



## KM3NeT INFRADEV – H2020 – 739560

### Connecting the KM3NeT project with the Ministries

#### KM3NeT INFRADEV GA DELIVERABLE: 2.2.

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#### Abstract

The activities in WP2 aim to build comfort and consensus on the legal framework and the governance structure of KM3NeT with the assumption that the legal entity will be an European Research Infrastructure Consortium (ERIC). In this document the approach taken by WP2 is described. The activities deviate from the original D2.2 description in the Grant Agreement in that we have not obtained permission to make public minutes of meetings with the ministries. In this document, we report openly on the progress and activities of the ERIC working group and the results towards the final deliverable of WP2, i.e. to develop the draft Statutes and to guide the request to the European Commission (EC) to establish an ERIC.

## I. COPYRIGHT NOTICE

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## II. DELIVERY SLIP

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## III. DOCUMENT LOG

Issue	Date	Comment	Author/Partner
1	20 February 2019	First draft	M. Roelofs / NWO-I
2	18 April 2019	Final version	M. Roelofs / NWO-I
3			
4			

## IV. APPLICATION AREA

This document is a deliverable showing progress towards the formal objective of the Grant Agreement of the project. It provides insight to all members of the KM3NeT INFRADEV project, beneficiaries and third parties, as well as its collaborating projects.

## V. LIST OF TABLES

Table 1. in section 4. with an updated timeline.

**No table of figures entries found.**



## VI. PROJECT SUMMARY

KM3NeT is a large Research Infrastructure that will consist of a network of deep-sea neutrino telescopes in the Mediterranean Sea with user ports for earth and sea sciences. Following the appearance of KM3NeT on the ESFRI roadmap 2016 and in line with the recommendations of the Assessment Expert Group in 2013, the KM3NeT-INFRADEV project addresses the Coordination and Support Actions (CSA) to prepare a legal entity for KM3NeT, thereby providing a sustainable solution for the operation of the Research Infrastructure during ten (or more) years. The project is carried out within the context of the current KM3NeT Collaboration which already has a provisional implementation of the management and governance of the Research Infrastructure in place.

## VII. EXECUTIVE SUMMARY

The primary objective of work package 2 is to establish a legal entity for the KM3NeT 2.0. Research Infrastructure. The preferred implementation is that of an European Research Infrastructure Consortium (ERIC), with its seat in the Netherlands at the Amsterdam Science Park. The activities in this work package cover networking and legal tasks to establish a KM3NeT legal entity.

This document is a report on the approach taken to establish an ERIC working group (EWG) where the Ministries and the science community are brought together. The ERIC working group establishes a forum of representatives of the political authorities and the KM3NeT Collaboration, where steps towards the ERIC are discussed and proposed solutions formulated.

Based on experience with other ERICs and growing insight, it was decided to amend the deliverable D2.2. to a report on the approach taken to connect the KM3NeT project with the Ministries, instead of the original deliverable to produce the minutes of the meetings with the European Commission and the Dutch Ministry. This decision was made right at the start of the INFRADEV project.

The implementation of an ERIC legal framework is regulated by European Law. According to the EU Regulation, the ERIC is to be established by the European Commission on request of at least three EU Member States. The ERIC legal framework would provide the KM3NeT project with high and long-term visibility, support and robustness.

For this reason, the KM3NeT ERIC working group, comprising representatives of the ministries and the KM3NeT Collaboration, was set up in June 2017. A few months later its legal support team was set up after a call on the EWG members to nominate a legal experts. The objective of this ERIC working group is to agree on a sustainable governance structure of an ERIC legal entity for KM3NeT and to submit an application for the establishment of a KM3NeT ERIC. The legal support team provides advice on legal topics and arising issues. The activities of the KM3NeT ERIC working group and its legal support team are explained in more detail in chapter 2.



After the EWG's first meeting the EWG realised that it was essential to ensure an effective communication link with the main bodies in the KM3NeT project. The representatives of these KM3NeT bodies have received a standing invitation to the EWG meetings.

At this moment, the discussions in the EWG are heading towards consensus on the governance structure of the ERIC. Following the consensus in the EWG on all the documents for submission, an opportunity will be provided to join the formal ERIC-request for other Member states/Ministries. We are confident to initiate the (informal) request to the EC, but our timeline for the formal request is critical.



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# 1. Introduction

The primary objective of work package 2 is to establish a legal entity for the KM3NeT 2.0. Research Infrastructure. The preferred implementation is that of an ERIC, European Research Infrastructure Consortium, with its seat in the Netherlands at the Amsterdam Science Park. The activities in this work package cover networking activities and legal tasks to establish a KM3NeT legal entity.

This document is a report on the approach taken in the networking activity by establishing an ERIC working group comprising representatives of the ministries and the KM3NeT Collaboration.

