

## **Reaction by OpenForum Europe to the Final Report prepared for IDABC by Gartner – Preparation for Update European Interoperability Framework 2.0**

14.09.07

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OpenForum Europe supports open, competitive choice for IT users. It is a strong supporter of Open Standards, and recognition of new business opportunities offered by the OSS/Free Software model. Not-for-profit and independent, it draws its membership from both the user and supply communities, and holds partnerships with many national and other leading organisations across Europe, and increasingly globally.

OpenForum Europe acknowledges all the input received from its members and partners in the compilation of this document. However, OpenForum Europe does not seek to represent any specific community nor present its opinions as being unanimously supported by its full membership. References given are fully attributed and every effort made to ensure they have been taken in true context.

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## 1. Summary

OpenForum Europe (OFE) welcomes the opportunity to comment on the Gartner report, having participated in the Industry Representatives Workshop, and will continue to offer support and commitment to IDABC in the forward development and implementation of EIF Version 2.

OFE has restricted its comments to those areas where it believes it has most competence to respond fully.

OFE continues to hope that the EIF Version 2 takes the opportunity to offer the same degree of leadership, both to the Industry as well as public sector users, as did Version 1.0. Version 2 has the great advantage in that it is building on the both the success and experience gained by Version 1.0. Those lessons should not be lost, nor discarded – but instead built on.

OFE believes the highest degree of focus now needs to be given to,

- Firstly, raising the level of detail beyond that of technical interoperability,
- Secondly, populating it with detailed and practical guidance built on hard case studies of real life success stories,
- Thirdly, moving to a stronger 'enforcement' proposition where it becomes the strategy for all EC related activities including those in-house, and
- Finally, introducing a set of measured goals and deadlines into the process.

Some detailed needs remain:

### ***Definition of an Open standard***

OFE would be strongly opposed to any watering down of the EIF, in order to satisfy the demands of certain current proprietary suppliers and their trade bodies. Clearly the precise wording of the definition will need to be closely examined and OFE accepts there may be wording which could be considered in replacement, without destroying the fabric and essence of Version 1.0.

### ***How do you Maximise Choice and avoid being 'Locked-In'?***

This second question relates much more than just a definition since it requires practical and pragmatic advice being offered to Member States on how they identify open products, how they ensure such products, whether proprietary or open source, particularly those involved in interoperability, meet the definition, and equally recognise where proprietary extensions have limited the “Openness” sought and procured. Many Member States administrations will already have locked themselves in to proprietary interfaces contained in their current solutions. As disclosed in the UK Government's pilot trial report on OSS, much of this lock in is hidden, and not explicitly declared, or easily visible. There is an urgent need from the EC on leadership on what steps can be taken short term to resolve such inhibitors to progress. One measure is the degree of substitutability offered in each product selection.

### ***Guidance***

We recognise the stated intention of the EIF is to provide significant guidance for Member State administrations and EU bodies and a pan-European dimension into their own interoperability frameworks. However, we continue to urge the EC to encourage a further level of pragmatic adoption of the EIF by Member States for their internal strategies. We also believe the EC itself must adopt the same principles for its own ICT solutions – a practice we would observe is not predominantly the case today. We suggest version 2 of the EIF should have practical implementation and adoption as a particular point and focus for the document.

## 2. Market Impact of EIF Version 1.0

OFE was a strong vocal supporter of the EIF Version 1.0 and saw the publication of the EIF as a pragmatic and necessary next step in the understanding of the real issues regarding the advancement of true interoperability across Europe. To take those steps necessary to secure the benefits across the community, OFE recognises the essential need for Government to show leadership, and where necessary, to challenge the status quo. EIF Version 1.0 clearly did challenge parts of the industry, particularly those who had strong vested interests in preserving their past or current market position and revenue streams. However, such a position did nothing to advance the needs of European based ICT industry, nor the needs of Europe working in an increasingly global economy. Certainly such negative actions do nothing to support the work of the public sector and governments in communicating between themselves and with the communities they serve.

