

# **Comments to Ecma evolution – Proposed partnership between Ecma and The Linux Foundation**

*July 2021*

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Sebestyen*

## What happened at the June 2021 GA on the proposed partnership between Ecma and the Linux Foundation

- Ecma/GA/2021/074 “Minutes of the 121st virtual General Assembly, June 2021”
- 8.2.1 Proposed partnership between Ecma and The Linux Foundation (GA/2021/062)
- “Isabelle Valet-Harper presented the proposal that has been discussed by the Ecma management and ExeCom and introduced Michael Dolan and Jim Zemlin from the Linux Foundation (LF). Jim Zemlin thanked Ecma for the opportunity to speak at its GA and gave an overview of LF and its history. Michael Dolan then presented the proposal of starting a partnership between Ecma and LF and highlighted the benefits for both Ecma and LF. He also presented some proposed changes to the Ecma By-laws to enable the Ecma-LF partnership:”....

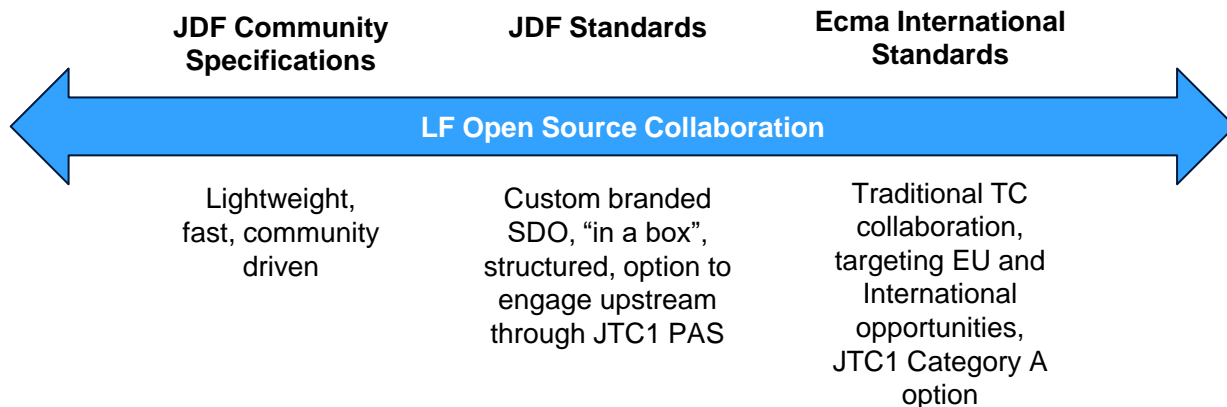
# LF - ECMA Proposed Evolution

June 22 2021

For discussion purposes



We can see a future state: LF, JDF, and Ecma offer a complete spectrum of standards and open source capabilities



- **Ecma/GA/2021/062**                      **Ecma evolution – Proposed partnership between Ecma and The Linux Foundation**
- **Ecma/GA/2021/070**                      **Proposed changes to the Ecma By-laws in the context of the Ecma-LF partnership**
- **Ecma/GA/2021/071**                      **Proposed changes to the Ecma Rules in the context of the Ecma-LF partnership**
- **Ecma/GA/2021/074**                      **Minutes of the 121st virtual General Assembly, June 2021**
- **Ecma/GA/2021/075**                      **Invitation to ExeCom meeting, 21 July 2021**
- **Not published but LF-Ecma Management works on it (according to verbal statements at the GA):**
- **MoU between LF and Ecma (not seen publicly yet)**
- **New versions of GA/2021/070 and 071 (seen all both by lawyers and more Ecma people)**

