The role of open source in Interoperability

European Union Public Licence

The EUPL - free and open source licence and legal interoperability tool

- To strengthen **sovereignty**, **trust principles** and **the rule of law**, the EU has put together regulation pieces in the area of digital, interoperability, privacy and security.

- The role of **digital commons** is crucial. Their "OPEN" character results from the licence.

- No regulation imposes the use of a specific F/OSS license, but the **EUPL** is proposed as a tool for interoperability and good governance, for public & private digital commons:

   ➡ Interoperable Europe Act [Art. 8 (4)]
      "Where a Union entity or public sector body provides a portal, catalogue or repository with similar   functions, it shall take the necessary and proportionate measures to ensure interoperability with the   Interoperable Europe portal. Where such portals collect open source solutions, they shall allow for the   use of the European Union Public Licence"

   ➡ Commission Decision C(2021) 8759 [Art. 5 (a)]
      "The open source licence granted by the Commission shall be the EUPL, except in the cases listed…"

The European Union Public Licence (EUPL)

- Working value in 23 languages

- EU law is applicable (Member State of licensor)

- Covering all forms of "distributions" (including remote/SaaS)

- Inclusive (scope covers "the Work")

- Providing open rights/freedoms (certified by both OSI and FSF)

- Realistic liability exclusion (+ inclusion of a guarantee of origin - CDO)

- Distributed derivatives **must stay open** ("copyleft" clause)

- Compatible with other copyleft licences (GPL/AGPL, LGPL, MPL, EPL etc.)

- **Interoperable**: freedom of linking, no "virality"

Check out:

➡ EUPL Collection on Joinup for guidelines, FAQs, news, discussions … and even some philosophy!

➡ Joinup Licencing Assistant and Compatibility Checker!

Q&A and…

Thank you!