Whilst IDABC were careful to emphasise that the EIF was only designed to cover pan-European Government eGovernment services, it is important to note that generally EIF was viewed with a much wider influence. The EIF is widely quoted worldwide, not just within the EU, and has driven a considerable amount of positive industry thinking and action.

Without the EIF it is viewed as unlikely that national frameworks will coalesce and the opportunity for pan-European interoperability will be lost.

In summary we made the following key points in supporting EIF Version 1.0:

- **Interoperability is not just about the technical aspects** – we observed debate had been focused on the technical issues but without the semantic and organisational interoperability it is meaningless in real life. We noted that the benefits of OSS in interoperability go beyond the technical aspects.
- **Open Standards versus Open Source Software** – OSS is actually a description of the licence under which the software has been released, but in practice OSS support of Open Standards is full and fundamental to its development. The benefits of OSS in the public sector go beyond that of Open Standards, as recognised in the EIF. OFE was happy that selection of OSS or proprietary software is based on value for money so long as a level playing field has been created. The role of the EIF v1.0 in creating that position was vital.
- **The issue of “Openness”** is at the root of both Open Standards and Open Source Software. Openness is simply a means to an end. It is essential we do not lose sight of what the goals are. 'Openness' was not a term that was defined in EIFv1.0.
- **Definition of an Open Standard.** The EIF Version 1.0 clearly and correctly tackled this head on. The ICT market is too fast moving to rely simply on de jure standards, and de facto standards will continue to have a significant position in the market, but market demands and new business models require a tighter definition in order not to be circumvented for proprietary benefit, and thus limited effectiveness.
- **A transition strategy** was as important as a long term framework. We also recognised that the EIF Version 1 in setting challenges to the status quo, required careful consideration, and time, to fully adopt.

### 3. Detailed Commentary on Gartner Report

In this section we provide specific comments on the content of the Gartner Report. The Section numbers are those of the Gartner report. Unless specified all content in italics are taken from the Gartner report.

#### *Section 2 Input*

##### *Section 2.3.3 Industry Representatives Workshop (27-11-2006)*

OpenForum Europe welcomed the opportunity to be invited to participate in the Industry workshop, and indeed the opportunity to provide additional written input as follow up to that discussion. It is disappointed, therefore, to find no inclusion whatsoever of the points raised by OFE in Gartner's final report.

Of equal and specific concern is para 2.3.3 reporting the Industry Representatives Workshop (27-11-2006). It is difficult to reconcile the Gartner report of that meeting with our own notes. We do remember wide disagreement with the assumptions being stated by Gartner in their presentation, and significant divergence of view when it came to definition of Open Standards. But what is certain is that the final sentence does NOT reflect the outcome of the meeting. *“Their [the industry representatives] opinion is that the framework should allow competition among standards, open and non-open”*.

This is entirely incorrect. It is certainly true that at least one attendee was of this view, but it was opposed with at least equal strength by others. Where there WAS agreement was that the framework needed to recognise solutions built on both proprietary and Open Source Software. But to extrapolate that to open and non-open standards is either mischievous, or betrays a deep lack of understanding on market pressures and solutions. We would formally ask that this comment be removed from the report, and possibly Gartner be asked to expand on the wider areas of industry concern expressed which have been omitted. The fact that such a biased report of the Workshop has been included gives substantial concern on the quality of other reported interviews.

#### *Section 3 – Analysis*

**Section 3.2** In this section Gartner identify identify some of the reasons why they viewed acceptance and implementation of EIF v1.0 as being 'suboptimal'. Included was:

- *Incomplete interoperability model*
- *Neglecting the Legacy and evolution of standards*
- *Unclear responsibilities*
- *Ignoring legal barriers*

##### *Incomplete Interoperability Model*

We agree with this statement, but this is just a reflection of the goals stated by IDABC for Version 2. Our expectation was that this would be the focus of the Gartner report.