For a better understanding of the process, the parties are introduced:

- **KM3NeT**  
KM3NeT is a research infrastructure (RI) under construction in the Mediterranean Sea. The KM3NeT RI is listed in the ESFRI roadmap in 2016.
- **KM3NeT project**  
The project to design and construct the initial phase of the KM3NeT Research infrastructure (RI). The initial phase 1 has been completed and the MoU for phase 2 towards KM3NeT 2.0 will be developed.
- **KM3NeT – INFRADEV**  
The current H2020 coordination and support action aims to support the transition to a long-term, sustainable governance and legal entity for the KM3NeT RI.
- **KM3NeT Collaboration**  
The KM3NeT Collaboration is the scientific community of the researchers and institutes that work together under an MoU to develop, construct and operate KM3NeT.

In this report, the following terminology will be used: KM3NeT for the RI, and KM3NeT Collaboration for the group of organisations behind the KM3NeT project.

The task related to deliverable D2.2. is described in the Grant Agreement as networking activities for setting up an ERIC:

*“First, this consortium will contact the Dutch Ministry of OCW in order to appoint a Dutch coordinator who will represent the Netherlands on behalf of KM3NeT. This coordinator will interact with the European Commission and the Resources Review Board (RRB) of KM3NeT to establish contacts at ministerial level. National coordinators will be appointed who talk to the research council and the ministry on behalf of KM3NeT.*

*A sequence of meetings will be organised to prepare the statutes of the envisaged ERIC. This list of countries to start this process will include France, Italy, Spain, Greece, Germany and the Netherlands. After the necessary input has been gathered, the next step will be to approach other countries.”*

The ERIC working group is charged to shape the transition from the current to the future KM3NeT governance.



### *Current KM3NeT Collaboration*

The current KM3NeT MoU describes the governance and finances of the KM3NeT project. The high-level governance bodies in the KM3NeT MoU are:

- Resources Review Board (RRB), tasked with the supervision of the KM3NeT project (expenditure of the budget)
- Institutes Board (IB), elects the management, decides on membership applications, prepares financial and strategic plans and ensures the commitment of the institutes for the work plan
- Management Team (MT) (headed by a spokesperson) tasked with the execution of the KM3NeT project, leading the construction and development process of the KM3NeT infrastructure.

### *Framework for the implementation of an ERIC*

The ERIC legal framework is regulated under European Law. The following link refers to the EU ERIC Regulation - [https://ec.europa.eu/research/infrastructures/pdf/council\\_regulation\\_eric.pdf](https://ec.europa.eu/research/infrastructures/pdf/council_regulation_eric.pdf).

Below the ERIC's basics are introduced:

- The ERIC is a legal entity specifically designed for European research infrastructures.
- An ERIC is established by the EC on request of at least 3 EU Member states. It is assessed by the EC on the criteria of the financial viability, scientific added value to the European Research Area and an effective governance structure.
- An ERIC is a vehicle providing a robust and sustainable governance for the long-term operations of the KM3NeT infrastructure.
- The high level governance bodies in the ERIC-framework are the
  - Council working on high-level policy and strategy
  - Director General whose tasks are the day to day operations
  - Support office and a management committee, tasked with supporting the director in his executive duties.

The challenge in the transition to the KM3NeT ERIC is to transfer all responsibilities from the current structure of the KM3NeT project (MoU) to the new ERIC structure. The current KM3NeT MoU, phase 1 has now expired while the MoU for phase 2 has not been decided yet. That makes the starting position for a transition to a KM3NeT ERIC diffuse. Nevertheless, delays in the ongoing construction of the KM3NeT RI should be prevented.

We identified several issues that are challenging the transition towards the long-term governance. We address them one by one to smooth the path for the ERIC. Given the experience in the development of other ERICs, it takes effort and time to first collect all the necessary information and then present this information convincingly to all stakeholders.

Obvious challenges in this transition process are: constraints related to the regional and structural funding, an ongoing construction process, 90% in-kind contributions, 45 institutes represented in the Institutes Board, each contributing to the construction (originating from 12 nationalities). Not all institutes will have ministerial representatives in a future ERIC Council, which is perceived as a major difficulty. There might be other as yet unidentified challenges that will appear and need to be dealt with later.



## 2. Plan

The plan for the work package is to reach consensus on the ERIC governance structure, draft the ERIC statutes, and submit a request and establish KM3NeT ERIC statutes as a final output in project month 36 of the INFRADEV project. Below the actions so far are described.

The formal documents, which were provided to our Work package, were clear about the transition of the current governance to an ERIC legal framework. Both the current KM3NeT MoU and the Grant Agreement stated that the KM3NeT project was ready to transit to an ERIC entity.

Based on experience with other ERICs, we have started by connecting the scientific partners and the Ministries of the lead funding agencies of the Grant Agreement.

