OFE
YEAR IN REVIEW
2019

FOREWORD

Dear friends of OFE,

As we come up to the end of the year, we would like to thank you for your support and engagement. It's been a good year for OFE, and we have some excellent news to end it: OFE and Fraunhofer ISI have been awarded the contract to conduct DG CNCT's study on the economic impact of Open Source Software and Open Source Hardware. We're especially pleased to be working with OFA fellows Knut Blind, Mirko Boehm, and Andrew Katz to deliver this study.

This is a unique opportunity to quantify the value of openness and we plan to strengthen pan-European collaboration of the openness community throughout the process. That being said, we start with organising the EU Open Source Policy Meeting (preFOSDEM) on 31 January, where we will be looking for input on public policy related actions at both the EU and the national levels. If you haven't registered yet, you can do it here.

This report gives you an overview of our activities in 2019 and information about new partnerships and collaborations. Building on our established position within the openness community and with an excellent team in place, we continue to pursue a wider openness agenda beyond Open Source. Looking forward, we see the current focus on Digital Sovereignty as an opportunity to show how openness can empower users in the current digital policy environment.

As in previous years, OFE will close down between Xmas and New Year with everyone in the team getting a well-deserved break. We will be back on 6 January with new energy and ready to start an exciting year.

Which leaves us nothing more to say than, from all of us at OFE: our best wishes for a happy holiday season!

Best Regards,
OFE team

INDEX

PROJECTS AND RESEARCH

RESEARCH

At the beginning of the year we identified research gaps in the current literature on Open Source and discussed with several stakeholders a number of topics that should be researched in-depth. We selected three potential topics that should be tackled:

• Quantifying the economic impacts of Open Source in the EU
• Open Source procurement in the context of the Tallinn Declaration
• How Open Source intersects with Competitiveness and Competition

Such research is fundamental to the policy work, as policy makers need reliable figures to back their claims up. In July, the European Commission opened a call for proposals for the Study on the impact of Open Source Software and Hardware on technological independence, competitiveness and innovation in the EU economy.

We are excited to announce that OFE and Fraunhofer ISI (represented by OFA Fellow Knut Blind) have been awarded the contract to conduct the study. We want to engage deeply with the broad community and OFA Fellows to feed into this study.

The study aims to determine the value of Open Source with respect to technological independence, competitiveness and innovation in the EU economy. When released, it will shape not only European Open Source policy, but digital policy more generally, for many years to come.

FOSS4SMES

The FOSS4SMEs project intends to equip European SMEs with the skills and competences to properly use Free and Open Source Software, so to improve their digital performances and competitiveness. Throughout the project, we participated in developing a free online educational training for managers and staff of existing SMEs or start-ups, allowing them to profit from the opportunities offered by Free and Open Source Software and we have cooperated with partners from around Europe.

The results of this pan-European project include a MOOC (Massive Open Online Course) for SMEs wanting to adopt FOSS and a well-received Policy Recommendation Report that we presented during the multiplier event in September.

PUBLIC POLICY REPORT

OFE provides a monthly Public Policy Report commercial service in which we cover selected events and digital policy issues. We monitor policy developments on a daily basis and compile them into concise and insightful reports each month. If you would like to become a subscriber, contact us at info@openforumeurope.org.

OPEN STANDARDS TASK FORCE

The Open Standards Task Force coordinates actions in the area of standardisation and cybersecurity, with a view to support openness in these areas.

STANDARDISATION

OFE applied to have its membership of the European Commission's Multi-Stakeholder Platform on ICT Standardisation (MSP) renewed. The Task Force also organised multiple events on relevant topics and contributed to studies in the area of standardisation and open source and its members spoke at multiple policy events, advocating our positions.

Our application to remain a member of the MSP was confirmed.

OFE has made its voice heard, sharing its voice on the JRC study on Standardisation and Open Source, and we organised an internal workshop for the Commission on Standardisation, bringing together around 17 policy officers from three different DGs.

We plan to provide additional policy input on several subjects in the next year, including the European Interoperability Framework evaluation, Standardisation and Open Source and Codes of Conducts.

CYBERSECURITY

The EU Cybersecurity Act was adopted on 27 June 2019, which we welcomed in a dedicated [letter](#). Throughout the process, we engaged in constructive dialogue with the Parliament, the Member States and the Commission, responded to a consultation, spoke at policy events and published multiple position papers.

A number of our core concerns were reflected in the final regulation, including: an annual work programme of anticipated schemes; the Stakeholder Cybersecurity Certification Group (SCCG); and the enabling of stakeholder representation in specific working groups.

OPEN SOURCE TASK FORCE

This Task Force gathers a broad community of businesses, users, researchers, organisations and others working on Open Source and convenes during monthly community calls chaired by OFE.

