



20 years of FLOSS public policies in France

Stefane Fermigier, 31 Jan. 2020
FSFE Pre-FOSDEM

About CNLL & the French F/OSS market

CNLL: origin & mission

Created in 2010 as a federation of regional associations (“clusters”)

Official denomination: “Conseil National du Logiciel Libre” -> “Union des entreprises du logiciel libre et du numérique ouvert” (Union of Free Software and Open Digital Companies)

Our mission: to bring together free digital companies (ENL = “entreprises du numérique libre”) in a spirit of community and around common values, and to represent and defend the professional sector of free software and open digital in France.

CNLL: our members

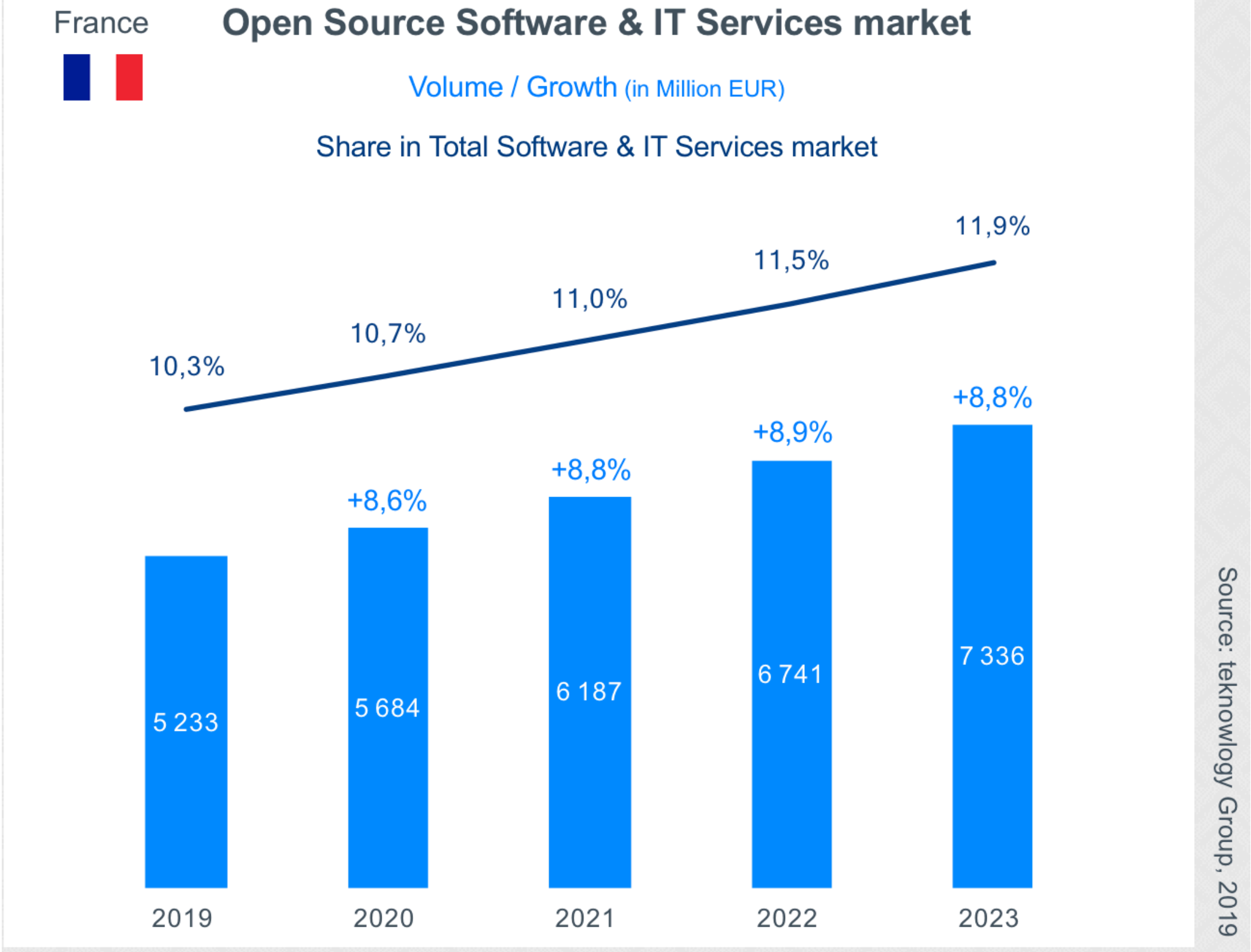
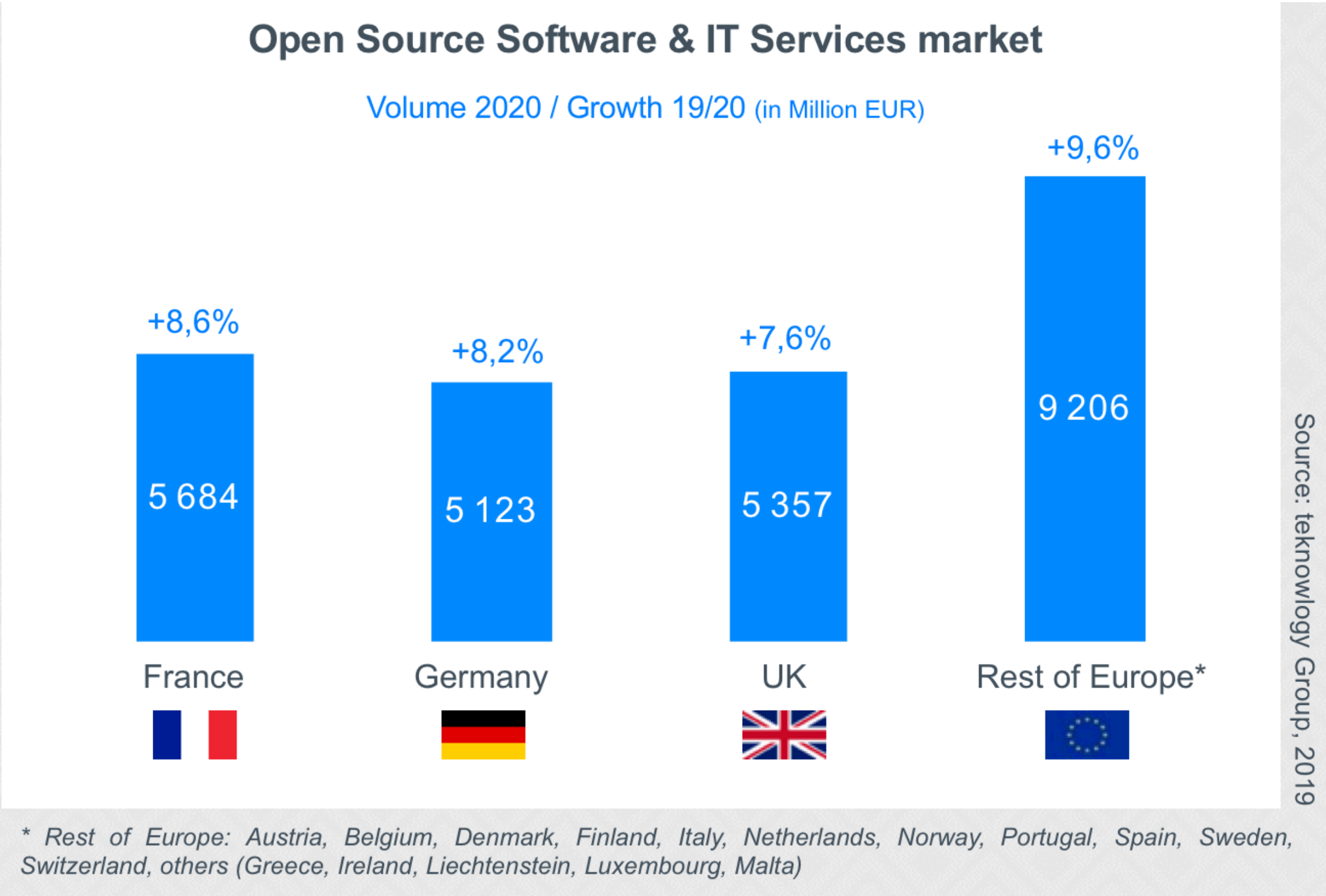
- 8 regional organisations, representing ~300 companies