The approach taken was to first involve the six countries that committed to the KM3NeT – INFRADEV project, in a dedicated ERIC Working Group (EWG). The Ministries of France, Italy, Spain, Greece and Germany were invited by the Dutch Ministry to participate in the EWG. Unfortunately the German Ministry was not able to join due to internal policies towards participation in ERICs. In order to guide the delicate transition process well, the EWG has been composed of ministry representatives and national KM3NeT representatives from the five countries. The EWG is chaired by a former ESFRI chair and the secretary has a legal background. Both have experience with other ERICs.

During the EWG's first meeting it became clear that there was no sufficient level of common understanding and awareness in the Collaboration about the upcoming transition process.

The scientific organisations participating in the EWG had at that time not a common position on key-issues such as: the perimeter of the ERIC; the best governance structure for this ERIC; the interactions between the ERIC and the national organisations responsible for the infrastructure on the site locations; a common financial fund. Therefore the EWG has invited the various bodies in the KM3NeT project to formulate common positions on the key issues.

After the second EWG meeting the legal support Team (LST) was established and is invited to the EWG meetings. The LST members are legal experts from the various countries involved, as expertise on national legal systems and regulations is required. The LST has the objective to support the EWG and provide advice on legal issues. It is chaired by the WP2 work package leader/ EWG's secretary.

### EWG and LST activities

In the next paragraph the activities in WP2 are described and the progress since the start documented. The WP activities involve EWG and LST but also the WP2 session in the joint meeting of the KM3NeT-INFRADEV project and the KM3NeT Collaboration in June 2018. The conclusion at the end of the paragraph provides some reflective thoughts.

#### *EWG: Leadership*

It is the EWG's opinion that it could be disruptive to communicate preliminary discussions or draft documents before the EWG has reached consensus among themselves. It was therefore important to establish solid communication links with the bodies in the KM3Net Collaboration, so that other KM3NeT participants feel represented and informed by their KM3NeT representatives. ([Annex 2](#), table 1)





*EWG: building consensus*

The first EWG meeting was organised with the understanding that the transition to an ERIC governance structure was broadly supported within the Km3NeT Collaboration. Without consensus on the key-elements (see above), it is not possible to develop a governance structure.

The EWG requested additional information and position statements from the bodies in the Collaboration on key topics for the governance structure: perimeter of the KM3NeT ERIC; governance structure (how to transit from the current bodies); business plan and the financial schedule. One of the critical elements in these discussions was the origin of the funding resources and the relating conditions and constraints.

The draft ERIC Statutes are now taking shape and may be finalised mid-2019. However, according to the ERIC guidelines, the Statutes should have a financial annex and a technical annex. The submission of an ERIC request depends of course on the progress in the discussions in the EWG about the topics of a sustainable funding scheme and the development of other legal arrangements for the Sea Floor Network and detector units. The progress until now may seem small but once the comfort and trust around key issues is built the process will certainly speed up.

*EWG: Meetings*

The EWG has met 5 times since the start of the Project: the first meeting was in June 2017 in The Hague; the 2<sup>nd</sup> meeting was hosted in Paris in October 2017; the 3<sup>rd</sup> meeting took place March 2018 in Rome; the 4<sup>th</sup> meeting was held in July 2018 in Amsterdam; the 5<sup>th</sup> meeting took place in November 2018 in Rome; the 6<sup>th</sup> meeting is scheduled for March 2019 in Paris.

**ANNEX 1** provides the agendas of the EWG meetings, giving an impression of the variety and progress on the topics of the discussions.

**Annex 2** provides an overview of the participants in the EWG meetings: members EWG; members LST; spokesperson KM3NeT; representatives of the KM3NeT Collaboration (RRB and IB).

*Legal Support team: legal support*

The EWG asked the EWG-secretary for legal advice and nominated legal experts for the establishment of a legal support team. The secretary is leading the legal support team with currently legal experts from France and Italy and a technical engineer from Italy. This proves to be a fruitful mix of expertise.

*LST: assignments by the EWG*

The first issue assigned to this team was to explore and analyse constraints related to regional and structural funding in Italy and France. The majority of the project on both sites is funded by these regional or structural funds. Therefore it was necessary to investigate whether these constraints would have an impact on the governance and if so, how it could be legally bypassed.

The second request for the LST was to investigate and develop a service level agreement (SLA) for the two sea-floor networks, being critical components in the KM3NeT RI. The purpose of this SLA is to guarantee the unhindered use of all components for the KM3NeT ERIC. Regarding this request, the support of the technical engineers from each site is crucial for the LST in developing the SLA, as only they have knowledge and skills about technical requirements, site situation, future operations and so on. The development of a draft SLA will be a combined effort from the LST and the KM3NeT management and site engineers.