COPYRIGHT

We have called for the exclusion of Open Source software development platforms from the scope of article 17 of the Copyright Directive, and we liaised with the European Parliament, the European Commission and several European governments on this matter. Our actions included sending out letters to all Member States and meeting government officials, as well as strengthening alliances with Free and Open Source Software groups and digital trade associations.

Our efforts contributed to the exclusion of "Open Source Software developing and sharing platforms" from the scope of the directive. *blog*

Currently, we are monitoring the transposition process and working with the broader community of stakeholders that have engaged in the campaign, to mature European Open Source advocacy. We joined with others to submit a written statement to the Dutch government, regarding the transposition and we have been a part of the Copyright Stakeholder Dialogues, through which we will follow the transposition.

OPEN SOURCE POLICY COMMUNITY

OFE has been hosting the Community calls every month, which proves to be successful through engaging a growing number of stakeholders. If you wish to be added to the list and share your voice on open source policy, contact us at info@ openforumeurope.org.

The list provides a forum for its members ranging from executives of large OSS foundations and companies, policy makers in all EU institutions and Member States, to activists and policy experts.

OPENFORUM ACADEMY

We host an independent global network of OpenForum Academy (OFA) Fellows, an international, peer-appointed network of experts and academics, each contributing significant innovative thought leadership on core topics in order to provide new input and insight into the key issues which impact the openness of the ICT market.

OPENFORUM ACADEMY FELLOWS

We were happy to welcome six new Fellows:

- **Ian Brown**, cybersecurity expert consulting for international organisations, leader of a study for the Commonwealth on election cybersecurity; visiting Professor at the FGV-Rio CyberBRICS project, Research fellow at Research ICT Africa

- **Ardy Siegert**, owner of Ardytectuur, senior IT expert/advisor on open source and open standards with vast public policy experience (e.g. ministry of Infrastructure)

- **Dirk-Willem van Gulik**, owner of Webweaving, co-founder / initial president of the Apache Software Foundation,

- **Arjan Widlak**, director of Kafkabrigade, owner of United Knowledge, open source developer with experience in public policy projects, co-developer of games on standardization

- **Knut Blind**, professor of innovation economics at TU Berlin and Coordinator of the Business Unit Innovation and Regulation, Fraunhofer ISI, with whom we will work on the study on economic impact of Open Source.

- **Flavia Marzano**, professor at Link Campus University working on Open Government, Open Data, president and co-founder of Stati Generali dell'Innovazione, founder of the WISTER group.

JOLTS (JOURNAL OF OPEN LAW, TECHNOLOGY & SOCIETY)

In order to improve the scholarly EU policy-related research on openness, we participated in the re-branding and broadening the scope of the academic journal IFOSSLR (International Free and Open Source Software Law Review).

The new journal, JOLTS, is a peer-reviewed, collaborative publication covering subjects such as Free and Open Source Software, Open Standards, Open Science, Open Innovation, Open Data, Open Access, Open Governance and Open Competition.

This journal aims to be an excellent educational resource and reinvigorate the Fellows and policymakers, leading to a better mutual understanding, more active engagement and exchange of views. We will support the journal through our network with events, workshops and meetings.

PARTNERSHIPS

MEMBERSHIPS

In 2019, OFE became a member of the following stakeholder groups:

- the European Commission's Copyright Stakeholder Dialogue group, which aims to discuss best practices for cooperation between digital intellectual property holders, to ensure the proper application of Article 17 of the Copyright Directive;
- the European AI Alliance contributing to the debate regarding algorithmic transparency and Open Source in AI; and
- the EU Observatory on the Online Platform Economy, and is contributing to the debate regarding the Platform Economy.

Additionally, our CEO, Sachiko Muto, has been an active member of the United Nations Technology Lab Open Source (OS) and Intellectual Property (IP) Advisory Group, providing expertise on legal and technical issues enabling collaborative creation of innovative digital solutions that reach global users and beneficiaries.

SUPPORTERS AND PARTNERS

The OFE team is glad to present new supporters and partners.

- **OSSBIG** - the association of Austrian Open Source user organisations, spanning ministries within the Austrian government and private companies from a number of sectors has recently agreed to join OFE as a supporter.
- **Open-Xchange** - the German office communication and DNS provider Open-Xchange contributed to OFE's work with a donation. Open-Xchange has been supportive in our work on the Copyright Directive, and we are glad they value our work with this donation.
- **OSI** - in line with the agreed OFE position regarding Open Source, OFE has re-stated its support of the OSI definition of Open Source Software and has been accepted as an Affiliate Member.
- **OW2 and OpusVL** - OFE has also signed partnership agreements with French Open Source organisation OW2 and UK Open Source company OpusVL.