- Direct members



Market size



From words...

(Note: emphasis added by me)

Christian Pierret (1999)

*Free software development is **far from being a marginal** phenomenon.*

Source: discours prononcé le 20 mars 1999

Carcenac report (2001)

*In conclusion, **usage of free software by public administration appears desirable**, with more advantages than disadvantages*

Source: rapport sur la modernisation de l'Administration électronique,
remis au Premier Ministre le 19 Avril 2001.

Michel Sapin (2001)

*The two requirements of the second step of e-government are therefore **interoperability** and **transparency**. These are the two strengths of free software.*

Source: <http://www.fonction-publique.gouv.fr/ministre/presse/discours-174>

Renaud Dutreil (2005)

*And I believe that for the development of e-government, **free software is a great opportunity and stake**. The State, as a wise buyer, can not not lose interest [sic].*

Source: discours du 26 mai 2005 à Soissons

Thierry Breton (2006)

*Many government departments launch software development projects that use the free software model. [...] **the choice of a free solution is made when it is more advantageous.** [...]*

*The experiments carried out confirm that the current evolution can therefore have significant **economic advantages**, but these are not the only ones and they must be placed in the context of a global analysis. At the level of information systems, developments under free license are likely to guarantee the administration **control, sustainability** and **independence of its choices**.*

Source: réponse à une question écrite de R. Cazenave (UMP)
Journal Officiel du 4 juillet 2006

Rapport Attali (2008)

Decision 58: Promote competition between proprietary software and "free" software. [...]