#### LST: meetings

The LST had 5 video/teleconferences and three face-to-face meetings in the period November 2017-July 2018. Our first face-to-face meeting coincided with the ERIC Forum in Oxford. We also had a one-day face-to-face meeting in Paris and we met adjacent with the 4<sup>th</sup> EWG meeting.

At this moment, the LST is scheduling a range of meetings to develop a draft SLA for the Seafloor network. The EWG requires annexing a draft SLA to the ERIC statutes. In this way, the members of the ERIC will be provided with detailed knowledge on the governance arrangement for a critical component of the KM3NeT infrastructure.

#### **WP2 session in the Joint meeting Collaboration/KM3NeT-INFRADEV, 21-22 June 2018**

The work package leader organised and prepared a series of calls to collect input and discuss the topic with the keynote speakers, KM3NeT MT and the project coordinator.

The WP2 session resulted in an intense and fruitful panel discussion on the KM3NeT ERIC governance. The panel was formed by a unique combination of leading persons in KM3NeT: the Chair of the Institutes Board; the Chair of the RRB (Resources Review Board); the Spokesperson and Chair of the Management Team of KM3NeT. They held an introductory keynote speech on various aspects of the governance in a KM3NeT ERIC. The panel discussion definitely resulted in a lot of awareness and understanding of the ERIC framework, bringing the developments within KM3NeT to a new level. In order to be a long-term sustainable research infrastructure, it is important to strengthen the central management and establish a tailor-made legal entity.

#### **Deviations of the Plan**

The process and projected timeline were adjusted.

##### *Adjustments in the process*

- D2.2. was amended in a report on the progress of the ERIC Working group activities: "Connecting the KM3NeT project with the Ministries".
- Exploration of service level agreements and in-kind contribution agreements was necessary to enable the bonding of critical components of the KM3NeT infrastructure into the KM3NeT ERIC governance.

##### *Projected timeline is critical, this is caused by the*

- Timeliness of information provided by the KM3NeT bodies to the ERIC working group
- Development of additional legal arrangements connected to the KM3NeT ERIC.

##### *Impact on the deliverables*

The start of the work package was hindered by a lack of common understanding in the KM3NeT project about the perimeter and the road towards the KM3NeT ERIC. Currently, the process is speeding up and discussions in the EWG are heading towards consensus on the key elements of the ERIC.

The bodies of the Collaboration are now better aware of their responsibilities in this process and also more aligned with the activities of the EWG. The support in the rest of the Collaboration for the transition to a new governance structure is building up.



In the final year of the work package, the EWG focuses on the finalisation of the draft statutes and the outline of a solid financial schedule for the initial 5 years, as well as on the other documents necessary for the application of ERIC status. Regarding the financial schedule, the EWG requires also a forecast for the long-term operation of the KM3NeT infrastructure. There is confidence to finalise the required documentation for submission and initiate an informal request to the EC. However, the timeline is critical – taking the developments into account, it is not realistic to expect that completion of the formal request will match the projected timeline.



### 3. Best practice/Lessons learned

#### Best practice

In this paragraph describes the best practice to work towards the establishment of an ERIC according to the experience in the work package.

It has been proven to be very efficient to connect the Ministries and the Project right at the start: the Ministries are experienced decision makers in the ERIC procedures. In that sense, their guidance in the discussions with the scientific community and their ERIC network is of great value to the process.

When embarking on national legal complications, a dedicated legal support team was set up comprising of national legal experts. They can easily access the national authorities, the laboratories and the national regulations on site.

#### Lesson learned

- Make clear that the Ministries are in the lead to decide on the ERIC governance structure.
- Include a Legal Support Team with national legal experts to advise on legal matters on a national level
- Emphasize the responsibility of the science delegates in the EWG for the communication to their communities.

### 4. Next steps

The next steps for the final year will be to continue the discussions and aim for the submission of an application of a KM3NeT ERIC.

The completion of the draft Statutes is expected by mid-2019.

It is expected that the required annexes to the Statutes such as the Financial schedule, the scientific and technical description and the service level agreement for the sea floor network will also be in a sufficient shape by mid-2019. The discussion on these documents has priority on the agenda of the next meeting of the ERIC working group in March 2019.

The opportunity for other Member States to join the ERIC application will be provided after the consensus is reached within the EWG on all the documents required for the application of ERIC status. As soon as it seems feasible to submit an informal request for a KM3NeT ERIC, this process will be initiated.

The table below shows our aims, activities and dependencies for the final year in WP 2.



