

Mainstreaming Free/Open Source Software

The Legal and Policy Work Ahead

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Key Motivations

- Lower Total Cost of Ownership
- Higher stability, security, scalability with lower resource footprint
- Preserves national sovereignty / vendor independence.
- Ensures cultural and linguistic diversity
- Builds local software industry
- Results in a market correction
- Reduces copyright infringement
- Increases institutional agility
- Reduces obsolescence
- Protects citizen's rights – Education, Privacy, Anonymity, Freedom of Press, Rule of Law and Protection of Whistle-blowers.

Policy Components

- Law
 - International “IPR” Treaties
 - Free Trade Agreements
 - Copyright Law / Patent Law / IT Law / Competition Law / Tax Law
- Policies
 - FOSS – Mandate/Best Fit/Neutral
 - Open Standards & GIFs
 - Accessibility Policies – WCAG
 - Procurement/Tendering Guidelines
 - Bayh-Dole style legislation – Public “IPR”
- Curriculum
 - FOSS vs. Proprietary vs. Vendor Neutral
- Enforcement / Monitoring & Evaluation
 - Implementation > Institutions > Incentives

Key Obstructions

- Vendor bias because of legacy systems
- Non-existent support ecosystem for FOSS in remote areas.
- The pirate economy + technology transfer
- Tied donor money
- Infighting within the FOSS community
- Corporate capture of FOSS
- Capture of definitions and institutions
- Usability and maturity levels of FOSS applications.

Key Mainstreaming Strategies

- Research and Policy Work
- Freedom of Information / Right to Information
 - ACTA
 - MOUs
- Software patents challenges
- Competition Law to challenge s/w & h/w bundling and secure disclosure of code
- Mandates for research and development funding
- Monitoring public sector spending
- Human Resource Development

Thanks for your time
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