##### *Neglecting the Legacy and evolution of standards*

This statement is at the basis for a number of conclusions further on and must be immediately challenged as incorrect and misleading:

Firstly as to the ***“fact that existing standards may represent an operational legacy and migrating to open standards may require significant investments and time without delivering new value”***.

Operational legacy is of course a significant aspect (particularly financial) in determining forward strategies for any organisation. Rarely is this legacy, however, caused just by the use of (inevitably) proprietary

standards, and equally likely it will be caused by lock-in by applications who choose not to adopt new standards as they themselves become refreshed and updated. There are exceptions to this, notably document standards, but even in this highly controversial area do you hear support for their preservation in current format. OFE strongly believes that document format standards occupy a uniquely important position as they will control all future document transitions. They are a pivot point of Interoperability, and form a fundamental instrument against lock-in and market domination.

Use of Open Standards is exactly the way to build future proofing into forward solution building in a way, unfortunately, not commonly present today. The EIF as a Framework, whilst acknowledging migration issues, should not allow proprietary standards to dominate the strategy.

Secondly, as to the statement ***“Besides EIF v1.0 does not mention the world-wide best-practice to support multiple standards simultaneously in order to prevent vendor lock-in and sustain innovation”***.

This reads like a piece of propaganda copied from the trade body of a proprietary supplier, rather than a well considered conclusion from an independent analyst. Let us look at each point and challenge Gartner to provide proof of their assertions:

***Worldwide best practice*** Having as an organisation independently carried out a full examination of this widely repeated claim OFE concluded in our White Paper “Dual Standards – More Choice or Less”<sup>1</sup>, that it is entirely without merit. We could find no examples where multiple standards had been successfully accepted in the market, giving benefit either to the suppliers or to the users. In fact the opposite was true. Certainly it is true that there may be multiple standards present in a market but NOT where they directly compete.

***Prevent Vendor Lock-In*** Since the authors have not limited the statement in any way to development of an Open Standard ( from a proprietary one) this suggests that the only way to prevent vendor lock-in is to encourage each supplier to invent its own proprietary standard, effectively forcing a user to build in multiple interoperability strategies, raising by a factor the complexity and cost of such solutions. A further key factor omitted by Gartner is that in the majority of cases full mapping between standards will not be possible, resulting in potential data loss. The alternative will be lock-in. Benefit to the user comes from competition and choice at the service/application end , not from having competing standards. Future Open Standards will emerge through innovation via the de facto route – the key is to allow their development, but then ensure independent accreditation and maintenance.

***Sustain Innovation*** Again we would welcome evidence where multiple standards has given rise to successful and market changing innovation? We have been unable to find them in an equivalent scenario where there is a strong networking effect. Instead we have identified examples of where the opposite is true. The FLOSS Impact report<sup>2</sup>, commissioned by the EC, confirmed how use of Open Source Software, developed on the back of Open Standards, offered opportunity for Europe, but also warned on the dangers of protecting existing dominance:

- *“Strong network effects in ICT, the related capitalization for installed dominant players, and some new forms of IPR scope extension risk leading to innovation resources being excessively allocated to defensive innovation. There is a case for a rebalancing of innovation incentives as to create a more equitable environment for innovation that targets publicly available technology for new functionality.*
- *FLOSS potentially saves industry over 36% in software R&D investment that can result in increased profits or be more usefully spent in further innovation.”*

The OFE White Paper examples the impact on innovation in one market - mobile telephony, comparing the positive impact in Europe and most of the world on innovation where one standard was present (GSM). In the US GSM competed alongside CDMA and TDMA. Not only did this slow the market take up of mobile phones in the US, but divided competition. By Q2 2006 GSM accounted for 82% of the global mobile

1 [http://www.openforumeurope.org/index.php?option=com\\_docman&task=cat\\_view&gid=105&Itemid=102](http://www.openforumeurope.org/index.php?option=com_docman&task=cat_view&gid=105&Itemid=102)

2 *“Economic impact of FLOSS on innovation and competitiveness of the EU ICT sector”* <http://ec.europa.eu/enterprise/ict/policy/doc/2006-11-20-flossimpact.pdf>

market<sup>3</sup>. There can be little debate that this standard has stimulated significant competition and innovation in this market.