*Updated estimated timeline for 2019, the final year INFRADEV WP2*

	<b>Q1 March 2019</b>	<b>Q2 June 2019</b>	<b>Q3 Sept. 2019</b>	<b>Q4 Oct. 2019</b>	<b>2020</b>
<b>Aims</b>	<b>Discussion on: 1.draft Statutes and required annexes 2. continuation EWG</b>	<b>Consensus on draft Statutes and required annexes</b>	<b>Finalisation of Statutes and annexes, preparation of informal request</b>	<b>Informal request ERIC</b>	<b>extension formal request ERIC</b>
<b>Activity</b>	<b>EWG6</b> , Paris; aim: – Draft Statutes and following required annexes: – Draft Total Cost book – Draft Common Fund – Draft S&T description – Draft SLA  Continuation of EWG	– Chair and secretary will consult IB on Statutes and SLA  <b>EWG7</b> Statutes + annexes – confirmation of the intention to establish an ERIC by the EWG members  KM3NeT bodies: (RRB/MT) should build support within Collaboration	<b>EWG 8</b> prepare Informal request: – Legal scrub – preparation of the formalities	<i>Oct 2019:</i> request to the EC/DG research;  Statement by the host country (statutory seat)  Invitation to other Member States to join the ERIC	<i>Jan 2020:</i> request to the EC;  Signature by the minimum of 3 Member States
<b>Dependency</b>	progress and input on following drafts: – Total Cost book, – Common Fund, – S&T description – SLA for the SFN  Result and progress in project	– Result of the EWG6 – Result consultation IB by chair and secretary	– Result of EWG7 (consensus) – Intention to establish an KM3NeT ERIC by the minimum of 3 Ministries	Intention by the minimum of 2 other Member States to establish an ERIC  Timely responses to questions and comments EC	Result informal request  Assessment procedure EC
<b>Intervention</b>	KM3NeT MT + RRB meetings; build consensus on financial commitments, minimum technical configuration  SLA meetings; discussion with experts and MT on key-topics and content of the service level agreement for Sea Floor network	RRB/MT continue discussion and e Information exchange with IB and Collaboration	RRB/MT continue discussions and build support for ERIC request, in bilaterals with the institutes and Ministries All institutes should interact with their Ministries and convince them to join the ERIC		

## 5. Conclusion

At the start of this work package, we encountered some unexpected challenges such as the lack of consensus among the participating scientific organisations in the EWG on a number of key-issues for an ERIC. For this reason the discussions in the EWG took more time than expected, also due to the response time of KM3NeT bodies to EWG requests. At this moment, however, we are well underway and speeding up towards full consensus on the governance structure and the related key issues.

In the coming year of WP2, the activities will focus on the finalisation of the draft governance structure and the draft service level agreements. The KM3NeT project is requested to provide the input for the necessary annexes for the draft ERIC statutes: the outline of a solid financial schedule and the other necessary documents for the ERIC application.

As explained in chapter 2 and laid out in the table in chapter 4, the timeline of work package 2 is critical. Therefore, interaction with the Collaboration (via the KM3NeT bodies) will be intensified by WP2. Another challenge is involving all research institutes beyond the current group of potential KM3NeT ERIC members. The chair of the IB and the spokesperson will encourage the KM3NeT member institutes to present the KM3NeT case to their ministries.

The path towards a KM3NeT ERIC is complex but feasible. We are confident to reach the main part of our deliverables by finalising the draft Statutes, the draft Service Level Agreement and further the required documentation for submission and initiating an informal request to the EC by the end of the final year. However, our timeline is critical – taking the developments in account, it is not realistic to expect that completion of the formal request will match the projected INFRADEV timeline.



## ANNEX 1. EWG agendas

This annex illustrates the variety of the topics and progress in the EWG meetings.

1. 29-30 June 2017
2. 11-12 October 2017
3. 1-2 March 2018
4. 9-10 July 2018
5. 21-22 November 2018
6. 21-22 March 2019





Spanish delegation : Inmaculada Figueroa & Juan Jose Hernandez

# Draft agenda ERIC WORKING GROUP KM3NeT:

Thursday June 29 : 17.00 hour Restaurant

Schlemmer

Friday June 30 : 9.30 - 13.30 hour Ministry OCW Rijnstraat

You can reach me via +31615038383 and the secretariat at OCW 070-412 3662

1. Opening and Welcome + *Introductions + only "conclusions" + "arrangements"*
2. Adoption of the agenda + *explanation*
3. The KM3NeT-project : oral report on the technical and scientific status of KM3NeT  
*Presentation by Maarten de Jong the former spokesperson of the project*
4. Financial status of the project : present status and future perspectives  
*The national delegations are invited to check whether the financial data in the attached document 1. Financial document are correct as far as their country is concerned. It is important to be aware of the amount of funds already surely committed to the project. It is an indication for the financial vitality of the project.*
5. The governance of the KM3NeT- ERIC: a first suggestion  
*Inspired by the ERIC Guidelines of the EC –published on the ESFRI website – the Dutch delegation has formulated a proposal for a governance structure in chapter 4 + 5 of document 3. KM3NeT draft statutes.*

