to his service on the Council as delegate from Germany, as Council Vice-President, and as chairman of the Working Group on Organizational Issues related to the European strategy for Particle Physics.

- End of Professor T. Åkesson's term of office as President of the CERN Council

The DIRECTOR-GENERAL paid tribute to the dynamic and constructive leadership of Professor T. Åkesson as President of the CERN Council over the previous three years, and praised his accomplishments in the service of particle physics.

Professor ÅKESSON thanked the members of the Council Secretariat, CERN's Legal Service and the Translation and Minutes Group for their support throughout his term of office as President of the CERN Council. He expressed his appreciation for the privilege of working with the Director-General and his predecessor, Professor R. Aymar. He also expressed his gratitude to the chairmen of the Finance Committee and the Scientific Policy Committee, the Scientific Secretary, and the two Vice-Presidents of the Council for the cordial working relationship. He concluded by emphasising how much he had enjoyed and appreciated the unfailingly constructive atmosphere in the Council, and said that he viewed CERN as a paragon of European cooperation.

Applause.

Professor SPIRO said that he was grateful for the extensive opportunities he had had to work with Professor Åkesson over many years, covering notably the ATLAS collaboration and the work of the Preparatory Group that had organised the Zeuthen workshop and laid the foundations for the European Strategy for Particle Physics in 2006. He paid tribute to the openness with which Professor Åkesson, upon being elected Council President in 2006, had set out his objectives for the coming three-year period, and the diligence with which he had pursued them. Finally, he expressed his appreciation for the transition file that Professor Åkesson had prepared, summarising the advice and experience

that he wished to share with the new President. The initiative was a laudable one and he had every intention of perpetuating it. The legacy of past incumbents' expertise would not only benefit future presidents but also enhance the effectiveness of the Council, and thereby strengthen the commitment of the Member States to the Organization.

The meeting rose at 11:45 a.m.

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Immediately after the end of the meeting, the Council delegations and Observers attended a seminar in the Main Auditorium at which the Director for Accelerators and Technology, Dr Myers, and the spokesmen of the LHC collaborations made a public presentation of the initial results following the restart of the LHC.

CERN/2891/Draft
Annex 1

Report by the President of Council

CERN/2891/Draft
Annex 2

Statement by Dr L. Karapiperis, European Commission

CERN/2891/Draft
Annex 3

Report by the Chairman of the Scientific Policy Committee

Report by the Scientific Secretary

CERN/2891/Draft
Annex 5

Report by the ECFA Chairman