In summary we would point to a recent interview with Tim Berners-Lee<sup>4</sup>, who very effectively provides a concise argument why the Gartner assertion is so fundamentally flawed.

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*It was the standardisation around HTML that allowed the web to take off. It was not only the fact that it is standard, but the fact that it is open and royalty-free. If HTML had not been free, if it had been proprietary technology, then there would have been the business of actually selling HTML and the competing JTML, LTML, MTML products. Because we would not have had the open platform, we would have had competition for these various different browser platforms but we would not have had the web. We would not have had everything growing on top of it. So I think it very important that as we move on to new spaces [...] we must keep the same openness we had before. We must keep an open internet platform, keep the standards for the presentation languages common and royalty-free. So that means, yes, we need standards, because the money, the excitement is not competing over the technology at that level. The excitement is in the businesses and the applications that you built on top of the web platform.*

### **OFE Conclusion – Multiple standards**

**In the Gartner report multiple standards are referenced as supportive of choice, and competition. There is strong evidence of muddled thinking in their analysis and OFE strongly contests such conclusions. Having produced an extensive White Paper, concluding the opposite to be true, such judgements should we feel be contested in any follow up analysis.**

**The Gartner report appears to ignore, or be unaware of previous views on this subject. More recently the impending possibility within Document Exchange formats of having directly competing formats has resulted in significant new comment. A general conclusion gathered from across all markets and technologies is they do not work, they are not accepted, and the market naturally moves to a single 'winner'. In the meantime significant time and resource is wasted by the market, duplicating efforts for no incremental return.**

**The IDABC workshop on ODEF gave an opportunity to understand Member State views on such a possibility, and their conclusions will be well known to readers within IDABC. Using polite language, it was voted No 1 of their concerns expressed as “ general dissatisfaction with the prospect of having competing standards”. But it was the clarity and unanimity of the individual presentations that struck home. Of particular note was the presentation by FEDICT who clearly illustrated the issue by way of increased and unnecessary cost and complexity to their organisation.**

**The example of the GSM standard within mobile telephony, gives but one example of the benefits to the market of having one standard, and the dangers and impact of not.**

**The Internet, however, provides a single and we would suggest unequivocal exemplar of what can be achieved, building on a single set of non-competing open standards.**

### ***Section 3.3 Standards***

We support the point made by Gartner which recognises the current disconnect between the regulation imposed by Directive 98/34, and the lack of support for organisations like W3C and Oasis. Such disconnect is a matter for other EC studies so is not commented on at any length now, other than to observe three key

<sup>3</sup> Source GSM Association, [http://www.gsmworld.com/news/statistics/pdf/gsma\\_stats\\_q2\\_06.pdf](http://www.gsmworld.com/news/statistics/pdf/gsma_stats_q2_06.pdf)

<sup>4</sup> <http://blogs.zdnet.com/Berlind/?p=518>

points:

- Standards we must assume, will increasingly come about 'out of the market' – de facto rather than de jure. However, to become formally recognised as an Open Standard imposes substantial additional demands on the original author, and that author must accept these fully if they are to be formally adopted and be considered within a Framework such as the EIF.
- A key factor is the absolute transparency and independence achieved within that host organisation. Not all organisations operating within this space appear to observe such a position.
- Equally it is not clear that the ISO process itself imposes sufficient rigor on National Bodies to ensure that the conferring of an ISO standard meets the market demands (and definition) of an Open Standard.