2019 EVENTS

23 JANUARY | SBS FORUM ON ICT STANDARDISATION: OPEN STANDARDS IN ICT PROCUREMENT

Sachiko Muto spoke at this event of Small Business Standards and the Digital SME Alliance on how SMEs can use Standardisation and Open Source for their business success.

2 FEBRUARY | PRE-FOSDEM

The Pre-FOSDEM meeting organised together with FSFE was attended by 20 community organisations from several Member States. Three main EU institutions participated in the panel during which we discussed current activities related to the FOSSA audit undertaken by the EP, the Standards report of the EP, presidency plans for supporting OSS in public administrations and the OSS Strategy of the European Commission.

28 FEBRUARY | OFE ROUND TABLE: OPEN HYBRID CLOUD ROUND TABLE - ENABLING A COMPETITIVE MULTI-VENDOR MARKET

During this event we explored how open standards and interoperability can enable a competitive multi-vendor cloud market. Cloud has matured from a buzzword to a fully realised operational reality offering numerous advantages such as decreased costs, higher efficiency and security, especially in flexible hybrid cloud environments. We discussed possible mechanisms for enabling interoperability with the use of open standards. *read the event report*

21 MARCH | EC NLF WORKSHOP

This internal workshop we organised for the Commission on standardisation, digital transformation and the role of the New Legislative Frame-

work, brought together 17 policy officers from three different DGs. This work-shop showed itself to be highly successful vehicle for agenda setting and positioned OFE as a trusted partner to the Commission that is able to bridge gaps the DGs find difficult to tackle. We are planning to continue and devel-op this format for the future.

15 MAY | OFA WORKSHOP

In the first 2019 OFA Workshop, OFE introduced its plans to revitalise the OpenForum Academy. We announced new Fellows, discussed new research priorities and collaboration opportunities

16 MAY | OPEN SOURCE WORKSHOP AT THE EUROPEAN PARLIAMENT

Sachiko Muto spoke at the Open Source workshop organised by MEP Julia Reda. You can access Sachiko's _presentation_ on Open Source in public ser-vices in Europe on Julia Reda's website.

11 JUNE | SHARING & REUSE CONFERENCE IN BUCHAREST

Sachiko Muto moderated a panel at the Sharing and Re-use conference of the European Commission in Bucharest, dedicated to the use of Open Source in public administrations across Europe. _blog_

12 JUNE | OPEN SOURCE AWARDS IN EDINBURGH

Sachiko Muto was a speaker at the UK Open Source awards ceremony, dur-ing which the most outstanding initiatives and individuals in Open Source were awarded in five categories.

19 JULY | UK GOVERNMENT BRIEFING IN LONDON

OFE, in addition to monthly briefings, provides a yearly on-site briefing for the UK Government as part of our monitoring contract, involving key OFA Fellows around a specific topic that the UK Government chooses. In July, we organised a workshop under the theme of "Digital Competitiveness" and involving a number of OFA Fellows to look at this issue from competition pol-icy, technical and data perspectives.

11 SEPTEMBER | COMPETITION IN THE CLOUD

A starting point for this event was The Internet Economy Foundation's _Re-port_ 'Keeping cloud computing competitive' on how multi-cloud solutions can support openness in cloud services in public and private sectors. This

well-received policy event gathered several stakeholders who discussed the status of the Cloud market regarding the competitive landscape and possible ways to address risks of concentration and tipping such as interoperability, hybrid and multi cloud, as well as their positioning in the current debate on public procurement.

18 SEPTEMBER | OFA WORKSHOP

This was our second internal OFA workshop this year, during which we discussed subjects such as the cloud, OS business models and Open Source as civil ICT infrastructure. The workshop's main aim was to identify priority areas for the OFA and stimulate further collaboration. We also appointed the OFA Steering Committee that will coordinate the work of OFA throughout the year. *blog*

25 SEPTEMBER | FOSS4SMES: EU POLICY RECOMMENDATIONS FOR FREE AND OPEN SOURCE SOFTWARE

During this event, we presented the Policy Recommendation Report: Free Open Source Software for SMEs, providing recommendations in three key areas of Vocational Education and training, business and EU institutions policy. We discussed what policy improvements can invigorate the beneficial impact of increasing FOSS usage together with representatives of the European Commission, civil society, researchers, and SMEs themselves. *read*

26 SEPTEMBER | EU FOSS POLICY MEETING

This was our second EU FOSS policy meeting of the year (following the pre-FOSDEM event). We brought together stakeholders from across the EU and policymakers from the EU institutions to reinvigorate advocacy for Free and Open Source Software (FOSS) in Brussels. We stated this goal in the Open Letter, providing Policy Recommendations, which several participants signed during the event. *blog*

15 OCTOBER | COPYRIGHT STAKEHOLDER DIALOGUE

Our Policy Director, Astor Nummelin Carlberg, participated in the Copyright Stakeholder Dialogues, where more than eighty stakeholders presented their views on Article 17 of the Directive on Copyright in the Digital SIngle Market.