1

*This proposal is also inspired by the present organizational structures of the project. It is suggested to focus the discussions in this 1<sup>st</sup> meeting mainly on the governance of the project [chapter 4+5] and on a number of financial aspects. Miriam Roelofs will give a presentation of the major elements upon which the proposed governance is based (document 2. Presentation KM3NeT ERIC Working group 29-30 june 2017).*

6. Scheme for the financial contributions of the Members to the project  
*In article 11 in document 3 a reference is made to a financial annex to the ERIC statutes. This annex is considered to be an important part of the Statutes. Document 1 deals with a number of financial aspects that have to be discussed in the Working Group. The document is based on information provided by Maarten de Jong.*
7. Identification of other major issues that have to be discussed in the 2ed meeting
8. Next meeting : date , venue and other issues to be prepared in advance + *communication → Resuma Review Board (Antonio Masiero)*
9. Miscellaneous
10. Close of the meeting + *expectation management documents*

*1. update . 1. MF for which 1*





## **DRAFT AGENDA KM3NeT ERIC WORKING GROUP**

**11-12 October 2017, 2<sup>nd</sup> meeting, Paris**

Venue: Francois Arago Center

13 Rue Watt, 3<sup>rd</sup> floor, 75013 Paris

Telephone: +33 (0) 157 279 383

### **Wednesday 11 October 17.30 -19.30 hours (dinner in nearby restaurant 19.30-22.00 hours)**

1. Opening and adoption of the agenda
2. Summary/Conclusions 1<sup>st</sup> meeting EWG June 29+30 (*annex 1*)
  - a. text
  - b. matters arising from the summary/conclusions
3. Announcements
4. Letter of EWG to RRB of 7 July 2017
  - a. our letter of 7 July 2017 (*annex 2*)
  - b. written response of RRB to the 3 issues in our letter + RRB-presentation (*annex 3*)
  - c. discussion with RRB-delegation about a+b
  - d. conclusions
  - e. latest news about construction phase/workplan
  - f. future interactions with KM3NeT bodies : how to organize ?

### **Thursday 12 October 9.30-15.30 hours (lunch 13.00-14.00)**

5. Wrap up previous Day
6. Tour de Table and discussion about the key elements for a KM3NeT ERIC : *sharpening the picture*: INFN, IN2P3, NIKHEF, NCRS-D and UVEG
  - a. the scope of the ERIC
  - b. governance model
  - c. model for the in-kind contributions
  - d. management fund: content, size, contribution-model
  - e. conclusions and actions
7. Process to develop the draft ERIC Statutes (*annex 4*)
8. Miscellaneous
9. Organizing next meeting of ERIC Working Group: documents, dates, location, etc.
10. Closing

### **Annexes to the agenda.**

1. Draft Summary/Conclusion 1<sup>st</sup> Meeting 29-30 June 2017 (item 2)
2. Letter of EWG to RRB of 7 July 2017 (item 4a)
3. Written response RRB (item 4b)
4. ERIC practical Guidelines (EC) (item 7)

**DRAFT AGENDA ERIC WORKING GROUP,  
1-2 MARCH 2018, 3<sup>rd</sup> MEETING, ROME**

*Venue:*

INFN Headquarters  
Piazza dei Caprettari 70  
00186 Roma - Italy  
tel.: +39 06 6840031

**Thursday 1 March, 16.30-19.00 hours (dinner in nearby restaurant, 19.15-22.00 hours)**

1. Opening and adoption of the agenda
2. Summary/Actions/Conclusions 2<sup>nd</sup> meeting EWG 11-12 October (annex 1)
  - a. Text
  - b. Matters arising from the summary /conclusions
3. Announcements
4. Key issues for the outline of an ERIC
  - a. Request from EWG to RRB d.d. 7 July and 12 October 2017
  - b. Vision KM3NeT Collaboration (RRB) (annex 2)
    - i. Presentation chair RRB
    - ii. Discussion
    - iii. Conclusions
    - iv. Next steps

**Friday 2 March, 9.30-13.30 hours (lunch, 12.30-13.30 hours)**

5. Wrap up previous day
6. Business Plan for the KM3NeT ERIC
  - a. Request from EWG to spokesperson d.d. 12 October
  - b. Draft KM3NeT ERIC Businessplan (annex 3)
    - i. Presentation by spokesperson
    - ii. Discussion
    - iii. Conclusions
    - iv. Next steps and timeline
7. Process to develop the draft ERIC Statutes
8. Miscellaneous
9. Organizing next meeting of ERIC Working Group: documents, dates, location, etc.
10. Closing

