

# Free Software, New Media and open information society intergroup

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# Why Freedom matters

## An introduction to Free Software



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# Why software matters



- Power
- Control
- Freedom

# Four Freedoms:

Use

Study

Share

Improve

# Free Software licensing

- Developer writes software = holds copyright
- Developer chooses Free Software license
- Done!

(Also: copyleft vs non-protecting licenses)

# Some well-known Free Software products



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# Free Software and public administration



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# Free Software and public administration

- What are the assets of Free software for public administrations ?
- Examples of Free Software in public administration : where, how and why it works



# Free Software and public administration

- The importance of Software freedoms
  - Durability and sustainability
  - Freedom to modify : tailoring the software to your own needs
  - Reusability
  - No licensing costs and/or issues

# Free software and public administration

- Consequences stemming from software freedom :
  - Interoperability
  - Open standards
- Positive outcomes
  - possibility for all citizens to communicate with public bodies
  - avoidance of vendor lock-in
  - better use of public resources

# Examples of use of Free Software by public administrations

- Gendarmerie Nationale in France
  - Over 85,000 desktop computers using Free software only by 2015
  - A 10-years plan : first migration of internet browser and office suite (2007-2012), then OS (2009-2015)
- Andalusia and Extremadura in Spain
  - 200 – 300 000 desktops in schools and public administrations
- Sweden
  - Free Software framework contracts



# So why aren't more public bodies using free software ?

- Vendor lock-in and format issues
  - => the need for interoperability and truly open standards
- Bad procurement practices
  - => need to question habits

# Public procurement of software

# Basic rules

Directive 2004/18/EC:

- “guarantee the opening-up of public procurement to competition”
- Mention brand names only if they are the only way to describe what is being sought
- Use negotiated procedures only in very specific circumstances

# Current procurement practices

- Public procurement accounts for nearly 20 percent of the EU's gross domestic product (ca. EUR 2.2 trillion)
- Software: One in ten calls for tender mentions brand names
- Growing use of negotiated procedures: strengthening monopolies

# Procurement done wrong

- In May 2011, EC signs contracts for 55 European institutions to move to Windows 7 without a public tender
- At the same time, EC awards an EUR 44.7 million service contract to Microsoft without a public tender
- EC argues that current lock-in makes other solutions too difficult
- Result: Money wasted, still more lock-in



# Procurement – getting better

- Public procurement must be based on Open Standards, and...
- Public bodies must consider Free Software (Netherlands, Belgium, several Spanish regions, Malta, Puglia/Italy... and now UK)
- Public bodies must be able to read ODF: Germany, Sweden, European Commission

# Procurement done right

## Sweden 2011: Free Software framework contracts

- In early 2011, Swedish procurement organisation signs 5 framework agreements for Free Software in public sector
- Providers selected for competence, comfort, ability to deliver
- Minimise customer risks, give publicly funded software back to the public

# Next actions : what's happening now ?

- Current legislative actions affecting Free Software
  - New framework programme for research
  - Public procurement
  - Unitary patent
  - Standardisation procedures
- Conclusion : raising awareness, at local, national and international (EP) levels

# Unitary patent

- Unitary patent : a new patent title which is being discussed under an enhanced coop
- The main issues :
  - the proposal is too much "E.P.O. centric", while its governance has long been severely criticised – and its drift regarding the granting of software patents should be abolished.
  - the EP should not abandon its legislative power with regard to substantive patent law.
  - The unitary patent should not go forward without a unified jurisdiction – and it should respect the rights of the defence

# Standardisation

- Definition of a standard
- The threat of FRAND licensing conditions
- Make all standards usable by all : no restrictions on use and implementation to improve interoperability and ensure better communication with the citizens

## Other resources :

- OSOR: Open Source Observatory and Repository (<http://www.osor.eu/>)
- EPFSUG: European Parliament Free Software User Group

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