Free Software, New Media and open information society intergroup

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Why Freedom matters

An introduction to Free Software





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!

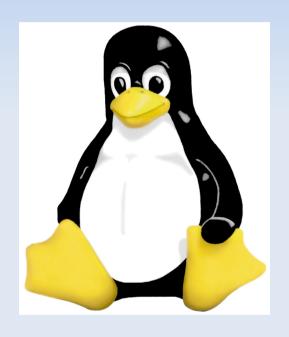
(Also: copyleft vs non-protecting licenses)





Some well-known Free Software products











Free Software and public administration





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





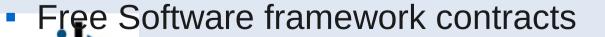
Free software and public administration

- 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 sofware 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





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 internal (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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