**Documentation:**

Annex 1: Draft actions and conclusions from 2<sup>nd</sup> EWG meeting

Annex 2: Vision RRB of KM3NeT ERIC

Annex 3: Draft KM3NeT ERIC Business plan

**DRAFT AGENDA ERIC WORKING GROUP,  
9-10 July 2018, 4<sup>th</sup> MEETING, AMSTERDAM**

**Venue:**

NIKHEF, room N 3.28

Science Park 105

1098 XG Amsterdam

Tel: +31-(0)20-592 2000

Miriam tel: +31-(0)611257360

**Optional:**

**Monday 9 July, 15.30-16.15, meeting point reception Nikhef**

*Tour in the Nikhef workshop, production of the KM3NeT detector units*

**Monday 9 July, 16.30-19.00 hours (dinner in nearby restaurant, 19.15-22.00 hours)**

1. Opening and adoption of the agenda
2. Summary/Actions/Conclusions 3<sup>rd</sup> meeting EWG 1-2 March (annex 1)
  - a. Text
  - b. Matters arising from the summary /conclusions
3. Announcements
4. Content of a KM3NeT ERIC: key-issues
  - a. Request from the chair to the speakers
  - b. Proposal by KM3NeT Management team (annex 2)
    - i. Presentation by spokesperson
    - ii. Questions and discussions
  - c. Proposals by various EWG members
    - i. Documents (annex 3 + annex 4)
    - ii. French position paper (annex 3 black)
    - iii. Italian position paper (annex 3 red)
    - iv. Dutch position paper (annex 4 black + French comments)
    - v. Questions and discussions
  - d. Preliminary pre-dinner conclusions (see agenda item 7.)

**Tuesday 10 July, 9.30-15.00 hours (lunch, 12.30-13.30 hours)**

5. Wrap up previous day
6. Input by the WP2 Legal Support Team
  - a. Presentation by Team
    - i. Impression of the constraints of regional funding in Italian and French situation (annex 5)
    - ii. Complexity in the governance (annex 6)
    - iii. Service Level Agreements (annex 7a + 7b)
7. Content of a KM3NeT ERIC: key-issues
  - a. 2<sup>nd</sup> round of discussions
  - b. Conclusions
8. Process and timeline to develop the draft ERIC Statutes and SLA deep seafloor network
9. Organizing next meeting of ERIC Working Group: documents, dates, location, etc.
10. Miscellaneous and closing

**Documentation:**

- Annex 1: Draft actions and conclusions from 3rd EWG meeting + comments and ERIC guidelines (section 2.2.)
- Annex 2: Proposition KM3NeT Management team
- Annex 3: French and Italian position paper
- Annex 4: Dutch position paper
- Annex 5: WP2 Legal Support Team: impression constraints regional funds (It + Fr)
- Annex 6: WP2 Legal Support Team: Complexity in governance: some examples
- Annex 7a: WP2 Legal Support Team : What is a SLA? (powerpoint)
- Annex 7b: WP2 Legal Support Team: What is a SLA? (paper)

**DRAFT AGENDA ERIC WORKING GROUP,  
21- 22 November 2018, 5<sup>th</sup> MEETING, Rome**

*Venue:*

INFN Headquarters  
Piazza dei Caprettari 70  
00186 Roma - Italy  
tel.: +39 06 6840031

*Miriam tel: +31-(0)611257360*

**Wednesday 21 November, 16.00-19.00 hours (dinner in nearby restaurant, 19.30-22.00 hours)**

1. Opening and adoption of the agenda
2. Summary/Actions/Conclusions 4<sup>th</sup> meeting EWG4 9-10 July (**annex 1**)
  - a. Text
  - b. Matters arising from the summary /conclusions
3. Announcements
4. Draft Statutes KM3NeT ERIC, key elements, version 3 October 2018
  - a. Document + introduction (**annex 2**)
  - b. Discussion
  - c. Conclusions and follow up
5. Service Level Agreement for Deep Sea Floor Network
  - a. Document + introduction (**annex 3**)
  - b. Discussion
  - c. Conclusions and follow up
6. Preliminary pre-dinner conclusions

**Thursday 22 November, 9.30-15.00 hours (lunch, 12.30-13.30 hours)**

7. Wrap up previous day and after dinner insights
8. Common Fund
  - a. Document + introduction (MT and RRB) (**annex 4**)
  - b. Discussion
  - c. Conclusion and follow up
9. Annex Financial Schedule (required by ERIC guidelines)
  - a. Introduction
  - b. Discussion on perimeter
  - c. Conclusion + approach to develop first draft for next EWG6 meeting
10. Total Cost Book
  - a. First thoughts: discussion paper (**annex 5**)
  - b. Discussion
  - c. Conclusion and follow up
- LUNCH**
11. Scientific and Technical description
  - a. Document + introduction (MT and RRB) (**annex 6**)
  - b. Discussion
  - c. Conclusion and follow up
12. The necessity of defining a time frame for various activities