7 NOVEMBER | A CONVERSATION WITH SUSAN LANDAU

Dr. Susan Landau - renowned Bridge Professor in Cyber Security and Policy at the Fletcher School of Law and Diplomacy - tackled the issues of law en-

forcement access in the USA and various Member States of the EU, as well as the importance of creating cybersecurity solutions that are non-discriminatory and interoperable.

13 NOVEMBER | OFE COCKTAIL EVENT AROUND THE OSS/OSH WORKSHOP

We hosted a cocktail evening with participants of the Commission's workshop and our broader openness community.

14 - 15 NOVEMBER | "OPEN SOURCE BEYOND 2020" OPEN SOURCE SOFTWARE AND HARDWARE WORKSHOP

It was the biggest event organised by the European Commission on Open Source so far, gathering more than a hundred representatives of OS businesses, organisations, with many speakers being affiliated with OFE. Sachiko spoke on two panels: on the role of Open Source as Innovation enabler and on the role of standards in OS, while Sivan shared his opinion and experience on digital skills for Open Source. *blog*

25 NOVEMBER | PLATFORM INTEROPERABILITY AT THE INTERNET GOVERNANCE FORUM (IGF) IN BERLIN

Together with Open-Xchange, we organised this open workshop on the day-0 event in Berlin for IGF. We focused on the legal details of what Interoperability could look like, engaging the audience to actively participate and share their ideas and concerns. *video*

PUBLICATIONS

FEBRUARY

Round Table Report: Open Hybrid Cloud - Enabling a competitive multi-vendor market *read*

FEBRUARY

The European Union and Open Source - Commission internal policy paper on Open Source

MARCH

Simon Phipps - Opinion Paper: Why Legal Issues are the Wrong Lens to understand the Open Source and FRAND issue *read*
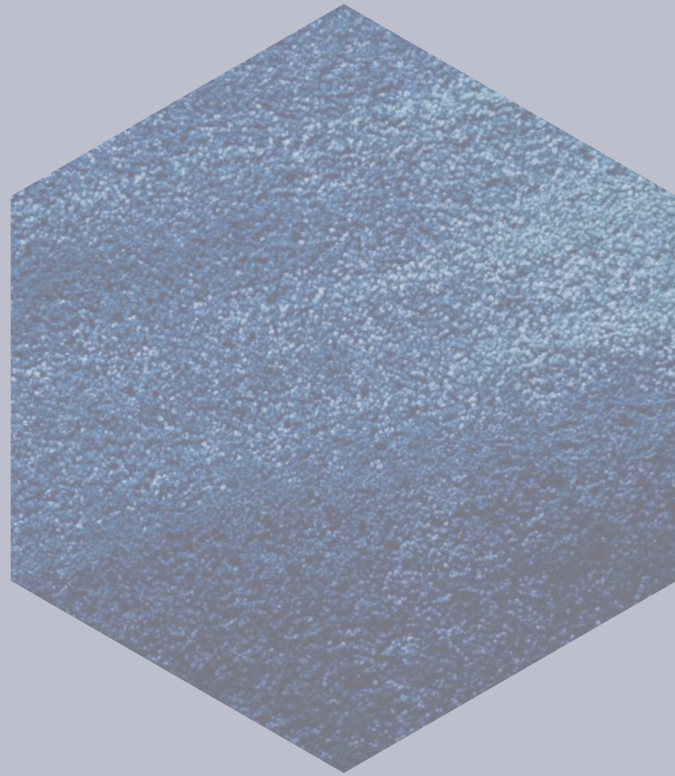
AUGUST

Andrew Updegrove - A Concise Introduction to FOSS *read*

SEPTEMBER

FOSS4SMEs Policy Recommendations *read*

SEPTEMBER

EU Policy Recommendations: Free and Open Source Software *read*

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OpenForum Europe (OFE) is a not-for-profit, independent Brussels based think tank which focuses on openness within the IT sector. We draw our support not only from some of the most influential global industry players, but most importantly from across European SMEs and consumer organisations and the open community. OFE also hosts a global network of *OpenForum Academy Fellows*, each contributing significant innovative thought leadership on core topics. Views expressed by OFE do not necessarily reflect those held by all its supporters.