To develop competition, a series of actions is necessary:

- *Promote competition between proprietary software and free software in public and private tenders. **A target of 20% of newly developed or open-source public sector applications could be set for 2012.***
- *Consider fiscally, as in the United States, **aid to free software communities as well as patronage of competence.***
- *Require, at European level [...], the **setting of international standards guaranteeing interoperability between free software and proprietary software**, as a matter of priority.*

Source: Rapport de la Commission pour la libération
de la croissance française, janvier 2008

François Hollande (2012)

*Free software allows for more **mutualisation** and facilitates **competition** between outsourced service providers.*

Source: réponse aux questions du CNLL, printemps 2012
<http://cnll.fr/static/pdf/cp-positions-floss-ump-ps-3d.pdf>

Fleur Pellerin (2013)

*[The values of free software], are: **public access to knowledge for all, confidence or amplification of the public interest aspects of the Internet.** It is also the social values that carry a virtuous, open, participative model of society, where all data is first considered as a good accessible to the greatest number, and a source of knowledge that everyone can use, improve, share. Free software, open formats, it is finally a **community of people** [who demonstrate] that innovation and progress can also go through sharing, lack of ownership.*

Source: discours du 13 juin 2013

<http://fermigier.com/blog/2013/06/discours-de-fleur-pellerin-sur-le-logiciel-libre/>

Fleur Pellerin (2013)

*To conclude [...] open source is above all a vector of **innovation** and **change**, a real source of **productivity** and **competitiveness** for companies, and guarantees the **sustainability** and **independence** of the State.*

Source: discours du 13 juin 2013

<http://fermigier.com/blog/2013/06/discours-de-fleur-pellerin-sur-le-logiciel-libre/>

Axelle Lemaire (2014)

*[...] open source, open source software, open content, open hardware, open data, open innovation. I see this diversity as a chance - we must, you must preserve and strengthen it, because **it is a driver of the innovations of tomorrow.***

France is fortunate to have a network of startups and innovative and job-creating SMEs that master free technologies in all its forms. We would be wrong to deprive ourselves of these resources, especially to advance on the road of our digital technological independence.

F. Hollande & A. Merkel (2016)

Free software is a powerful engine for innovation.

Source: déclaration commune à l'issue du sommet franco-allemand

... to binding decisions

(Note: emphasis added by me)

Ministry of Defense (2006)

2.6 Favor free software when overall cost, risks and efficiency are comparable.

*In addition to the benefits of source code availability, free software allows to **verify compliance with standards and promote interoperability**.*

*The Ministry of Defense must endeavor, prior to any acquisition or any internal or outsourced development, to **identify alternative free software solutions of equivalent or similar functionality**.*

Source: directive “portant sur les logiciels du ministère de la défense”
(référence NOR DEFM0652897X).

Ministry of Defense (2006)

We must therefore seek the free availability of software acquired by the Ministry of Defense:

- *at overall comparable cost, risks and operational efficiency, free software is preferred;*
- *the use of certain free software may be **imposed** on contractors;*
- *the merits of solutions including all or part of free software must be **systematically studied**;*

Source: directive “portant sur les logiciels du ministère de la défense”
(référence NOR DEFM0652897X).

Circulaire Ayrault (2012)

After several years in which the question of the use of free software could be the subject of many discussions, it is now possible to retain a series of guidelines and recommendations on the proper use of free software.

These demonstrated in particular the advantages of free software (lower cost, flexibility of use, negotiation leverage with software vendors).

This is the subject of the attached document, prepared with the directors of information systems of your departments, as part of a work led by the interdepartmental management of information and communication systems. I ask you to implement, within your services, the orientations defined in the attached document.

Source: circulaire interministérielle “Orientations pour l'usage des logiciels libres dans l'administration”, 19 sept. 2012

“Higher education and research” Law (2013)

*The public higher education service provides its users with digital educational services and resources. **Free software is used in priority.***

(Article 9 de la loi ESR).

“Digital republic” law (2016)

*The administrations mentioned in the first paragraph of Article L. 300-2 of the Code of relations between the public and the administration take care to **preserve the control, the durability and the independence of their information systems.***

They encourage the use of free software and open formats in the development, purchase or use of all or part of these information systems.