13. Miscellaneous (including, mid term evaluation by ESFRI)
14. Organizing EWG6 meeting: documents, dates, location, etc.
15. Closing

**Annexes to the agenda:**

1. Summary/Actions/Conclusions 4<sup>th</sup> meeting EWG4 9-10 July
2. Draft Statutes KM3NeT ERIC, key elements, version 3 October 2018
3. Service Level Agreement for Deep Sea Floor Network
4. Common Fund
5. Total Cost Book
6. Scientific and Technical description KM3NeT

**DRAFT AGENDA ERIC WORKING GROUP,  
21-22 March 2019, 6<sup>th</sup> MEETING, PARIS**

**Venue:**

LPNHE (Jussieu Campus)

N° 2019-07 - salle des Conseils (1213-RC11)

4 place Jussieu

75252 Paris Cedex 05

Miriam tel: +31-(0)611257360

**Thursday 21 March , 14.00-18.00 hours (dinner in nearby restaurant, 18.30-22.00 hours)**

1. Opening and adoption of the agenda
2. Summary/Actions/Conclusions 5<sup>th</sup> meeting EWG 21-22 November, Rome (annex 1)
  - a. Text
  - b. Matters arising from the summary /conclusions
3. Announcements
4. Total Cost Book : RRB+MT
  - a. Document + introduction (annex 2)
  - b. Discussion

*Please note: The EWG has a special interest in the income-side of this total budget. Certain and uncertain financial inputs in the various phases.*
  - c. Conclusions and follow up
5. Common Fund : RRB+MT
  - a. Document + introduction (annex 3)
  - b. Discussion

*Please note comment above with item 4.b*
  - c. Conclusions and follow up
6. Scientific and Technical Description : RRB+MT
  - a. Document + introduction (annex 4)
  - b. Discussion

*Please note: the EWG has expressed special interest in the following items : the minimum configuration of Detection Units necessary for a significant physics programme; it is understood that each Detection Unit comprises 18 DOM's; risk assessment; funding situation.*
  - c. Conclusions and follow up
7. Preliminary pre-dinner conclusions

**Friday 22 March, 9.30-14.00 hours (lunch, 12.30-13.30 hours)**

8. Wrap up previous day and after dinner insights
9. Draft KM3NeT Statutes
  - a. Document + introduction (annex 5)
  - b. Black text : verification consensus in Rome meeting
  - c. Blue text : first round of discussions
  - d. Conclusions and follow up
10. Draft Service Level Agreement Sea Floor Networks
  - a. Document + Introduction
  - b. Discussion
  - c. Conclusion and follow up
11. Miscellaneous [including time schedule 2019]
12. **LUNCH**
13. Summary all conclusions
14. Organizing next meeting ERIC Working Group (EWG7): documents, dates, location, etc.
15. Closing

**Annexes to the agenda:**

1. Summary/Actions/Conclusions meeting EWG5 21+22 November in Rome
2. Total Cost Book
3. Common Fund
4. Scientific and Technical description KM3NeT
5. Draft Statutes KM3NeT ERIC
6. Service Level Agreement for Deep Sea Floor Network



## ANNEX 2.

### Participants in the KM3NeT ERIC Working group

*This annex provides an overview of the role and background of the participants in the meeting of the ERIC Working group.*

*Participants in the KM3NeT EWG meetings*

- *Members EWG: representatives Ministries and Science advisors, chair and secretary*
- *KM3NeT bodies: spokesperson, RRB, IB*
- *Legal Support team*

Member States	Ministry representatives	Science Delegates/Advisers
The Netherlands	Jeannette Ridder	Job de Kleuver[NWO], Maarten de Jong [Nikhef]
Italy	Salvatore La Rosa	Piera Sapienza [INFN]
France	Eric Aubry [Ministry]	Berrie Giebels [IN2P3]
Spain	Immaculada Figuero	Juan Jose Hernandez Rey [UVEG]
Greece	Maria Koutrokoï	Christos Markou [NCRS-D]
		<b>Legal Support team</b>
		Barbara Theodophilou [IN2P3] Daniele Sorelli [LNS], Riccardo Papaleo [LNS], Eric Aubry [Ministry]
<b>KM3NeT RRB</b>	<b>KM3NeT Spokesperson</b>	<b>KM3NeT IB</b>
Antonio Massiero (chair) Stan Bentvelsen	Mauro Taiuti	Christos Markou (chair)
<b>EC H2020, KM3NeT Infra Dev</b>	<b>Workpackage 2</b>	
Chair	Hans Chang [ex-chair ESFRI]	
Legal support and secretary	Miriam Roelofs [NWO]	