We do NOT support the reservation stated by Gartner that EIF v1.0 reflected a “*Dogmatic focus on open standards*”. Following the formal dictionary definition of being dogmatic, this suggests EIF v1.0 was 'arrogantly asserting declarations of opinion', and was being 'intolerantly authoritative'!

Is it not the role of Government to offer leadership, even if it affects the status quo, but does offer a forward path supported by its member states and by the majority of industry and the community?

It is at this point where Gartner then make a series of key and highly controversial (even dogmatic?) statements:

- *Facilitate evolution and avoid vendor lock-in by supporting multiple standards*
- *Gartner's guideline is to use those standards that are globally accepted and evolve with them.*
- *Gartner acknowledges the importance of open standards. IT vendors and system integrators should also recognise that open standards are the way to go.*
- *Gartner recommends not to focus on open standards per se*
- *The support for multiple standards allows a migration towards open standards when appropriate in the long run.*
- *The use of 'open source' software may further the deployment of public services. However,....it is the most viable software that should be allowed to survive in the infrastructure.*
- *EIFv2.0 should facilitate multiple options to co-exist and compete.*

## **Multiple Standards**

OFE's comments and conclusions on Multiple Standards are documented above already and do not need to be repeated.

## **Open Standards**

Some initial observations:

- Gartner's comments on Open Standards in this report seem to be at variance to other comments they have made elsewhere, e.g.

*“Open standards and open source software reduce vendor lock in ...”*

*Andrea di Maio\*, synopsis for presentation at Gartner Expo 2007<sup>5</sup>*

*“ Open standards are a critical component of a service oriented architecture because they break the barrier of proprietary vendor solutions and enable true cross platform cross vendor interoperability.”*

*Guido van der Harst\*\*, Michiel Malotaux\*\* authors of Gartner report Reflections on Electronic Communication for Dutch Ministry of Economic Affairs, 2007<sup>6</sup>*

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5 <http://agendabuilder.gartner.com/SYM17/WebPages/SessionDetail.aspx?EventSessionId=987>

6 <http://appz.ez.nl/publicaties/pdfs/06ET25.pdf>

[note \* presented at the Industry Representatives workshop, \*\* named authors of IDABC report]

**This apparent diversity and conflict of view needs to be explained by Gartner, since there appears to be no explanation why it should be different in this report for IDABC.**

- Points 3, 5 suggests that Gartner recognise the value (albeit long term) of Open Standards, but point 4 doesn't? If there is value long term, why wait and instead encourage and support now? If IT vendors and system integrators should recognise that open standards are the way to go why not national governments, the European Commission, and their IT divisions and partners? As soon as an Open Standard can be demonstrated to be supported by multiple vendors, proprietary standards should be phased out. Given the significant long-term cost savings which can be realized by avoiding vendor lock-in and improving the speed with which new services can be developed, particularly for A2A services, open standards should, where possible, be adopted as the base standard with other necessary de facto standards layered on top. Adopting open standards also provides a level playing field for businesses and citizens, allowing them to interact with services and still maintain autonomy of their own systems

Ultimately, interoperability should be defined from the user's perspective. "Interoperability" is the fulfillment of users' expectations to exchange and use information among various devices and software products from multiple vendors or service. Technical barriers to interoperability should only be those resulting from limitations in technology or by legal constraint. They should not be intentionally introduced or sustained by vendors or service providers and should not appear as intentional barriers to technical interoperability for the purpose of promoting market advantage for a single vendor.

It is therefore hardly surprising that debate around the definition and use of Open Standards are at their most vigorous when conducted in the area of interoperability. Equally whether such standards used for interoperability should be a profit generator in their own right, or be a basic right of 'free passage' between systems? If we are to see the benefits from open competitive choice, ie innovation, service delivery and cost then this really is self apparent. An Open Standard has to support all business models and not restrict the most disadvantaged. Patents have no part in interoperability, nor has control by individual companies. An Open Standard becomes the single most important enabler in the area of technical interoperability.