(Loi “pour une République numérique”, dite “Loi Lemaire”)

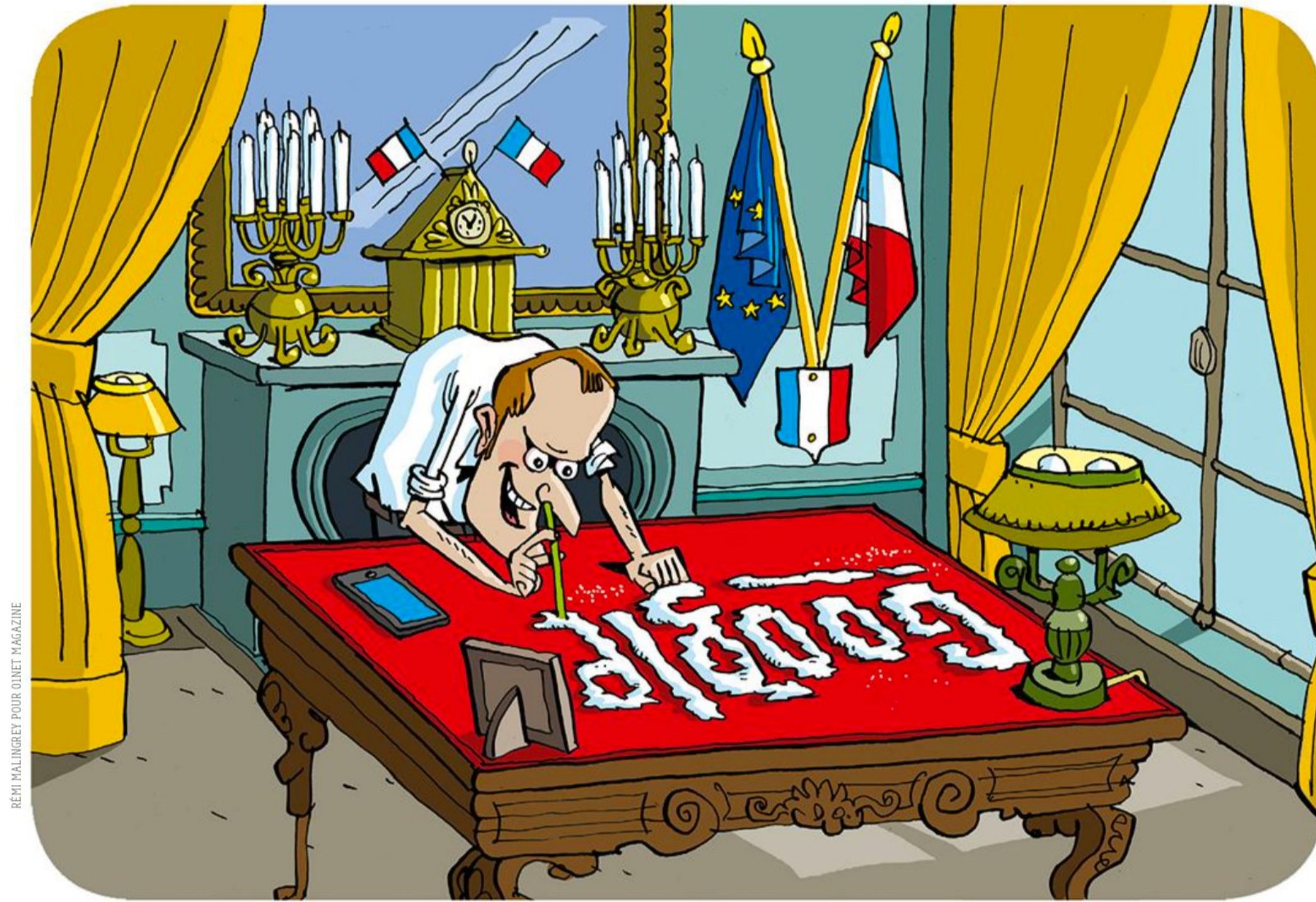
Current situation & next steps

Current situation (2017-2020)

Macron and his government are more interested in growing unicorns or making deals with the GAFAMs than in the open source business ecosystem

The free software provisions in the Digital Republic law are mostly ignored.

Not many people left working on free software at the DINUM (CTO office of the Government)



Municipal elections (2020)

EELV (the main French Green party) has 3 proposals wrt to F/OSS for their candidates in the 2020 municipal elections:

- *Promote the use of F/OSS in the public administration and in citizen-facing services*
- *Use F/OSS in schools*
- *Develop the use of F/OSS in the municipal administration*

I'm not currently aware of other major national parties with a similar platform

Some independents candidates (such as Cedric Villani, one of the major candidates for the Paris election), and the Pirate Party (which has very limited influence in France), have similar propositions

Next steps (2020)

Since political interest for FLOSS has dwindled since the Macron presidency, let's focus our advocacy effort somewhere else: **Europe**

That's why I'm here in Brussels today :)



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