

# Building a digital commons of Public Administration for OS software: the experience of CSI-Piemonte

**Laura Garbati** 

lawyer – CSI-Piemonte Legal Office

Marseille, 16 October 2019

#### Roadmap

- The "Italian contest": law and other stories
- Who we are and what we have to do with OS
- The first year of CSI's Open Source Centre of Competence:
  - What we have done,
  - What we are doing
  - —A new challenge: from "open by design" to "community by design"

#### — The Italian contest: open by law

### <u>Italian Digital Public Administration Code</u> (D.Lgs. 82/2005)

«Public administrations acquire computer programs ..., following a comparative assessment of a technical and economic type [...] where the technical and economic comparative assessment... motivates the impossibility of accessing solutions ...free software or open source codes..., the acquisition of proprietary computer programs is allowed" (art. 68)

"The public administrations who are holders of solutions ... have the obligation to make available the relevant source code, complete with the documentation and released in public repository under an open license... to other public administrations or legal entities that intend to adapt them to their needs (art. 69)

### Reuse becomes a species of the open source genus

The public administrations who are holders of computer programs [...] must make them available in source format, complete with the available documentation, in free use to other public administrations [...]

### — The Italian contest: open by law /1

<u>Piedmont Regional Law 9 / 2009 - Rules on computer pluralism, on the adoption and dissemination of free software and on the portability of IT documents in public administration.</u>

The Region uses open source computer programs and open formats for the electronic distribution of documents [...] In the event of adoption of proprietary formats, the Region motivates the reasons for its choice and also makes available a version, as close as possible to the same data, in free format [art. 4]

The Region uses in its activity computer programs of which it holds the source code. The availability of the source code allows the Region to modify the computer programs so that they can be adapted to their needs.[...] the Region, in choosing computer programs, promotes the adoption programs belonging to the free software category and the programs whose code can be inspected by the license holder. [...] [art. 6]

## The Italian contest: the Agid guidelines

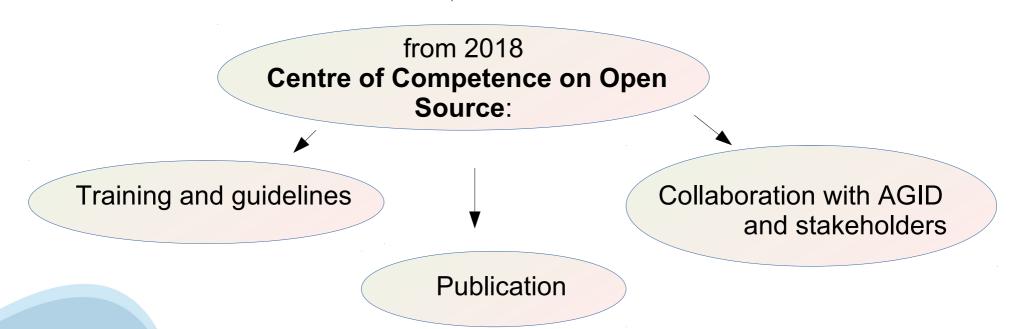
- Publication of all owned sofware (personalizations included) developed over the last 5 years
- Standard guidelines for repository and license choice
- Advice on how to maintain an open solution on a public repository
- Strong endorsement for coordination and collaboration
- A reference platform: Developers Italia



#### CSI-Piemonte: who we are

A in-house **consortium** of more than 100 local Public Administration members (main members: Piedmont Region and City of Turin)

- Management of our members' IT systems, including:
  - architectural and software design and development,
  - IT infrastructure provision and management through our own data center



### — CoE open source: first projects

#### Nivola



- An open source platform to provide services to PAs
- —https://github.com/Nivola GPL3

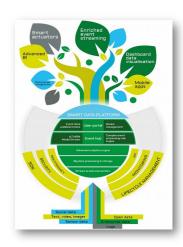
#### Yucca



- -2019 Reuse award
- https://github.com/yuccasdp/yucca-sdp

#### CSIAtlante

- –a QGIS Plugin to guide end users in organized access to data and geo services
- -https://github.com/SITA-RegionePiemonte/CSIAtlante GPL3



## CoE open source: a new challenge/1

• A lot of SWs are published, but just a few of them are used...



