From open-data to open-source

“France open-source contribution policy”

Laurent Joubert
DINSIC, Prime Minister’s Office

@ljo | laurent.joubert (o) modernisation.gouv.fr
It all started with a crisis...

France: How a high school association finally obtained a source code

In October 2016, the association Droits des Lycéens, which represents French high school students and helps them assert their rights, finally obtained the source code of an algorithm that influences students’ entry to university after the Baccalaureat exam. This was a conflict lasting more than seven years between the association and the Ministry of Education, which initially refused to publish the source code of its tool.

The ministry of education sends the code source of APB by post mail

France’s high school students are now demanding the algorithm’s release.

The national education ministry is sending the source code of APB by post-mail to high school students. The association Droits des Lycéens, which represents French high school students and helps them assert their rights, has finally obtained the source code of an algorithm that influences students’ entry to university after the Baccalaureat exam. This was a conflict lasting more than seven years between the association and the Ministry of Education, which initially refused to publish the source code of its tool.

APB : the code source should be revealed “soon”

The national education ministry announced its intention to reveal the code source of APB, the tool for the selection of students for university, soon.

Le ministère de l’Éducation nationale a annoncé son intention de révéler prochainement le code source d’APB, l’outil d’affectation des étudiants dans l’enseignement supérieur.

The code source of APB should be revealed “soon”.

The national education ministry announced its intention to reveal the code source of APB, the tool for the selection of students for university, soon.

Le ministère de l’Éducation nationale a annoncé son intention de révéler prochainement le code source d’APB, l’outil d’affectation des étudiants dans l’enseignement supérieur.

Le bras de fer entamé depuis quelques mois entre le ministère de l’Éducation nationale et l’association Droit des lycéens sur la question d’APB pourrait bien prendre fin. La ministre de l’Éducation nationale Najat Vallaud-Belkacem a annoncé ce matin lors d’une conférence de presse publiée prochainement du code source de l’algorithme d’affectation des étudiants dans l’enseignement supérieur. Ce que l’association Droit des lycéens réclame depuis des mois.

Avis favorable de la CADA

Le 16 septembre dernier, la Commission d’accès aux documents administratifs (CADA), saisie par l’association Droit des lycéens, rendait “un avis favorable à la communication” du code source d’APB. « La commission estime que les documents sollicités, s’ils existent, sont communicables à toute personne qui en fait la demande, en application de l’article L311-1 du code des relations entre le public et l’administration », indiquait la commission dans son avis, révélé par Le Monde.
...thanks to a tiny legal hack:

Article 2

ELI: https://www.legifrance.gouv.fr/eli/loi/2016/10/7/ECFI1524250L/jo/article_2
Alias: https://www.legifrance.gouv.fr/eli/loi/2016/10/7/2016-1321/jo/article_2

1 - À la seconde phrase du premier alinéa de l'article L. 300-2 du code des relations entre le public et l'administration, après le mot : « prévisions », sont insérés les mots : « , codes sources ».
open-source=open-data(source code files) with specific licenses
Open-source contribution policy was issued to help
Source: https://www.numerique.gouv.fr/publications/politique-logiciel-libre/

Modalités d’ouverture des codes sources
DINSIC Open-source contribution policy

How to open source code? Under what licence? How can a civil servant contribute to an existing open-source project?

Under the Law for a Digital Republic of October 7, 2016, source codes are administrative documents that are communicable and reusable.

The DINSIC wanted to discuss with public stakeholders, but also with open-source communities, NGO, private companies and the academic sectors on how to open source code.

This policy was validated by all departmental CIOs on February 15, 2018 and is officially in effect.

Document content
- Contribution Policy for Free Software of the State
- Opening Principles of source codes
- Best practices
- Instantiate a local Contribution Policy
- Governance of the Interdepartmental Contribution Policy
- Frequently Asked Questions

License
Published under Licence Ouverte 2.0.
Thanks to the Open Government Partnership (OGP),
a group worked on an open-source policy template
Template that was issued on github under CC0

- **Scope:**
  - Existing project contributions / Releasing new projects
  - Source code and documentation
  - Civil servants and sub-contractors

- **Principles:**
  - Subsidiarity
  - Individual recognition
  - Personal / professional contribution
  - Implementation best practices (DVCS, Licenses, CLA, …)
  - Guidance & Support

- **Structure:**
  - General FOSS contribution policy template
  - Best practices and examples aimed for developers within public administrations
  - How-to instantiate this template
  - General governance of the present document and how to contribute
Take away: why did France publish an open-source policy?

- Algorithms accountability and transparency for citizens
- Collaboration and participation with the civil society
- Economic value generated for private actors and organizations
- Helping lowering costs (share & re-use)
- Mastering and controlling Information systems
- Attract IT talent and increase existing skills

Or maybe because it was a public engagement tracked by the OGP:

!*Common digital tools and capacity*

- 16. Opening and sharing civic technology tools for opening government
- 17. Collaborative data infrastructures
- 18. Guiding principles for open data policies
- 19. Creating an Open Source Software policy
- 20. Suggested new collective action: Transparency on international trade negotiations