## What happened at the June 2021 GA on the proposed partnership between Ecma and the Linux Foundation (2)

- **Ecma/GA/2021/074 “Minutes of the 121st virtual General Assembly, June 2021”**
- **“8.2.1 Proposed partnership between Ecma and The Linux Foundation (GA/2021/062)**
- **It was noted that the draft By-laws (GA/2021/070) and rules (GA/2021/071) that were posted the day before the GA were only working documents to give the GA a more detailed idea of the proposal. The GA can and should comment on those drafts and propose changes if necessary.**
- **Isabelle Valet-Harper also explained that TCs could be informed about the Ecma-LF possible partnership, but that it should not be assumed that any material made available is in any final stage and should be considered as working documents.”**

## What happened at the June 2021 GA on the proposed partnership between Ecma and the Linux Foundation (2)

- Ecma/GA/2021/074 “Minutes of the 121st virtual General Assembly, June 2021”
- 8.2.1 Proposed partnership between Ecma and The Linux Foundation (GA/2021/062)
- “Isabelle Valet-Harper proposed to hold an ExeCom meeting, which would be open to GA members, in July 2021 to continue the discussion and allow members to ask more questions.”
- “Ecma Members (and TC39) have the possibility to ask Questions to the July 21, 2021 ExeCom meeting and we should do so. Proposal, we should collectively collect the questions and submit it to the ExeCom meeting by the end of this week (16<sup>th</sup> of July)”
- “The GA agreed to schedule a special GA on 14 September 2021 to progress on this topic and possibly approve the changes required to the By-laws and rules. It was noted that the notice of the special GA along with the supporting documents needed to be made available to ordinary members at least three weeks before. If those documents would not be ready, then the special GA would be cancelled.”

- **LF and Ecma should co-operate in concrete projects of mutual benefits in the most simple way how Ecma would also co-operate in other instances**
- **What is needed for that is max. an Agreement (MoU) – in its nature what Ecma has e.g. with Etsi – but for each concrete project there shall be an Annex (like the Material Agreements with Etsi) that regulates the details for such project**
- **Question: What is the problem with such an approach, that that does not require to change the Ecma Bylaws and Rules?**



## Question example 2: What is the intention of the LF with the Ecma co-operation project?

- 1. To co-operate with Ecma on concrete projects – if so that should have mutual benefits and should be balanced: e.g. The LF submits to Ecma a specification of a LF Project and an Ecma TC turns that into a formal standard (and e.g. provides for further submission to another SDO)**
- 2. To take over the role of the Ecma Secretariat and to provide similar or better services at economical benefit to both parties?**  
**Precondition: Complete change of the classical SDO philosophy by outsourcing the Secretariat to 3<sup>rd</sup> parties. E.g. It has to be assured that long term archival, maintenance and publication “for ever” is assured. What if the co-operation does not work well? What if the cost and quality factor does not work out as hoped at the beginning etc. In this Option LF (a Fora Hosting Organization) does not become an Ecma Member. How does it work financially. E.g. what about the Ecma Reserve, which are high for a small SDO? Compensation for other Ecma assets?**
- 3. Does the LF want to become an Ecma Member? Then it must follow the current membership requirements. If the GA approves them they have equal rights and duties with other members.**
- 4. Combination of 1-2-3: This is incompatible and thus not be viable option in my opinion.**

- **Ecma (Members, Management, ExeCom, Secretariat) need to discuss, agree and express concretely what they want from a co-operation with the LF and when. Not only in general terms but concretely.**
- **The Linux Foundation needs to express clearly what they really want to get out from a co-operation with Ecma. They must also understand the limitations imposed by classical SDO, WTO policies and Swiss Laws.**
- **To find out the goal to ask the right questions now is essential. Also TC39 should do that.**
- **If the goals are clear then the way of solution must be worked out and agree. "External parameters", like legal, organizational, financial, resource aspects, allocation of "no go areas" etc. must be taken into account with care. Otherwise the damage to Ecma (and TC39) can be significant and irreversible.**
- **We clearly need a mutual "Win-Win" situation, otherwise the co-operation will fail.**
- **We should take the time and expertise needed for that. There is no reason to rush in a maybe irreversible situation.**