..what to do in order to build a good project? → able to produce SW which will be actually useful and used

...consider that...

A taylor made suit is not always the best choice

Ownership does not always mean management

## CoE open source: new challenge/2

- We need a plan! (also legally):
  - -Share what you really own
  - —Share what can be really sharable (before and after publication)
- Adopt a strategy first, and then devise the needed technical and juridical tools

### — First: Regain real ownership...

• The problem of "old" reuse: legacy and lock-in



Build a project really usable:

- Ownership of ad hoc development
- Compatibility of thid party AND background
- Draft a good contract (be ready to defend!)
   and monitor the development

#### —— ...and only for what you really need!/1

- When a solution works, just interact with the community already existing:
  - -You develop, I use (and test)
  - -You develop, I commit
  - -You develop worldwide, I release my little italian cookie...
    [the "Memora" experience]
  - -You develop, but look, maybe this is something useful...
    ["the GIS experience"]

#### ...and only for what you really need! /2



a digital platform developed on behalf of Piedmont Region to manage cultural assets -based on **Collective Access (GPL3)** 

- CSI contributes to the international community, which guarantees an high technical level and continuous updates
- it has developed a specific solution to interact correctly with national dataset ("dati.beniculturali.it) which will be published on Developers Italia

CSI got in touch with thw Qgis community in order to share its portable version — but not adjourned to v.3 — more interested in model than code — in stand by



world



- Not always a MoU is needed, but sometimes a (in)formal agreement is useful (...always with transparency and equality)
- it demands also a new "internal" approach:
  - from the HR office (I share consortium's assets...)
  - from the marketing office (I share client's assets...)

### Second: share what is really sharable (and hopefully useful)

- Once a controlled ownership has been achieved, try to identify from the beginning a collaboration model between PAs, using open source as a tool to avoid:
  - -proliferation of similar projects and
  - —lost fork (and money)
- What is worth to be published?
  - —what is inside technically and legally fine ...AND...
  - -what really can make some difference (search for allies!)

#### New challenge:

from <u>open by design</u> to <u>community by design</u>

## Community by design for "(re)new" project/1

- Build a community before publication:
  - Who wanna join to open the "old reuse": ?
    - Get in touch with PAs who have already re-used
    - Adopt a new collaboration protocol to "reuse" other
       PAs solutions: collaborate to open the code
  - look for partnerships for publication: a survey (what are you / would you like to develop? etc)

## Community by design for "(re)new" project /2

- Build a community after publication:
  - Use repository to propose coordination and codevelopment
  - Propose a membership contract with a management model (from a mere coordination to a co-development)
- common issue:
  - Ip management
  - Mainteinance
  - Trust and SLA
- Search for a national endorsement



#### —— Some ideas for a public reuse 2.0

- Coordination (project published by a single PA, which is also maintainer): a commitment for public reusers to commit respective "local" developments and to coordinate periodically (the property remains undivided – local personalization does not fork)
- **Co-development** (*pre* or *after* publication): a commitment for public reusers to share roadmap and development together through a common repository: property is shared and a sort of steering commettee is needed (increases complexity: rules for investment and responsability? Etc.)

## Some ideas for a public reuse 2.0 /1

- "shared-development": a co-development, but each PA takes responsibility of a definite block: the whole is a common project, but each block has a different (and authonomous) maintainer
- "incremental development": take an existing project and create something more/different: maybe the creator can become a user

### ——PA open community: no lock-in

- Some points to pay attention to:
  - The public maintainer can be one or more, but if each PA is free to look for a supplier, concurrency will be preserved
  - Open source is a bazaar, but for PAs some help from the top could be welcome, in order to coordinate public investment properly

### Community by design

- Contract to guarantee real ownership and compatibility (no lock-in, no legacy)
- Protocol to share knowlegde, propose common project, share investiment and property
- New collaborative models to preserve effectiveness through trustwhorthiness (a step-by-step approach can help)



#### Thanks!

laura.garbati@csi.it