

DCOS Agreement on Procurement

Centre for Internet and Society | 2008-12-06

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On December 6, 2008, at the closing of the third Internet Governance Forum in Hyderabad, India, the Dynamic Coalition on Open Standards (DCOS) released an agreement entitled the "Dynamic Coalition on Open Standards (DCOS) Agreement on Procurement in Support of Interoperability and Open Standards".

Dynamic Coalition on Open Standards (DCOS) Agreement on Procurement in Support of Interoperability and Open Standards

Third Internet Governance Forum (IGF)

Hyderabad, India

6 December 2008

Preamble

The Contracting Parties,

Recalling the World Summit on the Information Society (WSIS) Declaration of Principles which states that "[i]nternational standards aim to create an environment where consumers can access services worldwide regardless of underlying technology,"

Recognizing that standards are increasingly global concerns, involving goods and services that move in international trade across borders,

Aware that current competition and legal remedies may not be enough to solve the inherent tensions that routinely arise in the realm of patents and standards,

Desirous of encouraging procurement policies that require evaluation of multiple, competing products based on open ICT standards in order to ensure a level playing field for vendors, governments and consumers,

Cognizant of the need for procurement policies for software programs that are predicated upon an open standard,

Open Standards

Given the multiplicity of interpretations of the term open standards, for the purpose of this document we endorse as an acceptable definition the position contained in the European Union's draft European Interoperability Framework:

1) The open standard is adopted and will be maintained by a not-for-profit organisation, and its ongoing development occurs on the basis of an open decision-making procedure available to all interested parties (consensus or majority decision etc.). 2) The open standard has been published and the standard specification document is available either freely or at a nominal charge. It must be permissible to all to copy, distribute and use it for no fee or at a nominal fee. 3) The intellectual property - i.e. patents possibly present - of (parts of) the open standard is made irrevocably available on a royalty free basis. 4) There are no constraints on the re-use of the standard.

(IDABC EIF v2 draft (<http://ec.europa.eu/idabc/en/document/7728>))

As noted in the European Interoperability Framework cited above, open standards or technical specifications must allow all interested parties to implement the standards and to compete on quality and price. The goal is to have a competitive and innovative industry, not to protect market shares by raising obstacles to newcomers. Thus, open standards or technical specifications must be possible to implement in software distributed under the most commonly used open source licences, with no limitations arising from IPR associated with the standard in question.

In addition to the above requirements, it is recommended that there should be multiple independent implementations of the standard.

Governments, publicly funded and non-profit institutions agree to implement the following policies.

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Hereby agree to the following measures in order to promote interoperability and accessibility through the use of open standards.

1. To create a policy statement on interoperability and open standards, to be available to employees and the public.
2. By 2010, procurement of all software should be vendor neutral and implement open standards
3. By 2010, tender specifications for hardware (including peripherals and mobile devices) should require that manufacturers provide the driver and interface information necessary to work with a reasonable range of proprietary and free operating system platforms.
4. By 2010, all public facing web pages should conform to W3C standards for structure, presentation and accessibility.
5. By 2010, tenders for the supply of web based services (for example, online reservations) must specify the requirements of point 4.

6. By 2010, agencies should implement policies regarding the storage and archiving of government data and records to ensure that data is stored in open data and document formats.

Signed by:

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Moving Republic, India

Shuttleworth Foundation, South Africa

Swathanthra Malayalam Computing, India

Endorsed by:

Bangladesh Friendship Education Society, Bangladesh

Indian Social Action Forum (INSAF), India

Foundation for Media Alternatives, Philippines

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