OFE recognises the place for proprietary based solutions alongside those of Open Source/Free Software. What is key is the maintenance of open standards for interoperability between either, and the avoidance of lock in from use of closed interfaces and formats. In this context we use the term 'proprietary' to differentiate from 'open source', and recognise that either can support open standards.

Closed interfaces can have no place in the development of software plans for the public sector. Equally, the use of proprietary extensions to open standards for the purpose of reducing interoperability must be rejected.

The definition of an Open Standard is crucial, and should nor be underestimated, or avoided. EIF v1.0 contained a very important definition. Other definitions exist, but more important are the principles:

- **Openness and Independence of its maintenance** The standard should be adopted and maintained by a recognised independent organisation which openly and transparently further develops the standard, with access open to all. Key here that, if as is likely the standard will have been developed at least in part by industry then it is handed over in its entirety, with no lingering doubts on independence or influence.
- **Retains no proprietary dependencies or extensions** The standard must be free of any proprietary extensions or dependencies, or any other proprietary code or formats which might limit the use of that standard. Is the code really independent?
- **Openly Available** The standard is published in full and is freely available, with no

legal or technical constraints on use or reuse by any party.

- **Royalty free** If a patent is present then this is irrevocably made available on a royalty free basis, and no royalty bearing licenses are required. This therefore specifically RAND ( Reasonable and Non Discriminatory) licensing other than RF RAND (Royalty free version). The term RAND is highly contentious since to many it is exactly the opposite of that. How do you define reasonable when addressing a global market with substantial differences in local GDP? And it does discriminate against for example the FS/OSS licensing. The key requirement for this principal is that it must freely allow all business models.
- **Multiple Implementations** Do implementations of the standard exist in more than one product in general release by more than one supplier? Tests in practice all points above and also their effectiveness.

As part of Certified Open<sup>7</sup>, OpenForum Europe and Free Software Foundation Europe have constructed the following phrase to tightly encompass these principles:

An Open Standard refers to a format or protocol that is:

- subject to full public assessment and use without constraints in a manner equally available to all parties;
- without any components or extensions that have dependencies on formats or protocols that do not meet the definition of an Open Standard themselves;
- free from legal or technical clauses that limit its utilisation by any party or in any business model;
- managed and further developed independently of any single vendor in a process open to the equal participation of competitors and third parties;
- available in multiple complete implementations by competing vendors, or as a complete implementation equally available to all parties.

## **OFE Conclusion - Open Standards**

**EIFv1.0 set a benchmark for the use and adoption of Open standards. Instead of building on the positives of EIF v1.0 Gartner proposes to water down this adoption, based on arguments which have been shown to be false, and indeed appear may not to be representative of Gartner's own views worldwide. Long term commitment to Open standards starts now, not some time in the future. Absence of adoption of Open standards is evidenced by the current lock-in to proprietary solutions, suffered by many public administrations, limiting their ability to take advantage of new innovation, greater functionality, and lower cost. The case for Open standards is overwhelming.**

**What is realistic, however, is recognition of the current status quo as the base point. This will mean that public administrations will need to interoperate with many proprietary legacy systems used by citizens. This is both an accessibility and migration issue. It will not be eased by encouraging proprietary 'standards' between organisations, and perpetuating this issue one day beyond what is necessary.**

## **Open Source Software/Free Software**

EIF v1.0 made limited but positive recognition to the use of OSS/FS within the constraints of the Framework. OFE generally within this response has taken a very level playing field position, recognising the continuing position of both proprietary and OSS software within an organisations library. This position should not, however, be misconstrued.

Firstly, in supporting the formal definition and support for Open standards we are seeking to ensure the ability of both business models to co-exist. Without licensing free of patent or cost, the OSS business model will not be available to Governmental users, and will be discriminated upon. We do not believe this is in the

<sup>7</sup> [www.certifiedopen.com](http://www.certifiedopen.com)

interest of the EIF nor of any member State. It therefore needs to be specifically protected.

Secondly the EIFv1.0 drew attention to the incremental benefits available to public sector users via the use of OSS. Specifically OFE in the past has drawn attention to such benefits:

- Lower cost, allowing scarce resource to be diverted to front line services
- Improved accessibility, not discriminating against the disadvantaged by requiring high cost access solutions
- Community access, allowing for the first time use of the OSS business model, and reuse of surplus kit, to regenerate community access to regional solutions and benefits
- Sharing, freedom to jointly develop and maintain common code and applications without fear of issues of licensing and IPR.

These are examples of opportunity which the OSS business model enables within the higher levels of semantic and particularly organisational interoperability.

On a wider basis the FLOSS Impact study made a series of key conclusions on OSS within Europe, both as to its impact on the market, the opportunity created, and the dangers if the EU/EC adopt a passive position:

- *Defined broadly, FLOSS-related services could reach a 32% share of all IT services by 2010, and the FLOSS-related share of the economy could reach 4% of European GDP by 2010.*
- *The notional value of Europe's investment in FLOSS software today is Euro 22 billion (36 billion in the US) representing 20.5% of total software investment (20% in the US).*
- *FLOSS potentially saves industry over 36% in software R&D investment that can result in increased profits or be more usefully spent in further innovation.*
- *Europe's strengths regarding FLOSS are its strong community of active developers, small firms and secondary software industry; weaknesses include Europe's generally low level of ICT investment and low rate of FLOSS adoption by large industry compared to the US*
- *By providing a skills development environment valued by employers and retaining a greater share of value addition locally, FLOSS can encourage the creation of SMEs and jobs. Given Europe's historically lower ability to create new software businesses compared to the US, due to restricted venture capital and risk tolerance, the high share of European FLOSS developers provides a unique opportunity to create new software businesses and reach towards the Lisbon goals of making Europe the most competitive knowledge economy by 2010.*
- *FLOSS provides opportunities in Europe for new businesses, a greater role in the wider information society and a business model that suits European SMEs; FLOSS in Europe is threatened by increasing moves in some policy circles to support regulation entrenching previous business models for creative industries at the cost of allowing for new businesses and new business models.*
- *Europe faces three scenarios: CLOSED, where existing business models are entrenched through legal and technical regulation, favouring a passive consumer model over new businesses supporting active participation in an information society of "prosumers"; GENERIC, where current mixed policies lead to a gradual growth of FLOSS while many of the opportunities it presents are missed; VOLUNTARY, where policies and the market develop to recognise and utilise the potential of FLOSS and similar collaborative models of creativity to harness the full power of active citizens in the information society.*

## **OFE Conclusion – Open Source Software/Free Software**

**The use of OSS/FS within the Gartner report is largely ignored. There are two quite different points that need to be made.**

**Firstly EIFv2.0 should ensure that OSS/FS is not disadvantaged or discriminated against in any way eg through support for proprietary standards or loosening of definition for an Open standard.**

**Secondly in recognising the opportunity for OSS, EIFv2.0 should be actively supporting its use within the framework as proposed under the "Voluntary" recommendation within FLOSS Impact.**

### ***Section 3.5 Governance***

We note Gartner's points on need for 'strong leadership' being 'necessary to establish an accepted framework.', and then going on to say that this had not been established. Our own observation would be that IDABC with the EIF had in fact provided strong leadership to member states, but in a precise area, one of pan-European eGovernment services, only after extensive discussion with member state representatives. We would observe a slightly different problem. Firstly that the take up of such pan European services has been somewhat slower than what would be hoped for on the back of i2010, and secondly that as a guidance framework there is little pressure for adoption by member states, particularly within their own internal systems. We would see the need for the EIFv2 to be taken forward in a much stronger manner for internal use.

### ***Section 4 Proposed EIF v2.0***

We believe adoption of EIF v1.0 was hindered by the high level of complexity and lack of flexibility of adoption. For EIF v2.0 to succeed, a tiered approach is needed. This would allow administrations, businesses and citizens to select a level they can obtain and then work to improve incrementally. Legislation could then be used to set milestones around adoption of the levels of compliance. The combination of tiered compliance levels, milestones and legislation has proved successful in previous and existing EU-wide schemes such as vehicle emissions.

An overall view for EIFv2.0 is the need to build on version 1.0 and to introduce both a set of milestones, achieving steady progress to the goals, rather than 'all or nothing'. This will allow the necessary migration towards open standards, as previously identified as necessary.

### **Avoidance of Lock-In**

The Gartner report makes much mention of the dangers and impact of lock-in but makes no recommendation on its avoidance, either in general or as part of the EIF. This is a missed opportunity.

Lock-in occurs not just because of the use of proprietary standards, but from a multitude of reasons. Analysis by OFE has indicated that due to lock-in to proprietary solutions up to 90% of public sector organisations no longer have the freedom to choose on the basis of competitiveness, functionality or price their next IT solution. This is not only limiting their strategic direction, and opportunity for technological innovation but also the effectiveness of their delivered service to users and the the public. Much of this lock-in is not visible and inadvertent and results from 'hidden' lock-in caused from application purchases.

A key factor is recognising that "exit costs" are as much of the TCO of a solution as are initial purchase and maintenance , and not a migration cost associated with adoption of new 'open' solutions, ie it is a cost of failure associated with the past, not a cost of success in the future. Extension of that "exit cost" by staying with the lock-in only postpones such costs.

OFE is working with industry, with the community and with Governments to introduce a voluntary scheme to assist user organisations to be able to avoid new lock-in caused by incomplete procurement decision making, and to assess current degrees of lock-in which are mitigating against the benefits of future decisions. Certified Open® is jointly being introduced by OFE and the Free software Foundation Europe and is being offered as a genuine and independent accreditation scheme.

## **4. OFE Recommendations**

### **4.1 Open Standards**

**OFE strongly believes the role of Open standards should be reinforced in EIFv2.0, and not watered down in any way. If Government is to maximise the benefits of greater innovation, improved service delivery and lower cost then maintenance of an open environment, free of lock-in, then the role of Open standards needs to be increased. The maintenance of a strict definition is essential if business model freedom is to be secured, and the ability of individual suppliers to protect their status quo is to be avoided. Migration to such standards is , however, of pragmatism – without diminishing the importance of the strategy.**

### **4.2 Multiple Standards**

**Multiple directly competing standards increase cost and complexity for the user. They also fragment markets in a way completely opposed to the objectives of the EU and i2010. EIFv2.0 should give clear direction on its wish to avoid such multiplicity, by firstly supporting Open Standards, and encouraging governments to avoid such proposed dual standards, unless they can be proven to offer distinct functionality unavailable through any other route.**

### **4.3 Open Source Software/Free Software**

**The EIF v2.0 should avoid any recommendation that restricts in any way the use of OSS, either through approved licensing terms, or business practice. Further the EIF v2.0 should continue to encourage OSS business models and development techniques in its recommendations around organisational interoperability.**

### **4.4 Avoidance of Lock-In**

**Lock-in is now an accepted issue which will prevent adoption of EIF v2.0 unless its current impact is assessed and understood at a local level. OFE recommends that IDABC and national representatives undertake a series of verification trials to assess the current cost of that lock-in and to introduce measures within the EIF to avoid in the future. OFE offers free of charge the use of Certified Open to assist in that process.**

### **4.5 Transition Plan**

**EIF v2.0 needs to include a transition plan which, without diluting the needs of the forward strategy, recognises the legacy of current systems.**